



**AGENDA  
PLANNING & ZONING COMMISSION  
JULY 28, 2025  
COMMISSION ROOM  
MANDAN CITY HALL  
5:30 PM  
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*The City of Mandan is encouraging citizens to provide their comments for agenda items via email to [info@cityofmandan.com](mailto:info@cityofmandan.com). Please provide your comments before 3:30 p.m. on the day of the meeting. Include the agenda item number your comment references. Comments will be forwarded to the Commissioners and appropriate departments.*

**A. ROLL CALL**

**B. CONSIDER APPROVAL OF MINUTES**

1. June 23, 2025 Minutes

**C. PUBLIC HEARINGS**

1. Consider Schaff Estates 3rd Addition final plat
2. Consider a special use permit for 2510 40th Avenue SE
3. Consider Preliminary Plat and Masterplan for Kahl Addition
4. Consider Evergreen Heights 5th Addition Preliminary Plat

**D. OTHER BUSINESS**

**E. ADJOURN**



## Planning & Zoning Commission

### Agenda Documentation

**MEETING DATE:** July 28, 2025  
**PREPARATION DATE:** July 21, 2025  
**SUBMITTING DEPARTMENT:**  
**DEPARTMENT DIRECTOR:**  
**PRESENTER:**  
**SUBJECT:**

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**STATEMENT/PURPOSE:**

**BACKGROUND/ALTERNATIVES:**

**ATTACHMENTS:**

1. June 23, 2025 Planning & Zoning Minutes

**FISCAL IMPACT:**

**STAFF IMPACT:**

**LEGAL REVIEW:**

**RECOMMENDATION:**

**SUGGESTED MOTION:**

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

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

B. CONSIDER APPROVAL OF MINUTES

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

C. PUBLIC HEARINGS

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

Rachel Laqua, Interim Planner presented. The Planning & Zoning Commission tabled this item at the May 28, 2025 meeting.

The applicants requested a plat to the subject property into two lots, one containing the shop and existing home, the other will remain 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 is located at 2392 37th Street in Mandan. The property is currently zoned CB-Commercial and is in the ETA. The surrounding properties are undeveloped, except for the farmstead to the east that is 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 run by this property. The applicant has stated that the existing shop is utilized for personal use and not for business purposes.

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 vehicles to be stored indoors in an existing shop that's allowed in the current and adjacent zoning district of commercial as well as the future land use of commercial; there will be no excess noise; and there will be no additional commercial vehicles beyond the 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 conditioned 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. Items of discussion included the following:

(1) Will the proposed land use be designed, constructed, operated, and maintained 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 will be compatible with the generally agricultural nature of the existing use of surrounding properties.*

(2) Will the proposed use involves 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 because this is 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, because 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, because 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

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 six (6) adjacent property owners.
- There have been no comments or opposition to this request received by the city.

#### Findings of Fact Preliminary Plat

1. All technical requirements for approval of a preliminary plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice;
6. The proposed subdivision would not adversely affect the public health, safety, and general welfare.

#### Zone Change

1. The City of Mandan and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by this zone change;
2. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
3. The proposed zoning change would not adversely affect public health, safety, and general welfare.

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

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

#### **Open Public Hearing**

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to

speaking for or against the request for Schaff Estates 3rd Addition Preliminary Plat, Special Use Permit and Zone Change. Chair Robinson provided a second and third invitation to come forward.

Chair Robinson inquired if there were any comments or questions.

### **Close Public Hearing**

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

### **Commission Action**

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

2. Consider a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove..

Rachel Laqua, Interim Planner presented. The Planning & Zoning Commission tabled this item at the May 28, 2025 meeting.

Evolution Planning & Design has applied 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 28, 2025 meeting to discuss changes to the PUD application. Most items have been resolved.

### Property History

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

### Zone Change

The intent of the PUD (Planned Unit Development) is for fifty-seven (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. Letters were sent to forty-six (46) adjacent property owners.
- There have been no comments or opposition to this request received by the city.

Staff Comments Access:

Access to the property will be from a newly created 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. This is a change from the prior submittal.

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. The previous discussion addressed plans that showed that the street was the only part of the easement and there was a second easement for the sidewalk and the boulevard. This is now all one easement with only a slight difference in measurements.

The applicant and staff have been in discussion for several months regarding access management to the property. International Fire Code Appendix D 107.1 allows for only one (1) access per thirty (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 indicates that there should not be an additional permanent access allowed onto 19th from this development. They did submit a new plan that shows that emergency access going from the cul de sac out to 19<sup>th</sup>. It would be a Class 5 gravel emergency /temporary access on the eastern edge of the property. This would be used for temporary access to properties to the south while the new north-south road is being constructed. 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 issue due to concerns of building and fire staff. That issue will be finalized at a later point.

Staff recommended 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 they 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 has adequate park space connecting the development to 19th and the applicant has noted that the Park District will 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 can 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.

City staff recommended approval of the request 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; Masterplan of Phase II.

Chair Robinson inquired if there were any comments or questions.

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.

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

### **Open Public Hearing**

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

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.

Chair Robinson provided a second and third invitation to come forward. Chair Robinson inquired if there were any comments or questions.

### **Close Public Hearing**

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

### **Commission Action**

*Chair Robinson inquired if there were any comments or questions for Ms. Laqua or the applicant.*

*Commissioner Smith moved to recommend 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. Commissioner Intveld seconded the motion.*

*Chair Robinson called for a roll call vote: Mudder: Yes; Horn: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Smith: Yes; Hammond: Yes; Robinson: Yes. The motion passed.*

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

. Rachel Laqua, Interim Planner presented.

Meadowlands Park, LLC, requested a zone change from CB - Commercial to RMH - Residential for Lots 3-6, Block 2, Meadowlands Subdivision. This parcel is in the southeast corner of Memorial Highway. 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 is planning on having 40-50 lots. All access would be from 18th Ave SE and would require at least two (2) accesses based on the proposed number of lots.

### Property History

- Originally Platted in 2015 as Meadowlands Addition, and 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 connection to Memorial Highway 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 like the uses to the west.

#### Applicable Plans and Studies

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

#### 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

- It was noted that there are some outstanding items from Phase 1 that will 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 the 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 (8) 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.*

City staff recommended approval of the request for a zone change for Lots 3-6 of the Meadowlands Subdivision from CB- Commercial to RMH – Residential contingent on an approved preliminary and final plat, approved Development Agreement, and all road standards and access management requirements being met.

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

### **Open Public Hearing**

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a zone change from CB Commercial to RMH Residential for Lots 3-6, Block 2, Meadowlands Subdivision.

Abe Ulmer, ISLE, the engineer on the project came forward and stated that in working with the developer summarized that the request is to have the zone changed approved before moving forward, thus, explaining the reason for it being contingent on an approved preliminary and final plat. Upon approval, the plan will be to move forward with layouts of the plans for the project that will be presented to this Board for approval at a later time.

Chair Robinson commented that this does explain what would be considered as a levee. Long-term, it's considered applying for redundancy. Communication has occurred about doing the preliminary work through the Corp.

Chair Robinson provided a second and third invitation to come forward. Chair Robinson inquired if there were any comments or questions.

Chair Robinson, on behalf of the Lower Heart Board, commented that this zone change would be easier to work with in the levee capacity. It is surface development. If it were Commercial there could be larger structures and other development issues. Commissioner Mudder inquired how much more land would be used? Chair Robinson replied that it would not be taking anything here. The issue is when there is development next to a levee, there is a 500 ft. area that Corp requests additional studies on which is within this area. As far as long-term planning there is nothing in this area.

### **Close Public Hearing**

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

public hearing was closed.

### **Commission Action**

*Commissioner McLean moved to recommend 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. Commissioner Hammond seconded the motion. Chair Robinson called for a roll call vote: Mudder: Yes; Horn: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Smith: Yes; Hammond: Yes; Robinson: Yes. The motion passed.*

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

Rachel Laqua, Interim Planner presented.

BS Real Estate LLC & Image Dentistry requested a building 59-foot setback variance for Lots 4-15, Block 2, Mandan Proper between 4<sup>th</sup> and 5<sup>th</sup> Avenues to allow for side and Main Street parking.

BS Real Estate LLC & Image Dentistry requested 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 (5) adjacent property owners. There have been no comments or opposition received by the city.

#### 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 distinctly show the parking plan along the front of the 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-foot 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. 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.

City staff recommended approval of the request and findings of fact, consideration of the statement of hardship and potential identification of a hardship, and modifying or accepting Staff's findings of fact as necessary to support the motion of the Board for a building setback variance for Lots 4-15, Block 2, Mandan Proper.

Commissioner Smith inquired if all the other buildings that are more than 25 feet, were any of these buildings built after the ordinance took effect? Ms. Laqua stated that she is aware that Capital Bank, the building located immediately to the east, requested and was granted a variance on May 17, 2011.

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

#### **Open Public Hearing**

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a building setback variance for Lots 4-15, Block 2, Mandan Proper.

Leah Brady a dentist and the owner of Image Dentistry came forward and 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.

Chair Robinson provided a second and third invitation to come forward. Chair Robinson inquired if there were any comments or questions.

### **Close Public Hearing**

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

### **Commission Action**

Commissioner Intveld commented that when looking at the documentation provided, there are two hardships, those being the access and drainage. He stated that he is in favor of the front of the building facing towards Main Street.

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

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

. Rachel Laqua, Interim Planner presented.

Corey and Renee Schaff requested 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' required setback from an arterial street, which is what 37th Street is designated as on the long-range planning 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 building project 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 (5) adjacent property owners. There have been no comments or opposition received by the city.

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.

City staff recommended approving 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 because 37<sup>th</sup> Street is not likely to be improved in the near to mid-term future based planning documents.

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

**Open Public Hearing**

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a building setback variance for Lot 6, Landeis Subdivision Replat Lots 4-6.

Chair Robinson provided a second and third invitation to come forward. Chair Robinson inquired if there were any comments or questions.

**Close Public Hearing**

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

**Commission Action**

*Commissioner Intveld moved to recommend approval of the requested variance from Section 105 3-5(e) I.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.*

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

**D. OTHER BUSINESS**

1. *Appointment to the board.* City Administrator Neubauer stated that Ben Buchmiller resigned from the Planning and Zoning Commission on April 28, 2025 wherein that at-large seat is currently vacant. The term of that seat expires on December 31, 2027.

The Planning and Zoning Commission Administrative Assistant, Nancy Moser, contacted the last three individuals who submitted letters of interest to serve on the Board. Two of them did not respond back. One individual, Nick Renner expressed interest to fill the vacant seat. Renner served on the Planning and Zoning Board from 2017-2021. Administrator Neubauer stated that city staff recommended approval of the appointment of Nick Renner to serve on the Planning and Zoning Commission for the at-large seat that is currently vacant with a term that expires on December 31, 2027. Mr. Renner was available to answer questions.

*Commissioner McLean moved to appoint Nick Renner to the Planning and Zoning Board to fill the vacant seat with a term ending December 31, 2027. Commissioner Intveld seconded the motion. Chair Robinson called for a roll call vote: Mudder: Yes; Horn: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Smith: Yes; Hammond: Yes; Robinson: Yes. The motion passed.*

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

The meeting adjourned at 6:35 p.m.



## Planning & Zoning Commission

### Agenda Documentation

**MEETING DATE:** July 28, 2025  
**PREPARATION DATE:** July 21, 2025  
**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Rachel Laqua  
**SUBJECT:** Consider a request for a final plat for Schaff Estates 3rd Addition.

#### **STATEMENT/PURPOSE:**

Consider a Final Plat for Schaff Estates 3rd Addition, at 2392 37th Street

#### **BACKGROUND/ALTERNATIVES:**

##### BACKGROUND:

The Planning & Zoning Commission tabled the preliminary plat and zone change request at the May 28, 2025 meeting and recommended approval of the preliminary plat, zone change request for Lot 2, and Special Use Permit for Lot 2 at the June 23, 2025 meeting. City Commission approved the preliminary plat, zone change request for Lot 2, and Special Use Permit for Lot 2 at the July 15, 2025 meeting.

This is now the final plat for the Schaff Estates 3rd Addition, with Lot 1 containing 6.33 acres and zoned CB- Commercial and Lot 2 containing 2.84 acres, with a contingent zoning of R7- Residential and a contingent Special Use Permit for the parking and storage of a personal use commercial vehicle over 2.5 tones on a residential property (Code Section 105-1-3-(1)a.1&2). The residential property on Lot 2 will contain the existing shop and home. Lot 1 is currently vacant.

The property 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.

##### Final 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)  
Easements: One existing access easement in the NE corner of Lot 2; one 30' utility easement running east-west across Lots 1 and 2, as well as a 10' utility easement on the North sides of Lots 1 and 2 and the west side of Lot 1.

Adjacent Zoning, Land Use, and Future Land Use

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

Public Outreach and Application Details

Application Received: June 27, 2025

Application Fee: \$400.00

Notifications: Letters sent to 6 adjacent property owners

Findings of Fact

Final Plat

All technical requirements for approval of a final plat have been met;

The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;

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;

The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;

The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and

The proposed subdivision would not adversely affect the public health, safety, and general welfare.

Attachments:

1. Application
2. Final Plat
3. Location Map

**ATTACHMENTS:**

1. Application
2. Schaff Estates 3rd Addition Final Plat revised 7-18-25
3. Location Map

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

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

**LEGAL REVIEW:**

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

**RECOMMENDATION:**

City staff recommends approval of the final plat for Schaff Estates 3rd Addition.

**SUGGESTED MOTION:**

I move to recommend approval of the final plat for Schaff Estates 3rd Addition.

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 checked="" 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 <sup>nd</sup> & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	<input type="checkbox"/>	
<b>Summary of Request (Add separate sheet(s) as necessary)</b>			
<b>Create 1 residential lot and 1 commercial lot</b>			

Engineer/Surveyor			Property Owner or Applicant		
<b>Name</b> Mark R. Isaacs; ILSE, Inc.			<b>Name</b> David & Alexandria Weinreis		
<b>Address</b> 4915 Old Red Trail NW			<b>Address</b> 2392 37th Street		
<b>City</b>	<b>State</b>	<b>Zip</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
Mandan	ND	58554	Mandan	ND	58554
<b>email</b>			<b>email</b>		
mark@ilsruveynd.com			alexweinreis@gmail.com		
<b>Phone</b>		<b>Fax</b>	<b>Phone</b>		<b>Fax</b>
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	
City	<input checked="" type="checkbox"/> ETA	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	CB	R7	Schaff Estates 3rd Addition	
<b>Property Address</b>				<b>Legal Description</b>			
2392 37th Street, Mandan				Lot 1, Block 1 in Schaff Estates			
<b>Current Use</b>				<b>Proposed Use</b>			
Residential				2nd Addition			
Residential				Section 7	Township 139 N	Range 81 W	
<b>Parcel Size</b>	<b>Building Footprint</b>	<b>Stories</b>	<b>Building SF</b>	<b>Required Parking</b>		<b>Provided Parking</b>	
9.17 Ac							

<b>Print Name</b> Alexandra Weinreis	<b>Signature</b> 	<b>Date</b> 6-27-25
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Office Use Only			
Date Received:	Initials: <b>nm</b>	Fees Paid: <b>\$400</b>	Date <b>6-27-2025</b>
Notice in paper		Mailed to neighbors	P&Z meeting
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			





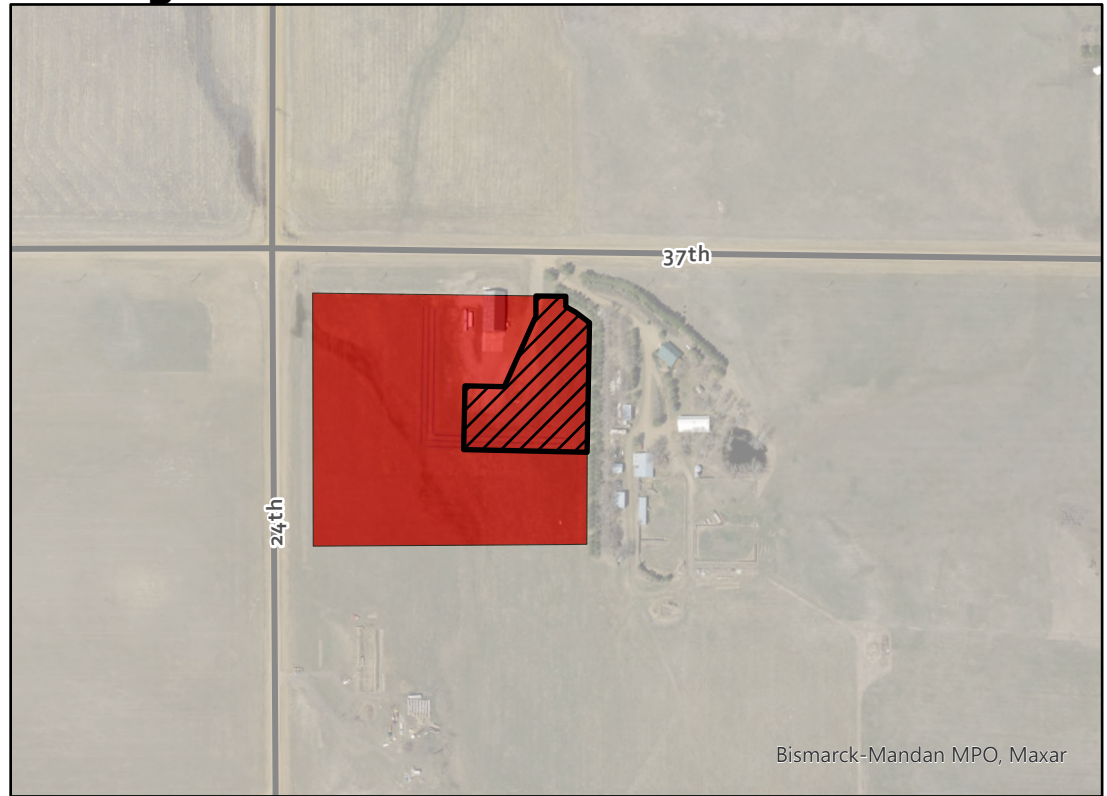
# Zoning and Future Land Use Reference Map

Schaff Estates 3rd

## Zoning

### Zoning Map Key

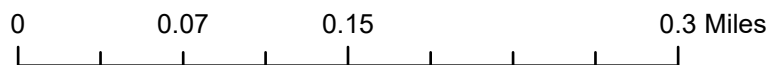
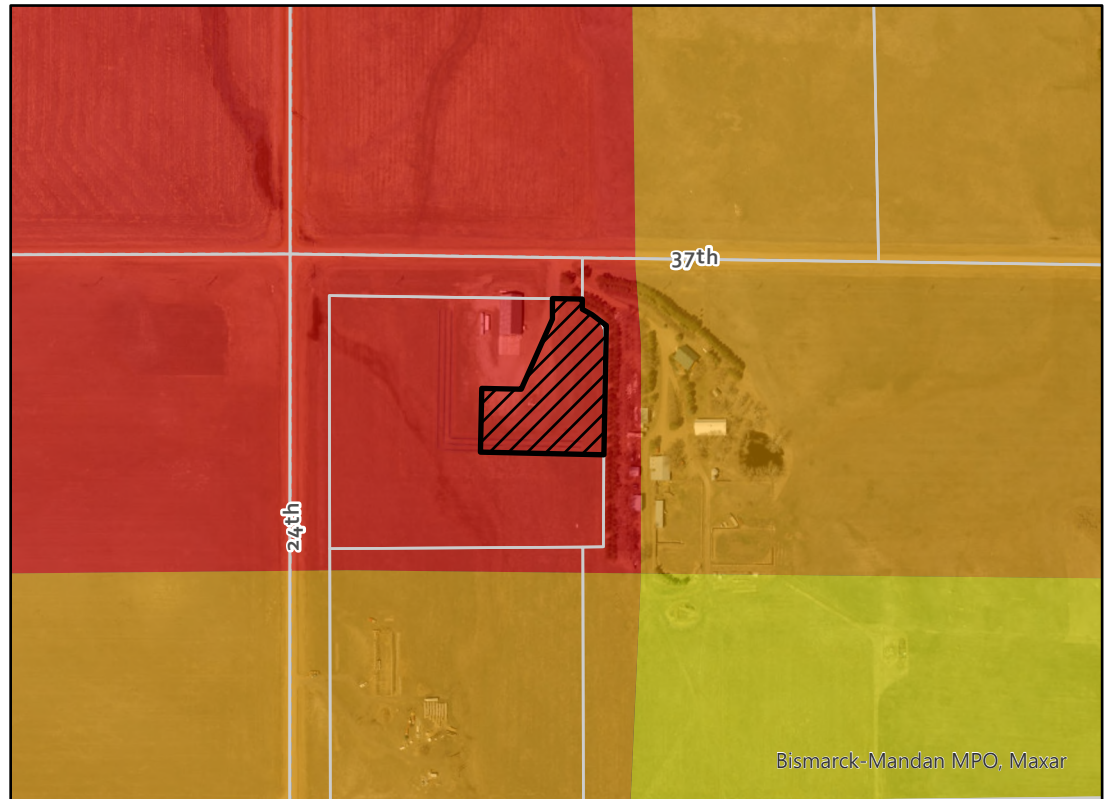
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



### Future Land Use Plan Key

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

## Future Land Use Plan



N





## Planning & Zoning Commission

### Agenda Documentation

**MEETING DATE:** July 28, 2025  
**PREPARATION DATE:** July 21, 2025  
**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Rachel Laqua  
**SUBJECT:** Consider a request for a special use permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Add. 4th Replat (2510 40th Ave SE)

#### **STATEMENT/PURPOSE:**

Consider an application for a special use permit for multi-use shop condos on Lot 1B, Block 1, Lakewood Commercial Park 3rd Addition 4th Replat.

#### **BACKGROUND/ALTERNATIVES:**

##### Property History

The property is located at 2510 40th Ave SE and is currently a vacant lot zoned CB - Business Commercial.

The applicant has previously had a request for a special use permit denied as the request included a city-owned lot to the east which bordered residential neighbors with concerns regarding the appearance and impact of the proposed development. This new application restricts the use to the applicant's property along 40th Ave SE and does not utilize the city-owned lot.

The property is zoned CB- Commercial, as are all surrounding properties.

##### Special Use Permit Request

The applicant is requesting a special use permit for a shop condo development, which is defined in Mandan City Code as: "Multi-use shop means two or more attached units that are designed and constructed as a single structurally dependent building or designed and constructed to allow individual units to be structurally independent from each other sharing a common wall on one or more sides. These are sometimes referred to as "shop-condos". These structures are unique from a twin/row home in that the residential use is accessory in nature. They are unique from a commercial strip mall in that they

often include a large garage or RV bay and rarely include the retail of products and visitation by the general public.”

The code notes in Section 105-1-5.k. that each multi-use condo development shall be reviewed as follows:

Multi-use shops. Each multi-use shop development may be permitted as a special use subject to the following minimum standards:

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

ownership is divided after a special use permit has been obtained, the property owner shall furnish a copy of said recorded agreement to the city showing it meets this provision.

The applicant provided answers to the required questions below with their special use permit application, which can be found in the packet.

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?
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?
3. Will the hours of operation of the proposed use be different than the adjacent uses?
4. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?
5. Will the site of the proposed use have sufficient area to provide the parking required for the use?
6. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

#### Staff Review

Staff note concerns regarding potential future declared uses which have not been declared via any official documentation. Staff have also not seen a detailed landscaping plan which would assist in determining compatibility with surrounding residential and lighter commercial uses.

Staff recommendation is that if approved, applicant provides a detailed covenant and use agreement to City with building permit and MARC application, as well as detailed building and landscaping plans at that time.

#### Adjacent Zoning, Land Use, and Future Land Use

Adjacent Zoning: North/South/East/West – CB- Commercial

Adjacent Land Use: Commercial to North, Residential to East, South and West.

#### Public Outreach and Application Details

Application Received: June 27, 2025

Application Fee: \$450.00

Notifications: Letters sent to 95 adjacent property owners

#### FINDINGS OF FACT

##### Special Use Permit

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? Staff have not received a full use description and covenants for the property, nor a full landscape plan. Both may affect the compatibility of the use for the neighborhood. If approved, applicant should provide a detailed covenant and use agreement to City with building permit and MARC application, as well as detailed building and landscaping plans at that time.

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? All uses must be allowable in the CB zoning district, so may not involve such uses.

Will the hours of operation of the proposed use be different than the adjacent uses? All uses must be allowable in the CB zoning district, so should be similar to surrounding commercial uses. However, existing surrounding land uses are low-impact childcare and multifamily residential, so have very limited operational hours.

Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses? All uses must be allowable in the CB zoning district, so should be similar to surrounding commercial uses. However, existing surrounding land uses are low-impact childcare and multifamily residential, so have very limited exterior lighting.

Will the site of the proposed use have sufficient area to provide the parking required for the use? Yes, based on the use descriptions provided at this time.

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

Attachments:

1. Application
2. Additional Submittal
3. Location Map
4. Building Rendering
5. Site Plan
6. Email from Andrew Stromme (submitted by applicant)

**ATTACHMENTS:**

1. Application
2. Additional Submittal
3. Location Map

4. Building Rendering
5. Site Plan
6. Email from Andrew Stromme

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

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

**LEGAL REVIEW:**

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

**RECOMMENDATION:**

City staff recommends approval of the special use permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Add. 4th Replat (2510 40th Ave SE)

**SUGGESTED MOTION:**

I move to recommend approval of the special use permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Add. 4th Replat (2510 40th Ave SE)

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

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen and Company			Name Steven and Erica Mittleider		
Address 909 Basin Ave			Address 4300 Southbay Drive SE		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email Lniemiller@swensonhagen.com			email mitty36@hotmail.com		
Phone 701-223-2600	Fax		Phone 701-870-0995	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	<input checked="" type="checkbox"/>	New	CB	CB	Mittleider	
Property Address				Legal Description			
2510 40th Ave SE				Lakewood Comm Park 3rd ADDN 4th RPLT			
Current Use				Lot: 1B Block: 1			
Vacant Lot							
Proposed Use							
Business Shop				Section 0	Township 0	Range 0	
Parcel Size 0.92	Building Footprint 48x136' & 60x136'	Stories 1	Building SF 14,688 sq ft	Required Parking 37		Provided Parking 38	

Print Name Steven Mittleider	Signature 	Date 6/27/2025
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Office Use Only			
Date Received:	Initials: <b>YM</b>	Fees Paid: <b>\$450</b>	Date: <b>6-27-2025</b>
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, please see included picture of map with similar properties in the near vicinity:  
The Cove at Lakewood Shop Condos are 0.2 miles to the North on 21street.  
Monte Gawryluk Shop Condos are 0.4 miles to the East By Moritz Sport and Marine.  
Lakewood Marina Boat, RV, and Auto storage is 0.5 miles to the South. By The Drink.

Having lived in the Lakewood area since 2007 and been part of multiple new builds, we are aware of the high aesthetic standards of the area. The proposed development will be visually attractive and maintain and or enhance the appearance of the area.

- 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, we have obtained legal counsel to help adopt covenants specifying these items as to not disrupt the neighborhood.

Traffic and parking at our property will be less than that of high density residential. When driving down 21st street, 24th street, and 40th Ave, with high density residential, there are cars lining the streets on both sides. Please see included pictures. Covenants will be in place to prevent unwanted parking over and above Mandan's city ordinance.

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

No

- 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, Swenson, Hagen, & Co. has calculated 1 parking spot per 400sq feet. Please see attached drawing from Swenson, Hagen, & Co. showing proper parking.

- f. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

No, Swenson, Hagen, & Co. is keeping the project within the proper setbacks. Please see attached drawing from Swenson, Hagen, & Co. showing proper set backs.

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](http://CityofMandan.com) and selecting Departments → Engineering and Planning → Maps → Zoning Map or by clicking [here](#) if viewing this document digitally.



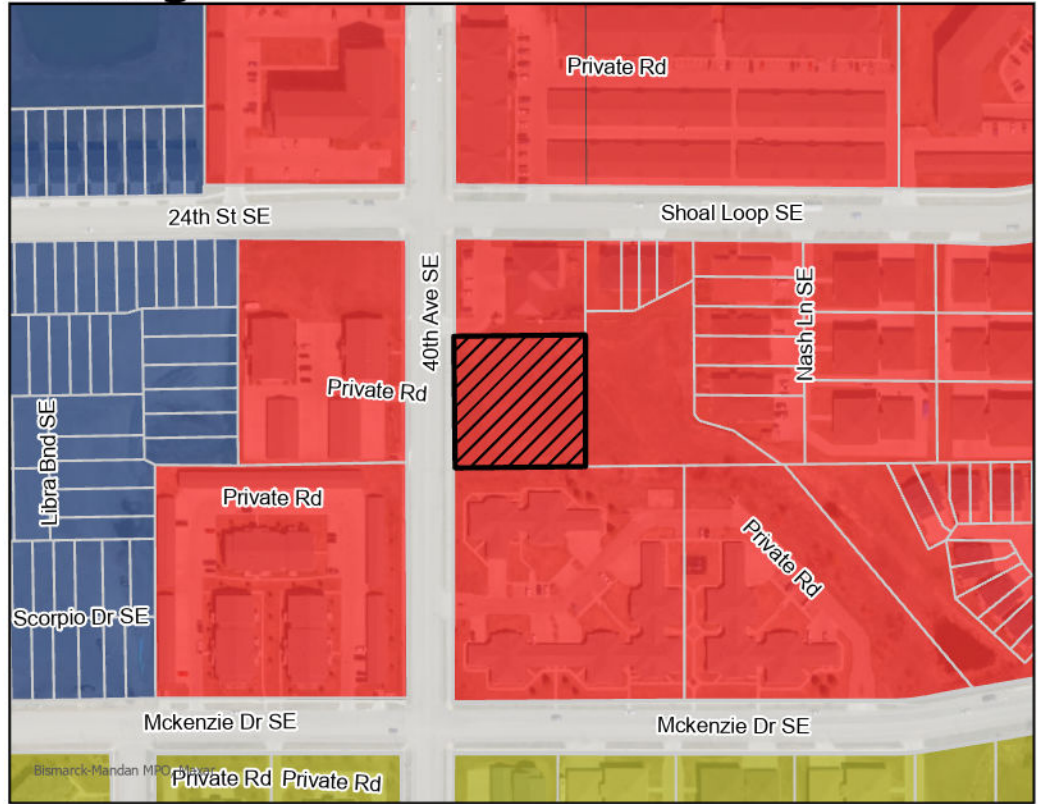
# Zoning and Future Land Use Reference Map

Lakewood Commercial Park 3rd

## Zoning Map Key

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

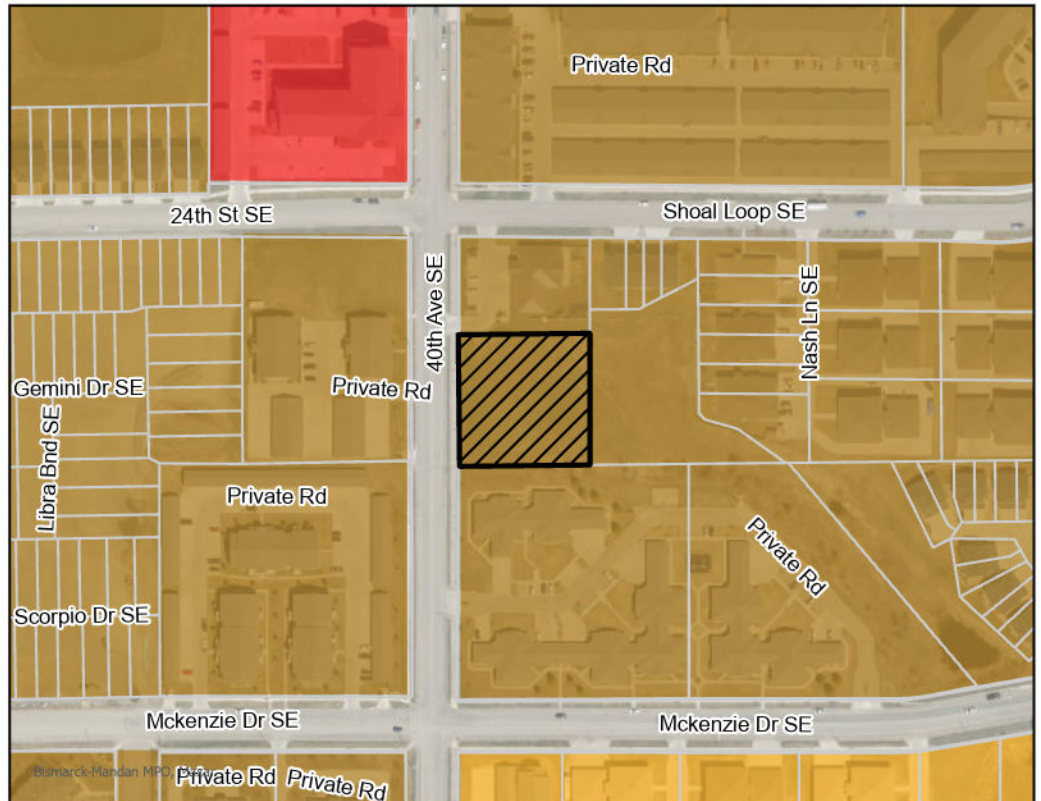
## Zoning



## 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                 |
| Proposed Site              |









5 Messages



ANDREW K. STROMME 9/12/24  
Hey Scott, Something like that would be...



**Andrew K. Stromme**

8:08 AM

To: Scott Ritter >

**RE: 2510 40th Ave SE**

I apologize for reaching out again, but I'm assisting someone with this property and discovered that it's actually restricted from residential use due to the way the ordinance is worded. I'm sorry for any confusion this may have caused. It states no residential uses. We typically see restrictions in bulleted lists and not buried in paragraphs.

We would support a zone change to allow residential use, as the property is surrounded by residential areas and the commercial uses permitted in the CB zone might not be ideal. While we don't plan to initiate any changes ourselves since it's not our land, I wanted to share this perspective for consideration.

Again, I'm sorry for any misleading information previously provided.

Andrew

See More





## Planning & Zoning Commission

### Agenda Documentation

**MEETING DATE:** July 28, 2025  
**PREPARATION DATE:** July 21, 2025  
**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Rachel Laqua  
**SUBJECT:** Consider Preliminary Plat and Masterplan for Kahl Subdivision

#### **STATEMENT/PURPOSE:**

Consider Preliminary Plat and Master Plan for Kahl Subdivision

#### **BACKGROUND/ALTERNATIVES:**

This proposed preliminary plat is located in the SE1/4 of Section 32, T139N R81W, 5<sup>th</sup> PM, Morton County, ND, within the ETJ. This portion of the SE ¼ of Section 32 has been previous partially platted as Lot “A”, and has four existing lots, Lot 1 of Lot “A”, Lot 2 of Lot “A”, Lot 3 of Lot “A”, and the remainder of Lot “A”. The applicant proposes to add two additional Lots, Lots 1 and 2 of Block 1, both containing 1.5 acres.

Staff requested that a master plan be created for the remainder of Lot “A” in the NE1/4SE1/4, though not the full extent of Lot “A”, in order to have a future understanding of access and development potential. This has been included in the application and shows future roadway access surrounding the property as well as an internal 66’ road right of way, with a potential for 8 additional large residential lots.

#### Preliminary Plat Details

Total Area: 3 acres to be platted into Lots 1 and 2 of Block 1

#### Configuration

Two lots within one block

#### Access

Access to both lots is via a 40’ wide access easement running west across Lot “A” from existing 22 ½ Avenue through Lot 1, Block 1 to Lot 2, Block 1. A culvert may be required for this access during the driveway and building permit process.

### Zone Change Request

- No zone change request is being made at this time.

### Adjacent Zoning, Land Use, and Future Land Use

Adjacent Zoning: North/South/East/West – Agricultural

The future land use plan designates this area as public land, and is shown outside the 2030 growth boundary. The very low density residential nature of the development should be in line with this.

### Public Outreach and Application Details

Application Received: June 26, 2025

Application Fee: \$450.00

Notifications: Letters sent to 3 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.

### Attachments:

1. Application
2. Location Map
3. Preliminary Plat
4. Exhibit
5. Future Plan

**ATTACHMENTS:**

1. Application
2. Location Map
3. Kahl Addition Preliminary Plat
4. Exhibit
5. Kahl Addition Future Plan

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

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

**LEGAL REVIEW:**

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

**RECOMMENDATION:**

City Staff recommends approval of Kahl Addition Preliminary Plat and Proposed Masterplan, contingent on final plat approvals.

**SUGGESTED MOTION:**

I move to recommend approval of Kahl Addition Preliminary Plat and Maser Plan, contingent on final plat approvals.

CITY OF MANDAN			
Development Review Application			
<input type="checkbox"/>	Minor Plat (\$300)	<input type="checkbox"/>	Zone Change (\$600)
X	Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/>	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/>	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	<input type="checkbox"/>	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/>	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	<input type="checkbox"/>	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/>	Stormwater 2 <sup>nd</sup> & 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)			
The applicant wants to provide 2 lots for their children's homes. The applicant would prefer to have these lots platted as Auditor's Lots instead of a subdivision			

Engineer/Surveyor			Property Owner or Applicant		
Name Sauber Engineering			Name Kahl Family Trust		
Address 2401 46th Ave SE			Address 2226 Sunny Road South		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email jsauber@sauberengineering.com			email Paigeekahl@outlook.com		
Phone (701)751-5993		Fax	Phone 701-391-2484		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	X	ETA	X	New	Addition	Agriculture	Agriculture	Kahl Subdivision
Property Address				Legal Description				
N/A				Portion of Lot A of the SE 1/4				
Current Use								
Agriculture								
Proposed Use								
Residential				Section 32	Township 139	Range 81		
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking			
3 Ac.								

Print Name Paige Ivey	Signature <i>Paige Ivey</i>	Date 5-28-25
--------------------------	--------------------------------	-----------------

Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$ 450	Date 6-26-2025
Notice in paper	Mailed to neighbors:	P&Z meeting:	
Approved	Approved with conditions:		
Denied			



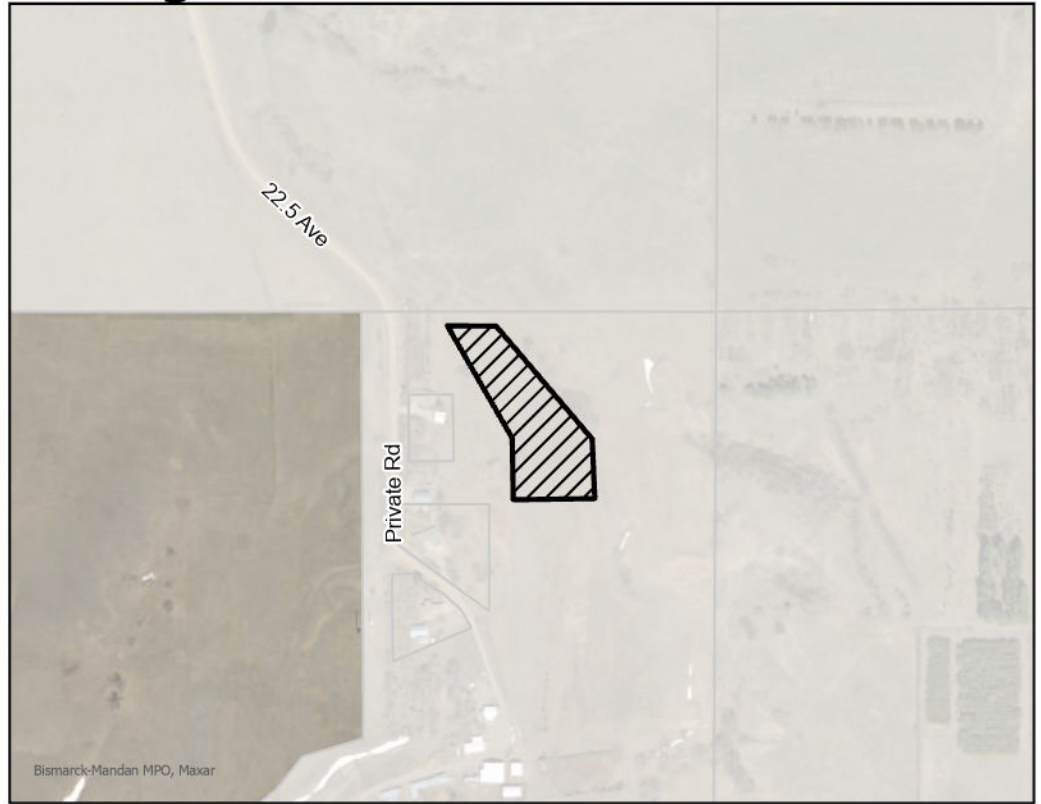
# Zoning and Future Land Use Reference Map

Kahl Subdivision

## Zoning

### Zoning Map Key

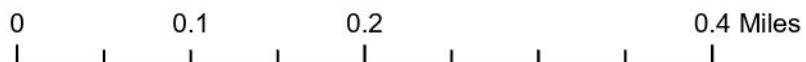
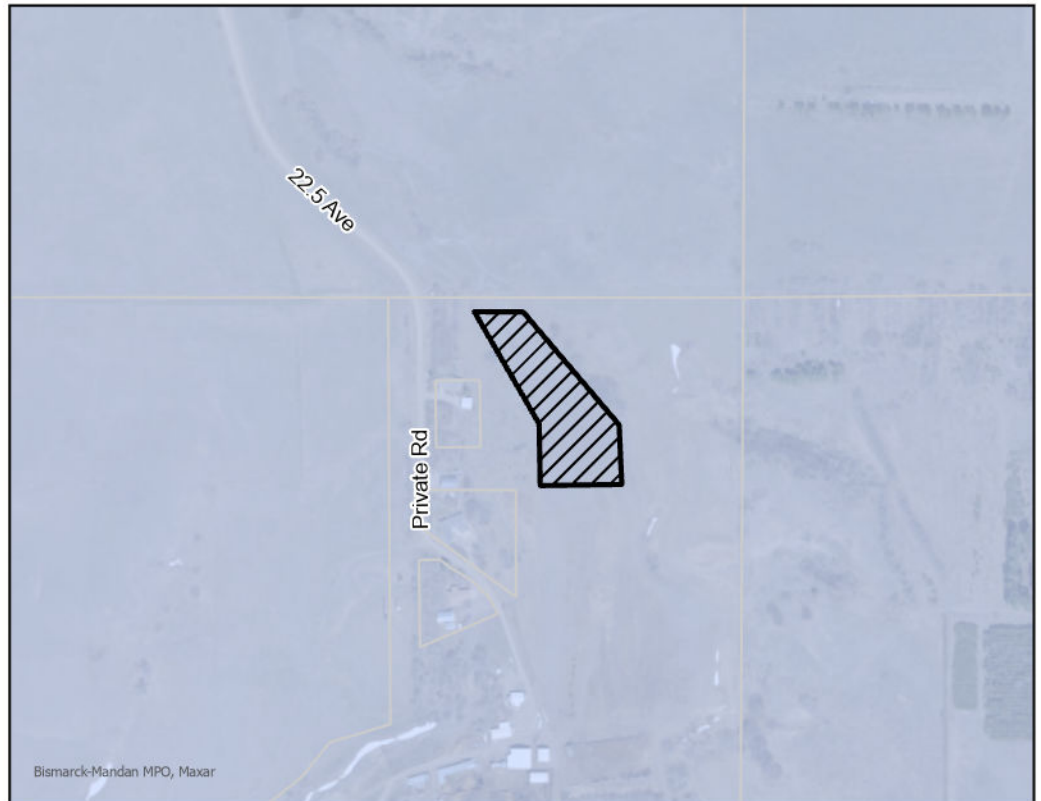
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



## Future Land Use Plan

### Future Land Use Plan Key

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

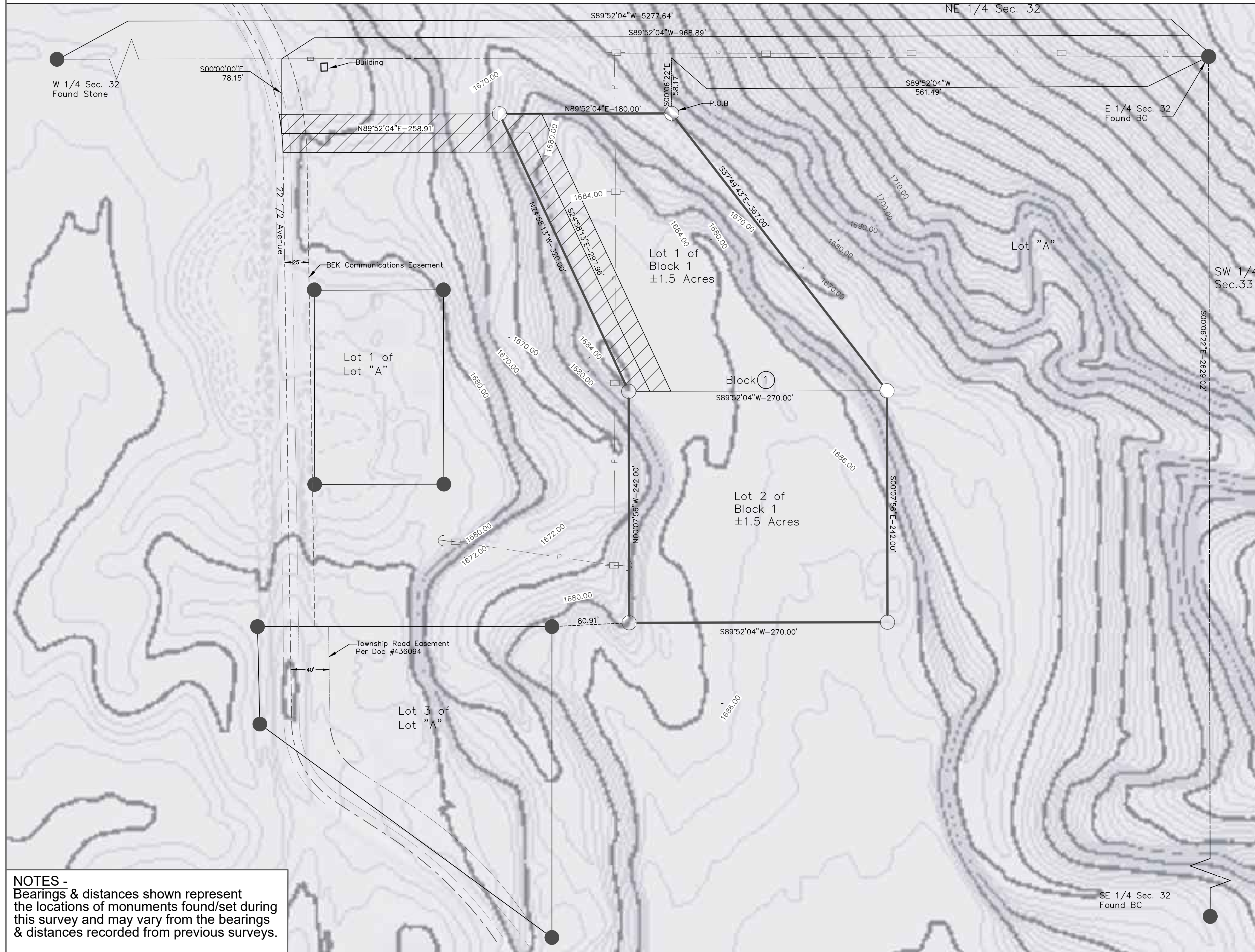


N



# KAHL ADDITION

A PORTION OF LOT "A" OF THE SE 1/4 OF SECTION 32  
TOWNSHIP 139 NORTH, RANGE 81 WEST, 5th PRINCIPAL MERIDIAN  
MORTON COUNTY, NORTH DAKOTA



**NOTES -**  
Bearings & distances shown represent the locations of monuments found/set during this survey and may vary from the bearings & distances recorded from previous surveys.

Basis of Bearing: North Dakota State Plane Coordinate System, South Zone - NAD83

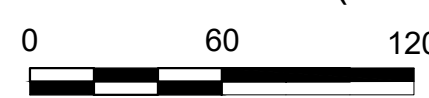
The Distances Reported are in Reference to the International Foot Definition and are at Ground Per NDDOT Combination Factor for Morton County (1/CF = 1.0001515230)

Field Survey Conducted on  
-05/08/2025  
-05/21/2025  
Plat Drafted on 05/23/2025

- LEGEND -**
- Monument found ●
  - Monument Set w/BPC (LS-8427) ○
  - Qtr. Section Line - - - - -
  - Section Line \_\_\_\_\_
  - Existing R/W \_\_\_\_\_
  - 20' Access Easement [Hatched Box]

- Existing Utilities -**
- BEK Communications - Communications Easement  
20 foot strip lying within 40 feet easterly of 22 1/2 Street  
Recorded Document #496456
  - Meredith Cable - Easement  
"Placement of cable in east ditch of the road going to Kahl Property..."  
Recorded Document #321031

GRAPHIC SCALE (in feet)



1" = 60'

I, Dawn Rhone, Auditor of Morton County, do hereby certify that all delinquent and current property taxes and installments of special assessments are paid and TRANSFER ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MORTON COUNTY AUDITOR

**DESCRIPTION OF PROPERTY:**

A Portion of lot "A" of the SE 1/4 of Section 32, Township 139 North, Range 81 West, 5th Principle Meridian, Morton County, North Dakota.

Commencing at the East Quarter Section Corner Brass Cap, thence S 89 Deg. 52 Min. 04 Sec. W along the latitudinal centerline of said section a distance of 561.49 feet to a point, thence S 00 Deg. 06 Min 22 Sec. E a distance of 58.17 feet to the Point of Beginning, thence S 37 Deg. 49 Min. 43 Sec. E a distance of 367.00 feet, thence S 00 Deg. 07 Min. 56 Sec. E a distance of 242.00 feet, thence S 89 Deg. 52 Min. 04 Sec. W a distance of 270.00 feet, thence N 00 Deg. 07 Min. 56 Sec. W a distance of 242.00 feet, thence N 24 Deg. 58 Min. 13 Sec. W a distance of 320.00 feet, thence N 89 Deg. 52 Min. 04 Sec. E a distance of 180.00 feet to the Point of Beginning

The described tract contains 3.0 acres more or less and are subject to any prior easements and reservations.

**DESCRIPTION OF ACCESS EASEMENT:**

A 40 foot wide strip of land lying 20 feet on each side of the following described centerline:

Commencing at the East Quarter Section Corner Brass Cap, thence S 89 Deg. 52 Min. 04 Sec. W along the latitudinal centerline of said section a distance of 968.89 feet to a point, thence S 00 Deg. 00 Min 00 Sec. E a distance of 78.15 feet to a point on the centerline of 22 1/2 Avenue and being the Point of Beginning, thence N 89 Deg. 52 Min. 04 Sec. E a distance of 258.91 feet, thence S 24 Deg. 58 Min. 13 Sec. E a distance of 297.96 feet to the North line of Lot 2 of Block 1.

The sidelines thereof are elongated or shortened to conform to the Grantors Property Lines.

The described tracts contains 0.51 acres more or less and are subject to any prior easements and reservations.

**SURVEYORS CERTIFICATION:**

I hereby certify that this plat was prepared by me or under my direct supervision, that the plat is a correct representation of the survey, the monuments are placed and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.

John Sauber Jr., PE/PLS

Date \_\_\_\_\_ Reg. No. LS-8427

STATE OF NORTH DAKOTA,

County of Morton.....} ss

Subscribed and sworn to before me this \_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_

**OWNER'S CERTIFICATE OF DEDICATION:**

We, the undersigned being the duly authorized representatives of the Kahl Family Trust, whose address is 2226 Sunny Road South, Mandan, North Dakota 58554, owner of the land platted herein, do hereby voluntarily consent to the execution of said plat.

Allen Kahl \_\_\_\_\_ Larry Kahl \_\_\_\_\_ Randy Kahl \_\_\_\_\_

STATE OF NORTH DAKOTA,

County of Morton.....} ss

Subscribed and sworn to before me this \_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_

**PLANNING COMMISSION APPROVAL:**

The subdivision of land shown herein has been approved by the Planning Commission of the City of Mandan, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2025 in accordance with the laws of the State of North Dakota, ordinances of the City of Mandan, and regulations adopted by the Planning Commission of said City. In Witness whereof are set the hands of the chairman and the secretary of the Planning Commission of the City of Mandan, North Dakota

Bill Robinson - Chairman \_\_\_\_\_ Nancy Moses - Secretary \_\_\_\_\_

**APPROVAL OF THE BOARD OF CITY COMMISSIONERS:**

The Board of City Commissioners of the City of Mandan, North Dakota has approved the subdivision of land shown hereon, has accepted the dedication of all streets, alleys, and public ways shown hereon, has accepted dedication of all parks and public grounds shown hereon, fruthermore, 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 \_\_\_\_\_, 2025

Jim Neubauer - City Administrator \_\_\_\_\_ James Froelich - President of the Board of City Commissioners \_\_\_\_\_

**CITY ENGINEER APPROVAL:**

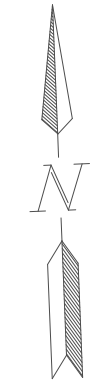
I, Jarek Wigness, City Engineer for the City of Mandan, North Dakota, Hereby Approves "Kahl Subdivision" of the City of Mandan, Morton County, North Dakota on the Annexed Plat.

Jarek Wigness - Mandan City Engineer

**SAUBER ENGINEERING**  
2401 46th Ave. SE, Suite 110  
PO Box 399  
Mandan, ND 58554

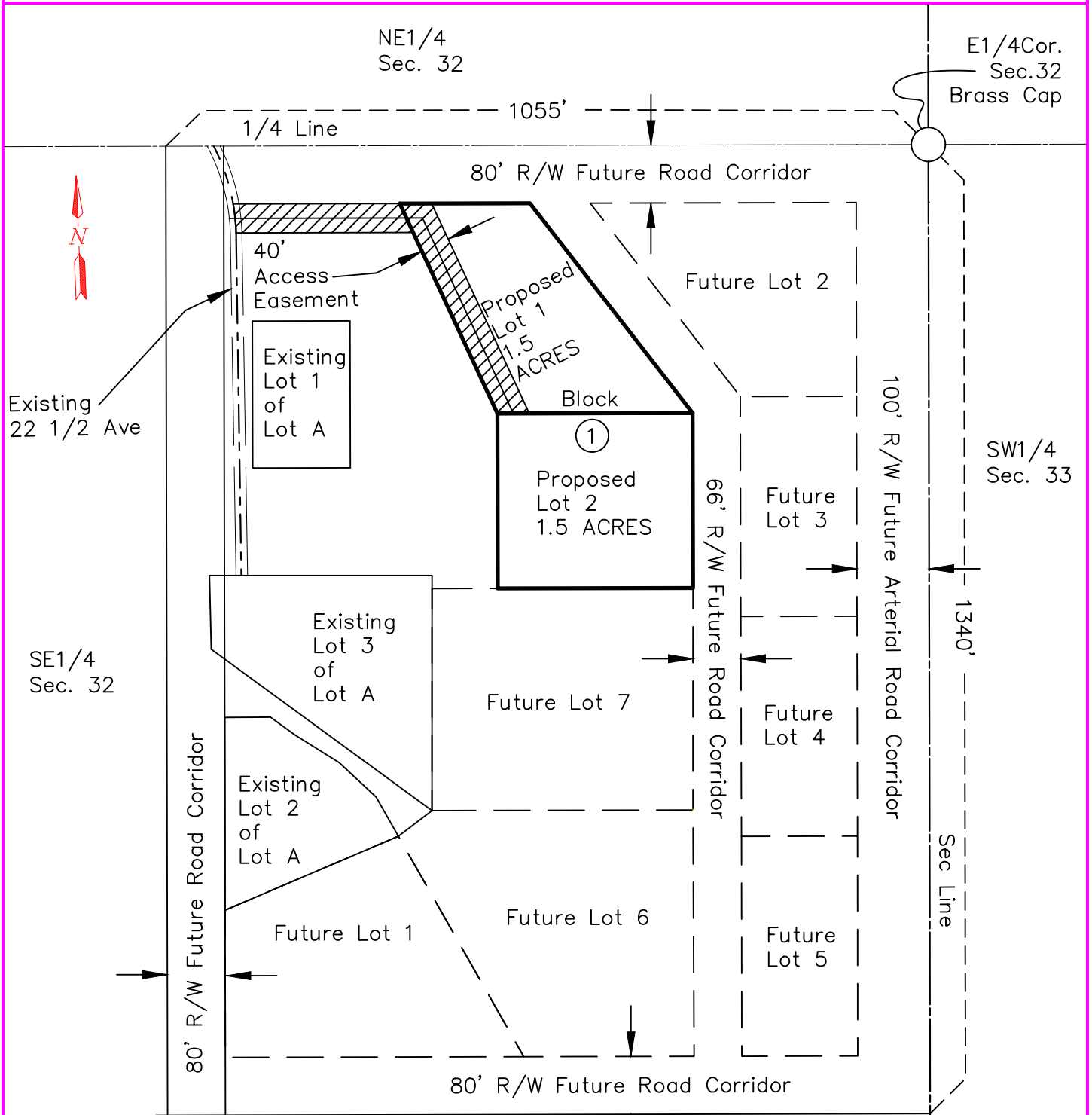
# KAHL SUBDIVISION

A PORTION OF LOT "A" OF THE SE 1/4 OF SECTION 32  
TOWNSHIP 139 NORTH, RANGE 81 WEST, 5th PRINCIPLE PAL MERIDIAN  
MORTON COUNTY, NORTH DAKOTA

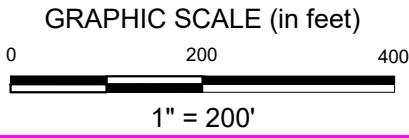


# KAHL ADDITION FUTURE PLAN

A PORTION OF LOT "A" OF THE SE 1/4 OF SECTION 32  
 TOWNSHIP 139 NORTH, RANGE 81 WEST, 5th PRINCIPAL MERIDIAN  
 MORTON COUNTY, NORTH DAKOTA



2401 46th Ave. SE, Suite 110  
 PO Box 399  
 Mandan, ND 58554





## Planning & Zoning Commission

### Agenda Documentation

**MEETING DATE:** July 28, 2025  
**PREPARATION DATE:** July 21, 2025  
**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Rachel Laqua  
**SUBJECT:** Consider Preliminary Plat for Evergreen Heights 5th Addition.

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#### **STATEMENT/PURPOSE:**

Consider Preliminary Plat for Evergreen Heights 5th Addition.

#### **BACKGROUND/ALTERNATIVES:**

This proposed preliminary plat is located north of 19<sup>th</sup> St SE and east of 14<sup>th</sup> Ave SE. This is a replat of the existing Lots 2-6 of Evergreen Heights Second Addition and of Lot 1, Block 1, Evergreen Heights Fourth Addition, in the SQ ¼ of Section 35, T139N R81W, City of Mandan.

The existing lot owners are replatting and purchasing the lots directly behind existing homes, as well as vacating a right of way to the east of the subdivision.

All lots are zoned R-7.

#### Preliminary Plat Details

Total Area: 4.43 acres, with new proposed lots ranging from 45,126 sq ft to 24,070 sq feet.

#### Configuration:

Two lots within one block

#### Access:

Access to existing lots is not changing, as they will maintain access from 14<sup>th</sup> Ave SE. Properties to the east will maintain access as existing. Proposed Lot 7 will take access from 19<sup>th</sup> St SE.

Access between existing Lot 1, Block 1, and Lot 1, Block 2, Evergreen Heights 4<sup>th</sup> Addition and Lot 1, Block 1, Living Water Addition is provided via 16<sup>th</sup> St SE and Living Water Drive. The proposed plat shows platting the ROW that is currently between Lot 1, Block 1 and Lot 1, Block 2, Evergreen Heights 4<sup>th</sup> Addition partially into the proposed re-plats of Lots 1-7 and partially creating a Lot 1. City staff have concern over Lot 1's configuration, and would like for it to be assimilated into Lot 1, Block 2, Evergreen Heights 4<sup>th</sup> Addition.

#### Utilities and Easements

There is a water line along 16<sup>th</sup> Street SE from 14<sup>th</sup> Ave SE to 1806. An easement should be clearly shown for this and for the associated fire hydrant just inside the ROW area proposed to be vacated on 16<sup>th</sup>.

Easements shown on the plat are extremely unclear and staff has concerns that all needs have been appropriately met.

#### Preliminary Plat

Plat does not show certificates, boundary descriptions, or legend.

#### Zone Change Request

- No zone change request is being made at this time. The zoning map online does not reflect a recorded zone change – all lots are zoned R-7.

#### Adjacent Zoning, Land Use, and Future Land Use

Surrounding zoning to the east is shown as R-7, to the north as Neighborhood Commercial, and to the south is shown as R-7.

The future land use plan designates this area as commercial. This land remaining as R-7 would not be a conflict as the larger lots would allow for easier transition to eventual commercial use along Hwy 1806.

#### Public Outreach and Application Details

Application Received: June 27, 2025

Application Fee: \$450.00

Notifications: Letters sent to 85 adjacent property owners

#### Findings of Fact

#### Preliminary Plat

1. All technical requirements for approval of a preliminary plat have been met;  
**These have not 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;
  1. 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;
  2. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
  3. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
  4. The proposed subdivision would not adversely affect the public health, safety, and general welfare.

Attachments:

Applications

Location Map

Preliminary Plat

**ATTACHMENTS:**

1. Application
2. Ben Kappel Signed Application
3. Edward Collins Signed Application
4. Thomas Stadick Signed Application
5. Wade Meschke Signed Application
6. Zachary Putz Signed Application
7. Location Map
8. Preliminary Plat

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

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

**LEGAL REVIEW:**

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

**RECOMMENDATION:**

City Staff recommends tabling of the Preliminary Plat for the Evergreen Fifth Addition so that the applicant may resolve issues with the preliminary plat.

**SUGGESTED MOTION:**

I move to recommend tabling of the Preliminary Plat for the Evergreen Fifth Addition so that the applicant may resolve issues with the preliminary plat.

CITY OF MANDAN			
Development Review Application			
<input type="checkbox"/>	Minor Plat (\$300)	<input type="checkbox"/>	Zone Change (\$600)
<input checked="" type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/>	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/>	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	<input type="checkbox"/>	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/>	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	<input type="checkbox"/>	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/>	Stormwater 2 <sup>nd</sup> & 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) <i>Replat of Lots 1-6 Block 1 of Replat of Evergreen Heights 2nd add. and replat of Lot 1 Block 1 Evergreen Heights 4th add.</i>			

Engineer/Surveyor			Property Owner or Applicant		
Name <i>Feser Engineering / SES Geomatics</i>			Name <i>Valan Renner</i>		
Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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	<input type="checkbox"/>	ETA	<input checked="" type="checkbox"/>	New	<input checked="" type="checkbox"/>	Addition	<i>RT</i>	<i>Same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>single family</i>						Legal Description <i>replat of L1-6 B1 of Replat of Evergreen Heights 2nd and Replat of L1 B1 Evergreen Heights 4th Add.</i>					
Current Use <i>single family</i>						Proposed Use <i>single family</i>					
Section <i>35</i>		Township <i>139</i>		Range <i>81</i>							
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking						

<i>Valan Renner</i>	Print Name	<i>Valan Renner</i>	Signature	<i>6-27-2025</i>	Date
---------------------	------------	---------------------	-----------	------------------	------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: <i>\$450</i>	Date <i>6-27-2025</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/>	Approved	Approved with conditions:	
<input type="checkbox"/>	Denied		

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
<input checked="" type="checkbox"/> 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 <sup>nd</sup> & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
<b>Summary of Request (Add separate sheet(s) as necessary)</b> Replat of Lots 2-6 Block 1 of Replat of Evergreen Heights 2nd add. and replat of Lot 1 Block 1 Evergreen Height 4th add.	

Engineer/Surveyor			Property Owner or Applicant		
Name <i>Feser Engineering / SES Geomatics</i>			Name <i>Valan Renner</i>		
Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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 checked="" type="checkbox"/> Addition	<i>R7</i>	<i>Same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>single family</i>				Legal Description <i>replat of L2-6 B1 of replat of Evergreen Heights 2nd and Replat of L1 B1 Evergreen Heights 4th add</i>			
Current Use <i>single family</i>				Proposed Use <i>single family</i>			
Section <i>35</i>		Township <i>139</i>		Range <i>81</i>			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

DocuSigned by: <b>Ben Kappel</b> Print Name	DocuSigned by: <i>[Signature]</i> Signature	6/30/2025 Date
Danielle Kappel		6/30/2025

225A8CDE-2A7F-4511-8000-000000000000			
Date Received:	Initials:	Fees Paid: \$	Date
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 type="checkbox"/> Zone Change (\$600)
<input checked="" type="checkbox"/> Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/> Planned Unit Development (\$700)
<input type="checkbox"/> Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/> Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$450)	<input type="checkbox"/> Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/> Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$750)	<input type="checkbox"/> Special Use Permit (\$450)
<input type="checkbox"/> Annexation (\$450)	<input type="checkbox"/> Stormwater submittal (\$300)
<input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/> Stormwater 2 <sup>nd</sup> & 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) <i>Replat of Lots 2-6 Block 1 of Replat of Evergreen Heights 2nd add. and replat of Lot 1 Block 1 Evergreen Height 4th add.</i>	

Engineer/Surveyor			Property Owner or Applicant		
Name <i>Feser Engineering/SES Geomatics</i>			Name <i>Valan Renner</i>		
Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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 checked="" type="checkbox"/> Addition	<i>R7</i>	<i>Same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>Single family</i>				Legal Description <i>replat of L2-6 B1 of replat of Evergreen Heights 2nd and Replat of L1 B1 Evergreen Heights 4th add</i>			
Current Use <i>Single family</i>				Proposed Use <i>Single family</i>			
Section <i>35</i>		Township <i>139</i>		Range <i>81</i>			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

Print Name <i>Rebecca Collins</i>		Signed by: <i>Rebecca Collins</i>		Date <i>6/30/2025</i>
Edward Collins		<i>Edward Collins</i>		<i>6/30/2025</i>

Office Use Only			
Date Received:	Initials:	Fees Paid: \$	Date
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 type="checkbox"/>	Zone Change (\$600)
<input checked="" type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/>	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/>	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	<input type="checkbox"/>	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/>	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	<input type="checkbox"/>	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/>	Stormwater 2 <sup>nd</sup> & 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) <i>Replat of Lots 2-6 Block 1 of Replat of Evergreen Heights 2nd add, and replat of Lot 1 Block 1 Evergreen Heights 4th add</i>			

Engineer/Surveyor			Property Owner or Applicant		
Name <i>Feser Engineering/SES Geomatics</i>			Name <i>Valan Renner</i>		
Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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	<input type="checkbox"/>	ETA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	New	Addition	<i>R7</i>	<i>same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>single family</i>				Legal Description <i>replat of L2-6 Bl of replat of Evergreen Heights 2nd and Replat of L1 Bl Evergreen Heights 4th Add</i>							
Current Use <i>single family</i>				Proposed Use <i>single family</i>				Section <i>35</i>		Township <i>139</i>	Range <i>81</i>
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking					

Print Name <i>Thomas E Stadick</i>	Signature <i>Thomas E. Stadick</i>	Date <i>06-30-25</i>
<i>Margaret Stadick</i>	<i>Margaret Stadick</i>	<i>06-30-25</i>

Office Use Only			
Date Received:	Initials:	Fees Paid: \$	Date
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	
Minor Plat (\$300)	Zone Change (\$600)
<input checked="" type="checkbox"/> 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 <sup>nd</sup> & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
<b>Summary of Request (Add separate sheet(s) as necessary)</b> Replat of Lots 2-6 Block 1 of Replat of Evergreen Heights 2nd add. and replat of Lot 1 Block 1 Evergreen Height 4th add.	

Engineer/Surveyor			Property Owner or Applicant		
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Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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 checked="" type="checkbox"/> Addition	<i>R7</i>	<i>Same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>Single family</i>				Legal Description <i>replat of L2-6 B1 of replat of Evergreen Heights 2nd and Replat of L1 B1 Evergreen Heights 4th add</i>			
Current Use <i>Single family</i>				Proposed Use <i>Single family</i>			
Section <i>35</i>		Township <i>139</i>		Range <i>81</i>			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

Signed by:		Signature:	Date:
<i>Wade Meschke</i>		<i>Wade Meschke</i>	<i>6/30/2025</i>
Print Name <i>Amy Meschke</i>		<i>Amy Meschke</i>	<i>6/30/2025</i>

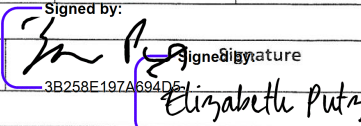
Office Use Only			
Date Received:	Initials:	Fees Paid: \$	Date
Notice in paper	Mailed to neighbors		P&Z meeting
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
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Address <i>1217 N 1st St</i>			Address <i>4655 Hwy 6</i>		
City <i>Bismarck</i>	State <i>ND</i>	Zip <i>58501</i>	City <i>Mandan</i>	State <i>ND</i>	Zip <i>58554</i>
email <i>greg@fesereng.com</i>			email <i>ajrenner@live.com</i>		
Phone <i>701-400-2801</i>		Fax	Phone <i>701-426-0522</i>		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 checked="" type="checkbox"/> Addition	<i>R7</i>	<i>Same</i>	<i>Evergreen Heights 5th Add.</i>	
Property Address <i>Single family</i>				Legal Description <i>replat of L2-6 B1 of replat of Evergreen Heights 2nd and Replat of L1 B1 Evergreen Heights 4th add</i>			
Current Use <i>Single family</i>				Proposed Use <i>Single family</i>			
Section <i>35</i>		Township <i>139</i>		Range <i>81</i>			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

Signed by:

Print Name Zachary Putz Elizabeth Putz	Signature  Elizabeth Putz	Date 6/30/2025 6/30/2025
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Office Use Only			
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Notice in paper	Mailed to neighbors		P&Z meeting
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			



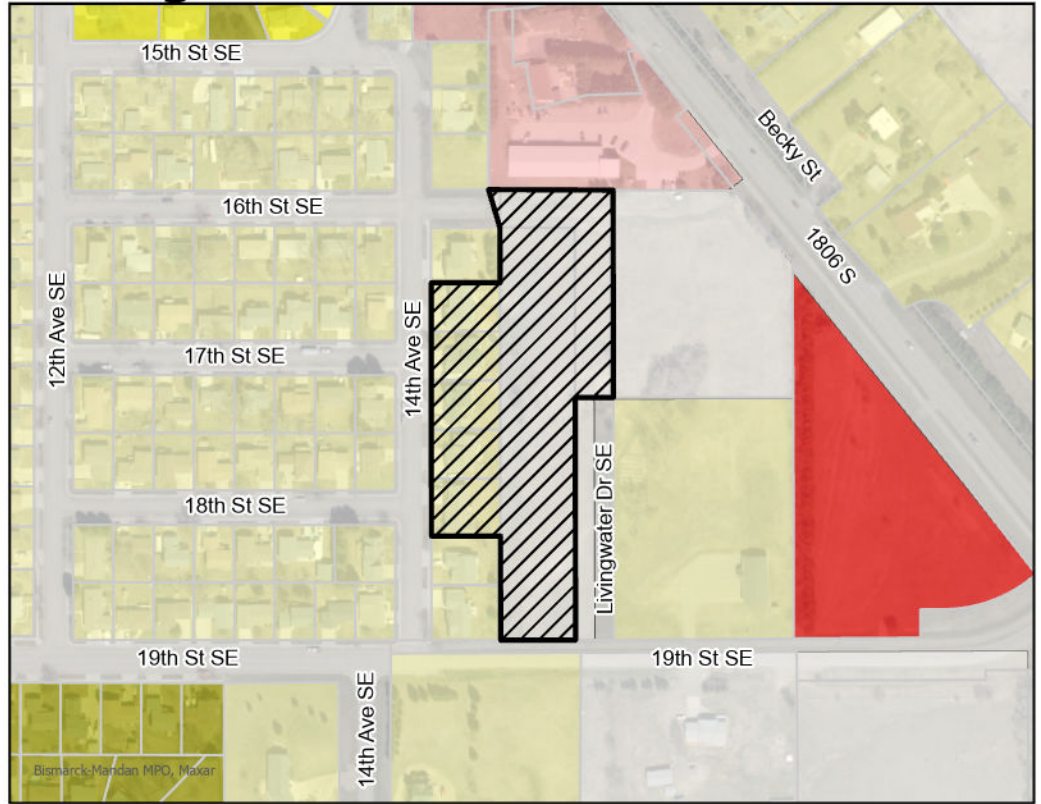
# Zoning and Future Land Use Reference Map

Evergreen Heights 5th Addition

## Zoning

### Zoning Map Key

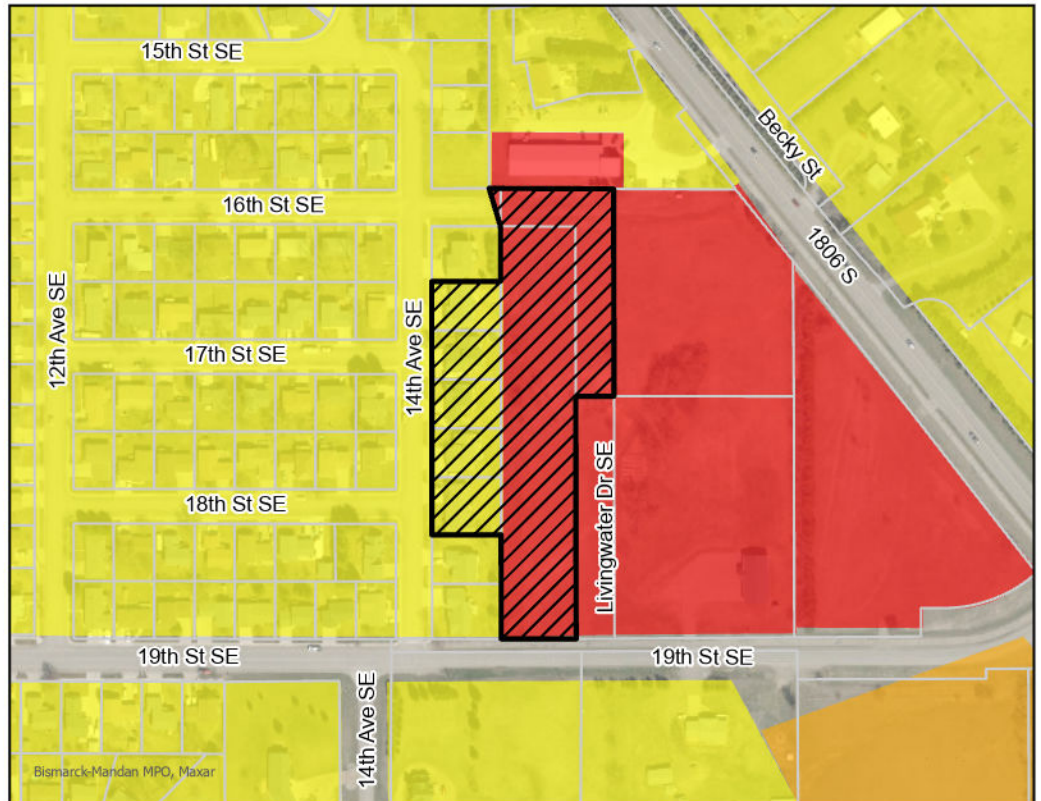
- |   |   |
|---|---|
| Agriculture - City of Mandan                | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County                 | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial                | MHS - Trailer Park            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



## Future Land Use Plan

### Future Land Use Plan Key

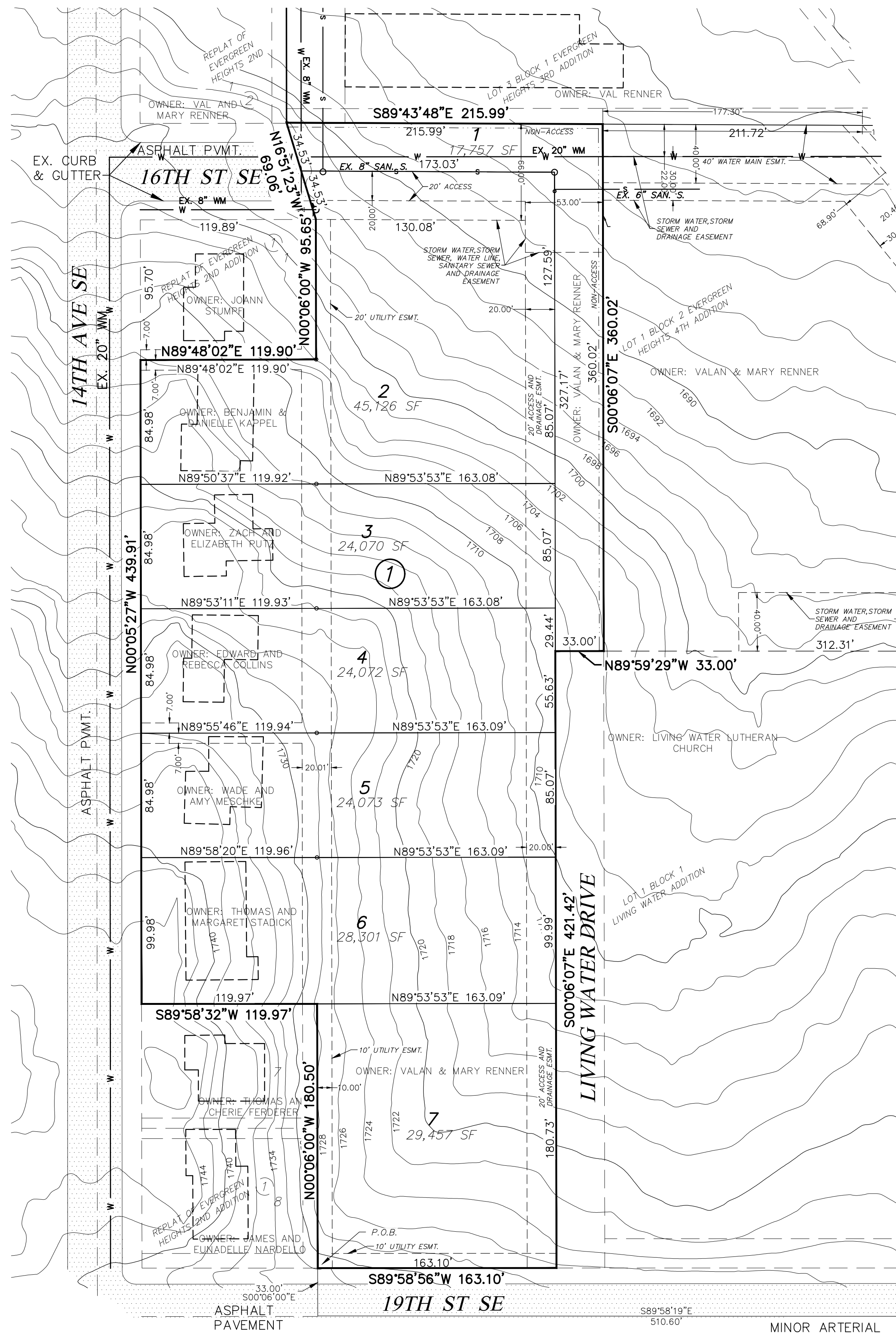
- |                            |
|----------------------------|
| Rural Residential          |
| Low Density Residential    |
| Medium Density Residential |
| High Density Residential   |
| Commercial                 |
| Industrial                 |
| Public/Semi-Public         |
| Public Land                |
| Park                       |
| Greenways                  |
| Open Space                 |
| Open Water                 |
| Proposed Site              |



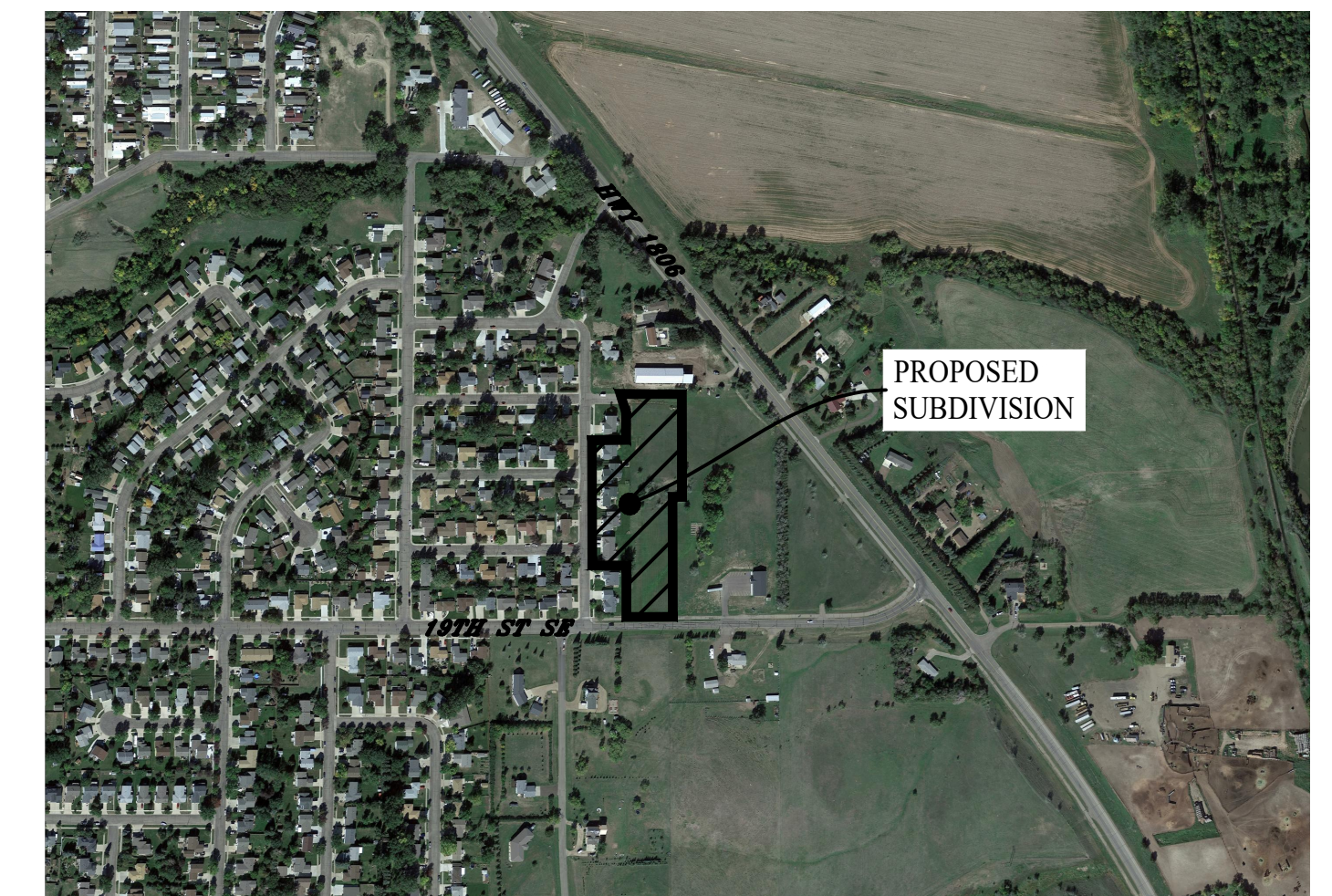
# PRELIMINARY PLAT

## FOR EVERGREEN HEIGHTS FIFTH ADDITION

REPLAT OF LOTS 2-6 BLOCK 1 OF REPLAT OF EVERGREEN HEIGHTS SECOND ADDITION  
AND  
REPLAT OF LOT 1 BLOCK 1 EVERGREEN HEIGHTS FOURTH ADDITION  
IN THE  
SOUTHWEST 1/4 SECTION 35, TOWNSHIP 139 NORTH, RANGE 81 WEST  
CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA



LOCATION MAP



OWNERS:

VALAN & MARY RENNER  
4655 HWY 6  
MANDAN, ND 58554  
PHONE: 701-426-0522

BENJAMIN & DANIELLE KAPPEL  
1712 14TH AVE. SE  
MANDAN, ND 58554

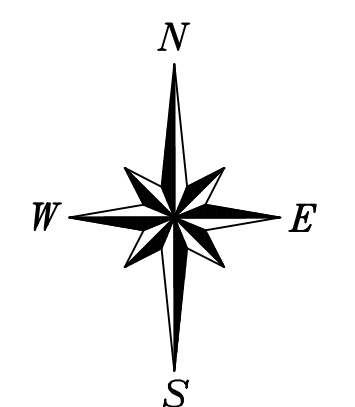
ZACHARY & ELIZABETH PUTZ  
1716 14TH AVE. SE  
MANDAN, ND 58554

EDWARD & REBECCA COLLINS  
1806 14TH AVE. SE  
MANDAN, ND 58554

WADE & AMY MESCHKE  
1810 14TH AVE. SE  
MANDAN, ND 58554

THOMAS & MARGARET STADICK  
1814 14TH AVE. SE  
MANDAN, ND 58554

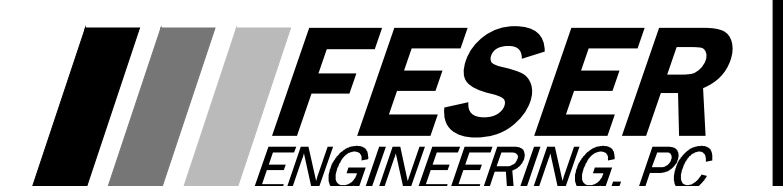
ZONED: R7 - RESIDENTIAL SINGLE FAMILY  
ACRES: LOT: 4.43 ACRES  
RIGHT OF WAY: 0.00 ACRES



SCALE: 1"=50'  
JUNE 27, 2025

SES GEOMATICS

SES GEOMATICS  
LARRY SMITH, PLS  
2321 HARDING AVENUE  
BISMARCK, ND 58501-2233



PRELIMINARY-NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION.