Burleigh County Planning and Zoning Commission Meeting

Tom Baker Meeting Room, City/County Office Building, 221 N 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

AGENDA

November 12, 2026

5:15 PM

1. Pledge of Allegiance
2. Roll Call
3. Approval of September & October Meeting Minutes
4. Public Comments: (Restricted to Burleigh County residents and landowners)
5. Consent Agenda: (The following items are requests for a public hearing)

5-1 Pegors Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

5-2 Tri-Energy Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

5-3 Steinke Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

5-4 Jensen Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

5-5 Fried Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

5-6 Hiatt Subdivision
Requests approval of the preliminary plat and calling for a public hearing.
Staff Recommendation: Approval

Burleigh County Planning and Zoning Commission Meeting

Tom Baker Meeting Room, City/County Office Building, 221 N 5th St, Bismarck

Attend in Person | Watch live on Government Access Channels 2 or 602 | Listen to Radio Access 102.5 FM | Stream on freetv.org or Dakota Media Access Facebook Live | Replay later from freetv.org

6. Public Hearing Agenda:

6-1 Grant Subdivision
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-2 Haadem 2nd Subdivision
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-3 University of Mary 3rd Subdivision
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-4 Meadows End Subdivision
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-5 Missouri Valley Complex 2nd Replat
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-6 Baldwin Greenhouse Subdivision
Requests approval of the final plat and a "Do Pass" recommendation to the Board of Burleigh County Commissioners.
Staff Recommendation: Approval

6-7 Revision to Part of Article 33 of County Ordinance
Requests approval of the final plat and calling for a second public hearing.
Staff Recommendation: Approval

7. Other Business:

8. Adjourn

Next Meeting: December 9, 2026

This page intentionally left blank.

Burleigh County Planning and Zoning Commission Meeting Minutes
September 9, 2026

PRESENT: Chairman Dennis Agnew, Commissioners Mike Connelly, Alvie Jarratt, Wayne Munson, Dale Patrick, Jim Small, Bea Streifel, and John Risch

OTHERS: Mitch Flanagan, Jacob Zabel, Casey Einrem, Dan Schriock, representatives of applicants, and members of the public

Chairman Agnew called the meeting to order. The Pledge of Allegiance was recited, followed by roll call. A quorum was present. The minutes from July 8th and August 12th were presented for approval.

Motion	Responsible Party	Result
Approve the minutes from the July 8th and August 12th meetings of the county commission	Motion made by Commissioner Jarratt Motion seconded by Commissioner Small	Motion approved 8-0

PUBLIC COMMENTS:
There were no public comments.

CONSENT AGENDA

There were 3 items on the consent agenda requesting a public hearing.

5-1 Grendahl Subdivision
A proposal to divide an existing 39 acre parcel into a 32 acre parcel and a 5 acre parcel. The smaller parcel's zoning would be changed from A - Agricultural to R1 - Rural Residential.

5-2 Grant Subdivision
A proposal to create a new 29 acre parcel that would split apart from an existing 78 acre parcel.

5-3 Baldwin Greenhouse Subdivision & Strong Farms PUD
A proposal to create a 1 lot subdivision on a 40 acre parcel located at 1725 201st Ave NE. The adoption of a PUD agreement was also proposed. This item was removed from the table at the July 8th meeting, which sent it back to the consent agenda.

Commissioner Streifel: Questioned why item 5-3 was on the consent agenda after being discussed at previous meetings.

Motion	Responsible Party	Result
Approve items 5-1 and 5-2 on the consent agenda, approving both items for a public hearing	Motion made by Commissioner Munson Motion seconded by Commissioner Hall	Motion approved 8-0

Mitch Flanagan, Planning Director: Explained that item 5-3 had been brought back to the consent agenda at the July 8th meeting, and that this had not been noticed prior to the August 12th meeting as a result of the minutes for the July 8th meeting not being completed at that time. While he believed the item should have been approved for a public hearing at the July 8th meeting, it had not been, and the proper process needed to be followed.

Chairman Agnew: Asked for an update related to an easement and an agreement between the property owner and a neighbor.

Mitch Flanagan, Planning Director: Stated he believed that a second easement on the site was possibly necessary, but had not been fully decided on by the applicant. Additionally, he was not aware of any meeting between the property owner and the neighbor, or any agreement they may have made.

Commissioner Streifel: Asked for more information on the easement and if it needed to be fully addressed before the item could be approved for a public hearing.

Mitch Flanagan, Planning Director: Stated that a second access to the site would be necessary unless the single proposed access was 40 feet wide. This would be necessary for fire response to the site.

Chairman Agnew: Asked if the preliminary and final plat had been finished.

Mitch Flanagan, Planning Director: Stated that the preliminary plat was complete and the final plat was almost finished. Additionally stated that an agreement between the property owners being signed was still a possibility.

Commissioner Patrick: Agreed that an agreement between property owners would be necessary to resolve the disagreements related to the proposal.

Commissioner Connelly: Noted that the deer farm owner invited him out for a tour of their property and had also visited with the owner of the neighboring greenhouse property. Efforts were discussed to arrange a meeting after it was shared that previous attempts were arranged with the first being cancelled by a greenhouse stakeholder and the other not being able to find a workable time. The owner of the deer farm chose not to follow through as they thought it did not favor a solution from him. Thus, the option shared by another commissioner at a previous meeting on the two parties to work something out seemed unlikely.

Mitch Flanagan, Planning Director: Questioned how an agreement would be officially recorded and was unsure if an agreement could even be enforced. Additionally re-established that the PUD would require the construction of a 6-foot, solid barrier fence that would hopefully address some of the neighbor's issues with the proposal.

Commissioner Munson: Believed that an agreement would not be enforceable, as it would be outside of the authority of the planning and zoning commission.

Commissioner Streifiel: Stated that she did not expect an agreement to be in writing, but simply wished for a discussion to be held. Additionally asked if the easement question would be addressed before final approval.

Mitch Flanagan, Planning Director: Stated that it could be addressed prior to the next meeting.

Commissioner Small: Wished to hear the county engineer's thoughts on a second access.

Daniel Schriock, County Engineer: Stated that a second easement and a singular 40-foot access point would both follow the county's standards.

Motion	Responsible Party	Result
Approve item 5-3 on the consent agenda, approving the item for a public hearing	Motion made by Commissioner Connelly Motion seconded by Commissioner Munson	Motion approved 7-1

PUBLIC HEARING AGENDA

6-1 Highlands at Burnt Creek

A proposal for a new 33 lot subdivision on an 80 acre parcel north of Bismarck. The proposal includes a zoning change from A – Agricultural to R1 – Rural Residential. The petitioner requests approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the subdivision, additionally mentioning that the lots would vary in size from 1.5 to 6.3 acres, but that most would be on the lower end of that range.

Additionally, the storm water management plan for the subdivision had not been approved by staff prior to the meeting, so staff were requesting approval conditional to the plan's approval.

Commissioner Streifel: Asked if Burleigh County would be maintaining the proposed roads in the development.

Jacob Zabel, County Planner: Stated that the question would be best answered by the highway department.

Commissioner Streifel: Asked for any information on sewer or other utilities.

Jacob Zabel, County Planner: Stated that the subdivision would be made up of lots suitable for private septic systems.

Casey Einrem, Senior Assistant County Engineer: Stated that the roads in the subdivision would be township roads maintained by the county and confirmed the planned use of septic tanks on the site.

Chairman Agnew opened the public hearing.

Harvey Schneider, Project Surveyor: Agreed with the information presented by staff and was open to answering any questions.

Chairman Agnew: Asked for the reason that the storm water management plan was not ready.

Harvey Schneider, Project Surveyor: Stated that the plan was submitted, but not yet approved by staff.

Casey Einrem, Senior Assistant County Engineer: Stated that the department did not have time to review the proposed storm water management plan prior to the meeting due to a busy schedule.

Tanya Fyfe, Nearby Homeowner: Expressed support for the subdivision, but wished for information regarding a homeowners' association, the quality of homes, if animals would be allowed, if the roads would be paved, and setback requirements.

Casey Einrem, Senior Assistant County Engineer: Stated that the county would require the roads to be paved and that homes would be similar to those in the surrounding area.

Mitch Flanagan, Planning Director: Confirmed that homes would be similar to those in the surrounding area and mentioned the relevant setback requirements.

Tanya Fyfe, Nearby Homeowner: Asked if approval of the subdivision would impact the fence on the property line between her property and the proposed subdivision.

Casey Einrem, Senior Assistant County Engineer: Stated that there would be no roads adjacent to the shared property line to be concerned about.
The public hearing was closed.

Motion	Responsible Party	Result
Approve the subdivision and give a "do pass" recommendation to the Burleigh County Commission conditional to the approval of the stormwater management plan	Motion made by Commissioner Patrick Motion seconded by Commissioner Connelly	Motion approved 8-0

6-2 Misty Waters 4th Subdivision

A proposal for a minor plat modification to vacate a 20-foot drainage easement on an existing property at 6408 Dream Dr. The petitioner requests approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the proposal and reiterated that the removal of the drainage easement was the only proposed change.

Chairman Agnew opened the public hearing. No comments were received, and the public hearing was closed.

Commissioner Patrick: Stated that he didn't think vacating the drainage easement would be a good idea, given the area's history with flooding.

Commissioner Small: Asked for an engineer to comment on the proposal.

Casey Einrem, Senior Assistant County Engineer: Stated that the easement had become obsolete since it was adopted and that numerous nearby properties had already vacated their easements.

Commissioner Connelly: Agreed with the information provided by Casey Einrem.

Commissioner Patrick: Asked if the Corps of Engineers were okay with the proposal.

Casey Einrem, Senior Assistant County Engineer: Confirmed that they had no issues with the proposal.

Motion	Responsible Party	Result
Approve the minor plat modification and give a "do pass" recommendation to	Motion made by Commissioner Connelly	Motion approved 8-0

the Burleigh County Commission	Motion seconded by Commissioner Hull	

6-3 Aberle Park Subdivision Zoning Change

A proposal for a zoning change to an existing 1 lot subdivision at 2810 158th St NE. The petitioner requests approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the proposal, stating that the zoning would change from C – Commercial to I – Industrial to allow for the site to be used for commercial storage. He also stated that industrial properties already existed in the area, so the proposed change would not be out of place.

Commissioner Hull: Asked where the surrounding industrial properties were in relation to the site.

Jacob Zabel, County Planner: Stated that most of the nearby industrial uses were to the immediate east of the site.

Chairman Agnew opened the public hearing.

Landon Niemiller, Project Representative: Confirmed the existence of nearby industrial uses and asked for any questions.

Chairman Agnew: Asked what was proposed to happen to the existing RV park on the site.

Landon Niemiller, Project Representative: Stated that the proposed commercial storage would be in addition to the continued operation of the RV park.

The public hearing was closed.

Motion	Responsible Party	Result
Approve the zoning change and give a "do pass" recommendation to the Burleigh County Commission.	Motion made by Commissioner Munson Motion seconded by Commissioner Small	Motion approved 8-0

6-4 Axt River Cliffs Subdivision

A proposal for a lot combination of 2 existing lots in an unsubdivided area, located at 26276 80th St NW. The petitioner requests approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the project, explaining that the zoning for this project was the authority of Painted Woods township and the township was aware of the project. Additionally, he mentioned that staff requested a conditional approval of the proposal, conditional upon proof of an access easement being provided to the county.

Chairman Agnew opened the public hearing.

Landon Niemiller, Project Surveyor: Stated the approval of the Township, despite lot size requirements not being met, and addressed that the easement would be addressed.

Daniel Schriock, County Engineer: Added that the paving waiver needed to be provided, and that this would also require a conditional approval.

The public hearing was closed.

Motion	Responsible Party	Result
Approve the final plat and give a "do pass" recommendation to the Burleigh County Commission conditional to proof of an access easement being provided and a paving waiver being provided	Motion made by Commissioner Hull Motion seconded by Commissioner Jarratt	Motion approved 5-3

6-5 Chad Dockter Subdivision

A proposal for the creation of a 4 lot subdivision on a 40 acre lot in Apple Creek Township. The petitioner requested approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the subdivision, mentioning that lots would be between 6 and 10 acres in size and that Apple Creek Township had zoning authority over the site and that they did not comment on the proposal.

Chairman Agnew: Asked about a comment sent in prior to the meeting related to the potential reconstruction on 55th Ave SE, located on the north boundary of the subdivision.

Jacob Zabel, County Planner: Deferred the comment to the highway department.

Commissioner Hull: Asked how lots of between 6 and 10 acres could add up to 40 acres.

Jacob Zabel, County Planner: Stated that the remaining acreage in question would be set aside as right-of-way.

Casey Einrem, Senior Assistant County Engineer: Stated that 55th Ave SE is a township road and that no projects on the road were planned in the short term.

Commissioner Small: Asked if the county highway department was the agency that would issue an access on the road.

Casey Einrem, Senior Assistant County Engineer: Stated that the access points would be approved through the plat itself.

Chairman Agnew opened the public hearing.

Greg Feser, Project Surveyor: Mentioned that the subdivision would be simple and only use existing roads.

Commissioner Small: Asked if the project would have to be approved through Apple Creek Township prior to implementation.

Greg Feser, Project Surveyor: Confirmed that Apple Creek Township would have a hearing on the subdivision.

Commissioner Patrick: Asked why the zoning on the site would remain A – Agricultural, despite the proposed lots being somewhat residential in nature.

Greg Feser, Project Surveyor: Stated that the site's zoning would be handled by Apple Creek Township and not the county.

Mitch Flanagan, Planning Director: Confirmed Apple Creek Township's zoning authority over the area.

The public hearing was closed.

Motion	Responsible Party	Result
Approve the final plat and give a "do pass" recommendation to the Burleigh County Commission	Motion made by Commissioner Streifel Motion seconded by Commissioner Jarratt	Motion approved 8-0

<u>6-6 Missouri Valley Complex 2nd Replat</u>

A proposal to replat the existing Missouri Valley Complex site. The complex is within the city of Bismarck, but a joint powers agreement gives both the city and county the authority over the site. The petitioner requested approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Mitch Flanagan, Planning Director: Stated that the item had been pulled from the agenda because the plat had not yet been completed and the city's corrections hadn't yet been received.

6-7 The Ridge at Hawktree 3rd Subdivision

A proposal to redraw the lot boundaries of the Ridge at Hawktree golf course to better include all of the golf course on the same 2 parcels. The petitioner requested approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the proposal and stated that the subdivision would contain two lots because it is located across township lines.

Chairman Agnew opened the public hearing.

Harvey Schneider, Project Surveyor: Agreed with the information presented by staff and was open to answering any questions.

The public hearing was closed.

Motion	Responsible Party	Result
Approve the final plat and give a "do pass" recommendation to the Burleigh County Commission	Motion made by Commissioner Patrick Motion seconded by Commissioner Connelly	Motion approved 8-0

6-8 Revisions to Various Ordinances

A proposal to revise several existing ordinances that had been previously approved by the planning and zoning commission at the August 12th meeting. An additional public hearing was required.

Mitch Flanagan, Planning Director: Confirmed that the proposed changes were made available to the public prior to the meeting and that all changes discussed by the commission previously had been addressed.

Commissioner Streifel: Asked for a clarification on the definition of the term "family foster home for adults".

Commissioner Hull: Clarified that they were group homes for adults with disabilities or other reasons to need care.

Commissioners Patrick, Connelly, and Munson: Gave testimony involving personal history relating to adult foster care, all expressing support for the concept.

Chairman Agnew opened the public hearing. No comments were received, and the public hearing was closed.

Motion	Responsible Party	Result
Approve the proposed ordinance revisions and give a “do pass” recommendation to the Burleigh County Commission	Motion made by Commissioner Munson Motion seconded by Commissioner Hull	Motion approved 8-0

OTHER BUSINESS

There was no additional business.

A motion was made and seconded to adjourn. The motion was approved unanimously, and the meeting was adjourned.

Burleigh County Planning and Zoning Commission Meeting Minutes
October 14, 2026

PRESENT: Chairman Dennis Agnew, Commissioners Mike Connelly, Alvie Jarratt, Wayne Munson, Dale Patrick, Jim Small, Bea Streifel, and Matt Hull

OTHERS: Mitch Flanagan, Jacob Zabel, Casey Einrem, Dan Schriock, representatives of applicants, and members of the public

Chairman Agnew called the meeting to order. The Pledge of Allegiance was recited, followed by roll call. A quorum was present. The minutes from September 9th were presented for approval.

Commissioner Connelly: Disagreed with the interpretation of his words in the September minutes and explained how they could be corrected.

Motion	Responsible Party	Result
Approve the minutes from the September 9th meeting of the county commission with corrections	Motion made by Commissioner Munson Motion seconded by Commissioner Hall	Motion approved 9-0

PUBLIC COMMENTS:
There were no public comments.

CONSENT AGENDA

There was 1 item on the consent agenda requesting a public hearing.

5-1 Revision to Part of Article 33 of County Ordinance
A proposal to alter the deadline for when the submittals for proposed subdivisions seeking to be on the next consent agenda or public hearing agenda. The proposal by staff would change the deadline from 21 days prior to the meeting to 30 days prior to the meeting.

Motion	Responsible Party	Result
Approve item 5-1 on the consent agenda, approving the item for a public hearing	Motion made by Commissioner Munson Motion seconded by Commissioner Hall	Motion approved 9-0

PUBLIC HEARING AGENDA

6-1 Baldwin Greenhouse & Strong Farms PUD

A proposal to subdivide a parcel into a 1-lot subdivision that would allow for the adoption of a PUD. This PUD would allow for the Baldwin Greenhouse to engage in commercial operations not allowed by ordinance in areas zoned A – Agricultural. The PUD would also provide the necessary rules and regulations for zoning and development.

Mitch Flanagan, Planning Director: Introduced the proposal and gave a brief review of the project's history with Burleigh County, and then made himself available for questions.

Commissioner Munson: Asked if the PUD included any specifications for height of the trees along the required buffer on the boundary of the property. Mitch Flanagan specified that none were present in the PUD at that moment, but that they could be added by the board.

Commissioner Jarratt: Asked why the Plat had the word "preliminary" on it when it was a final plat.

Casey Einrem, Highway Department: Specified that the surveyor included that label to specify that the plat had not been fully approved by the commission yet.

Mitch Flanagan, Planning Director: Discussed all of the development standards that are in the proposed PUD.

Chairman Agnew: Asked if the requirement for 55 of fewer decibels of noise would be measured at the property line. Staff confirmed that was true.

Chairman Agnew opened the public hearing.

Mary Podoll, Representative of Stoll Holdings LLP: Explained the history, current operations, and future plans for the Baldwin Greenhouse.

Chairman Agnew: Asked Mary if she was OK with the contents of the PUD. Mary confirmed that they would comply with the rules.

Megan Langley, Director of Strengthen ND: Gave a case in favor of the proposed zoning change, claiming it would be to the benefit to the community, and reaffirmed the group's intentions of complying with the proposed PUD. Additionally, she gave details on the proposed new kitchen space that would be built if the PUD was approved.

Commissioner Bitner: Asked Megan about her opinion on the singular access point to the greenhouse site. Megan stated that a single 40-foot access to the facility, which was in the proposal, was the preferred option by the group, and that both of those options would meet the concerns of staff. Commissioner Bitner questioned the commission if a single access point would be appropriate for a project like this one.

Commissioner Streifel: Asked if there were any planned additional phases for the greenhouse site. Megan stated there were no additional plans at this time.

Sarah Vogel, Patron of the Greenhouse: Shared her support for the Baldwin Greenhouse and the proposal, claiming that she and others benefited from being able to buy things grown at the site.

Ellen Chaffee, Patron of the Greenhouse: Also shared support for the proposal, bringing up the benefits of a local business being in the area.

Brandy Varty, Patron of the Greenhouse: Shared support for the greenhouse, specifically mentioning the ways that the greenhouse helped support her business in valuable ways.

Tom Lenihan, Nearby Landowner: Had questions about the source of water for thee greenhouse, and if the proposal would result in a depletion of water in the nearby creek. Mary Podoll stated that high water tables at the site minimized the amount of irrigation required to successfully run operations.

Claudia Volk, Patron of the Greenhouse: Shared support for the greenhouse, claiming she loved the benefits that rural jobs and increased exposure to agricultural education provided to the community.

Justin Ahmann, Project Engineer: Explained that he and his team were the engineering firm working on the project design and made himself available for questions.

Jamie Feist, Neighboring Landowner: Expressed his disapproval for the greenhouse and the zoning change, claiming that the commercial operations of the greenhouse did not match the agricultural zoning in the area. Additionally, he claimed that his deer have been severely harmed as a result of the operations, and that he had concerns with on-street parking during events held at the greenhouse. Delinquent property taxes for the greenhouse site were also mentioned.

Commissioner Hull: Asked how significant the elevation difference was between Feist's property and the greenhouse. Jamie Feist showed a map that presented a noticeable elevation change in between the buildings on each property.

Commissioner Bitner: Asked Jamie Feist if he thought that the proposed barrier in the PUD would be sufficient to address his concerns. Jamie Feist claimed that it would not. Bitner also discussed a call he had with a veterinarian earlier that day which gave him the impression that the startling of the deer in question was possible and a potential concern to the deer's health.

Sheryl Woodcock, Part-Time Worker at the Greenhouse: Claimed that measures were taken to keep people away from the property line with Jamie Feist during the event held at the greenhouse on Mothers' Day. She also claimed that it should be Jamie Feist's responsibility to build a buffer to protect his deer.

Leah Shalhoub, Worker at the Greenhouse: Voiced her support for the greenhouse and disputed the claim by Jamie Feist of 15 thousand people being at the greenhouse on Mothers' Day. Additionally, she expressed her disapproval in the idea that the Baldwin Greenhouse should be responsible for the protection of the deer owned by Feist.

Mary Podoll, Representative of Stoll Holdings LLP: Returned to clear up some facts, including disputing that the sale of goods wasn't occurring before the new ownership to the greenhouse and claiming that the adoption of the PUD would result in an end to on-street parking.

Steve Krentz, Nearby Landowner: Argued in favor of locally produced food and the proposal for the greenhouse.

Evelyn Gresch, Nearby Landowner: Also claimed that the sale of products at the greenhouse was not only started after new ownership took control and gave support for the greenhouse proposal.

Joe Schonert, Neighboring Landowner: Claimed that the greenhouse has been great neighbors to him and that the greenhouse is a good resource for the community.

Claudia Volk, Patron of the Greenhouse: Returned to dispute that semi-trucks were common on the road and that vehicles disturb the deer.

Marlin Coleman, Nearby Landowner: Asked for a clarification on the zoning and permits for the greenhouse site. Chairman Agnew explained that the site was currently zoned Agricultural, put the PUD would replace that zoning. Mitch Flanagan clarified that the building permits for the proposal would not be filed for until after approval of the subdivision and PUD.

Georgia Bedwell, Patron of the Greenhouse: Claimed that the greenhouse provided a unique selection of goods that weren't available elsewhere and argued that the keeping of deer was morally wrong. Commissioner Patrick stated for clarification that the keeping of deer was permitted in the county.

Commissioner Jarratt: Asked to see the proposed project design. Justin Ahmann stated that he did not have them on hand, but they had been submitted to Mitch Flanagan.

Commissioner Hull: Asked how many deer per acre were on Jamie Feist's property. Jamie answered that there were 10 per acre in fenced-in areas.

Commissioner Connelly: Asked if Jamie Feist's deer were wild animals. Jamie clarified that the deer were domesticated and often reliant upon human care.

Megan Langley, Director of Strengthen ND: Returned to clarify that they were not affiliated with the greenhouse prior to the change in ownership about 5 years ago.

Commissioner Connelly: Asked if Strengthen ND was affiliated with the government. Megan Langley clarified that they were not, and that they were a non-profit.

The public hearing was closed.

Commissioner Munson: Asked staff if the PUD and the subdivision needed to be approved together. Mitch Flanagan stated that approving the subdivision without the PUD would be possible but not serve the purpose.

Commissioner Munson: Moved to approve the subdivision and the PUD, claiming to do so in the name of property rights.

Commissioner Connelly: Asked the commission to consider requiring that the barrier fence be on top of a berm to address the concerns in elevation difference.

Chairman Agnew: Asked the commission to consider if naming a specific material for the barrier would be a good idea. Commissioner Bitner agreed that the type of fence used would have an important impact on the deer.

Commissioner Streifel: Raised concerns about the single point of access. Chairman Agnew asked staff if the Highway Department saw the single access as acceptable. Because the Highway Department staff had to leave the meeting early, Mitch Flanagan spoke on their behalf and said that it met the county's standards. Debate among the commission led to a general agreement that two access points to the facility would be preferred.

Commissioner Bitner: Asked for a clarification on if future phases of development on the site would need to be approved by the planning commission. Mitch Flanagan confirmed.

Commissioner Agnew: Asked the commission to consider if specifications for the number or type of trees used in the buffer should be specified in the PUD. Commissioner Hull mentioned that it might be beneficial to consult the county Soil Conservation District.

Commissioner Bitner; Stated that he wished to see answers provided to the questions and concerns brought up by the board before he wished to approve or deny the proposal.

Motion	Responsible Party	Result
Approve the subdivision and PUD and give a "do pass" recommendation to the Burleigh County Commission	Motion made by Commissioner Munson Motion seconded by Commissioner Hull	Motion withdrawn

Motion	Responsible Party	Result
Table the proposal for more information on the material of the fence, type of trees used, setback requirements from the road, and a second access	Motion made by Commissioner Munson Motion seconded by Commissioner Bitner	Motion approved 9-0

6-2 Grendahl Subdivision

A proposal for a 2-lot subdivision to divide a lot into two parts, which includes a zoning change from A – Agricultural to R1 – Rural Residential on one of the two lots. The petitioner requests approval of the final plat and giving a "do pass" recommendation to the Board of Burleigh County Commissioners.

Jacob Zabel, County Planner: Introduced the proposal and mentioned that the paving waiver for the proposed subdivision had already been approved by the county commission.

Commissioner Patrick: Asked how the acreages of the new lots could add up to less than the size of the original lot. Jacob Zabel stated that the remainder would become right-of-way.

Chairman Agnew opened the public hearing.

Joanne Hoesel, Neighboring Property Owner: Raised concerns with the dust produced on the gravel road between her property and the proposed subdivision, which was a concern for her husband with asthma.

Chairman Agnew: Asked how far away from the property owner's land that the paved segment of the road end. It was agreed that the paving ended about ¼ of a mile to the south.

Commissioner Bitner: Sympathized with Joanne Hoesel as one of the original creators of the county program to minimize dust on gravel roads and argued that the county should be meeting her concerns through the program.

Sarah Grendahl, Landowner: Mentioned that the newly created lot would be given to her son and that an increase in traffic would not occur.

Motion	Responsible Party	Result
Approve the final plat and give a "do pass" recommendation to the Burleigh County Commission	Motion made by Commissioner Streifel Motion seconded by Commissioner Jarratt	Motion approved 9-0

OTHER BUSINESS

There was no additional business.

A motion was made and seconded to adjourn. The motion was approved unanimously, and the meeting was adjourned.

Agenda Item 5-1

November 12, 2026

Project Summary

Project:	Pegors Subdivision
Status:	Consent Agenda
Applicant:	Kyle Wolf
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Creation of a 1 lot subdivision to split a 156 acre parcel
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

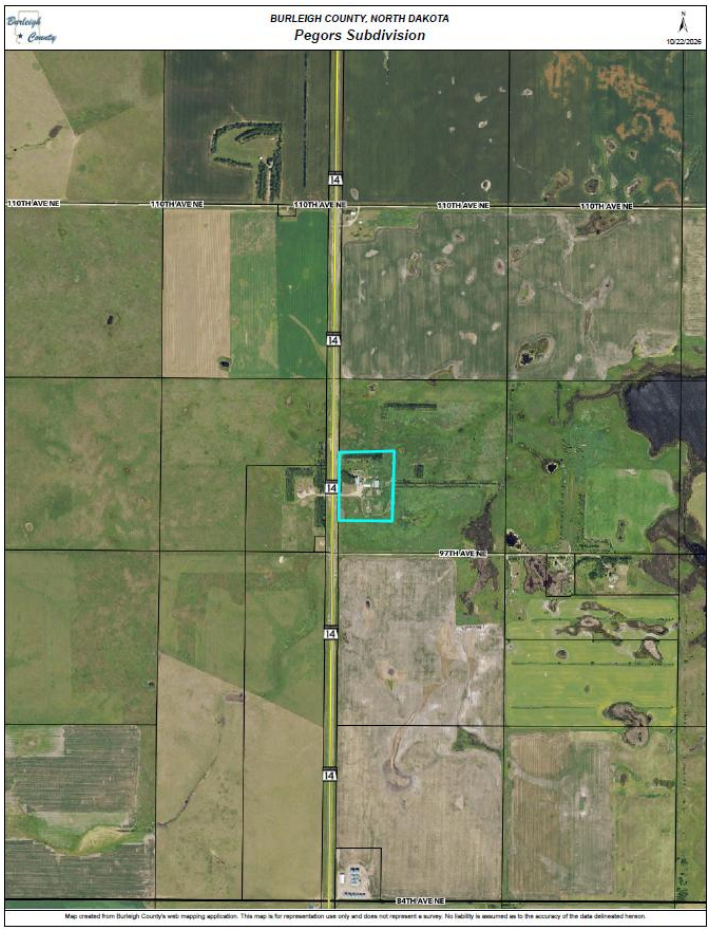
Site Information

Legal Description:	Part of the SW 1/4 of Section 28, T140N, R76W
911 Address:	9801 Highway 14
Zoning Authority:	Christiania Township
Size:	20.00 acres, more or less
Lots and Blocks:	1 lot of 20.00 acres
Existing Land Use:	Agricultural

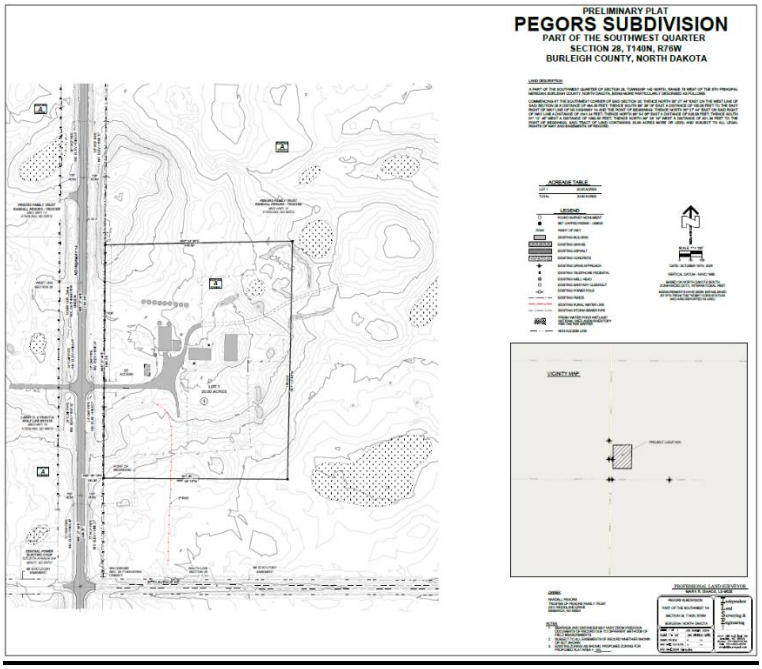
Project Narrative

A request to Burleigh County regarding the creation of a 1-lot subdivision that would split an existing 156 acre parcel. This newly created lot would contain all of the buildings on the farmstead on 20 acres of land. The remaining 136 acres of the original lot would contain no buildings or structures. The proposed subdivision was first submitted on October 20th, 2026.

This proposed subdivision is within the zoning authority of Christiania Township.



Ex. 5-1-1: Aerial Map



Ex. 5-1-2: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing.

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 5-2

November 12, 2026

Project Summary

Project:	Tri-Energy Subdivision
Status:	Consent Agenda
Applicant:	Tri-Energy Cooperative
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Redrawing lot lines to condense all of 7 parcels and part of 2 more parcels into just 2 lots
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

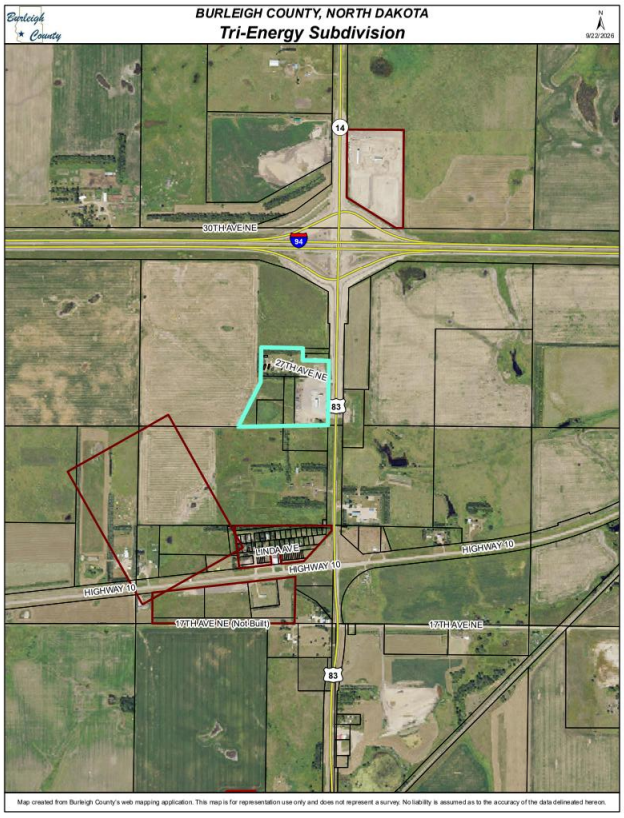
Site Information

Legal Description:	All of Lots B, D, and E in the NE 1/4 and a part of the NE 1/4, all in Section 2, T139N, R76W
911 Address:	31346 NE Highway 83
Zoning Authority:	Sterling Township
Size:	22.98 acres, more or less
Lots and Blocks:	2 lots, 1 of 17.57 acres and 1 of 5.41 acres
Existing Land Use:	Gas Station and RV Park

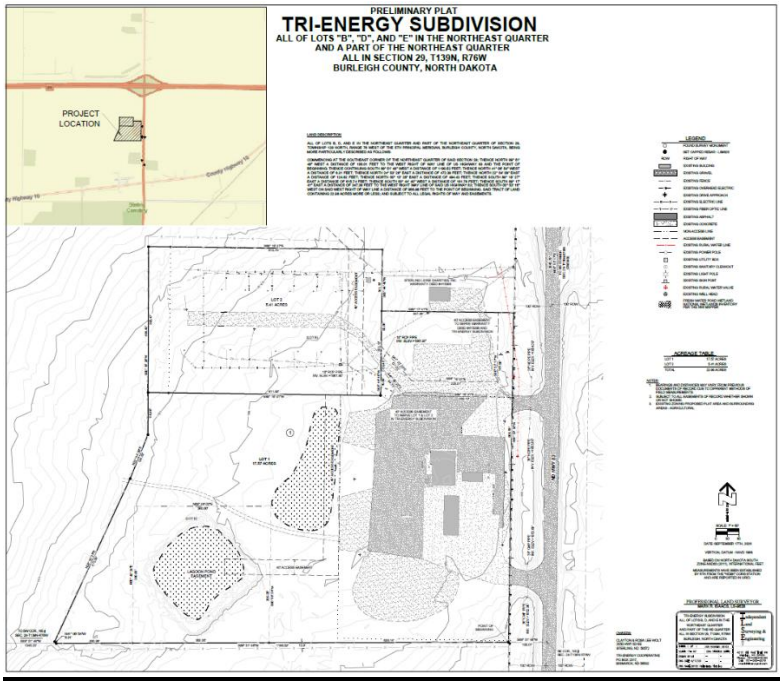
Project Narrative

A request to Burleigh County regarding the redrawing of several lot lines in an unplatted area. The entirety of 7 lots and parts of 2 more lots will be condensed into 2 lots. One lot would be 17.57 acres and would contain the existing gas station on site. The other lot would be 5.41 acres and would contain the RV park. Access easements will be created to ensure that the Lion's Club building to the north will have road access, and to give the RV park road access for if that lot were to be sold in the future. A pre-application meeting was held with Burleigh County staff on September 22nd, 2026. The proposed subdivision was first submitted on September 24th, 2026.

This proposed subdivision is within the zoning authority of Sterling Township.



Ex. 5-2-1: Aerial Map



Ex. 5-2-2: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 6 Business and Industry – Objectives 1 and 3.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 5-3

November 12, 2026

Project Summary

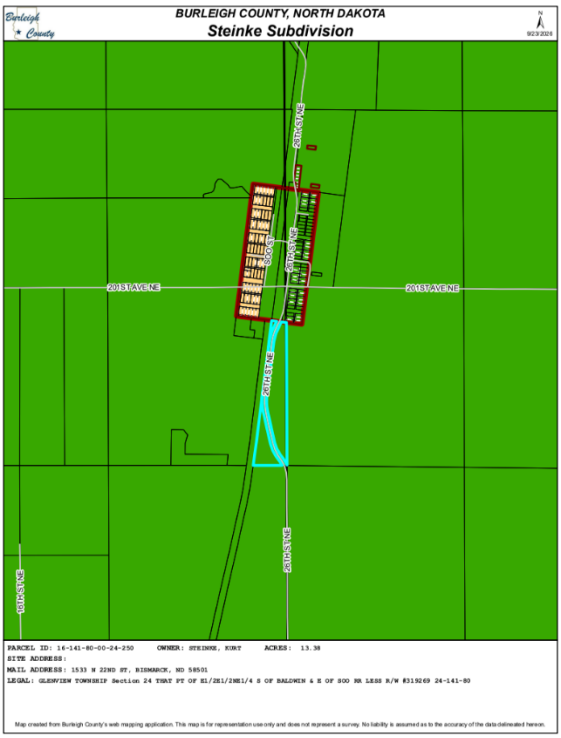
Project:	Steinke Subdivision
Status:	Consent Agenda
Applicant:	Kurt Steinke
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Splitting an existing, non-contiguous lot into 2 new lots
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

Site Information

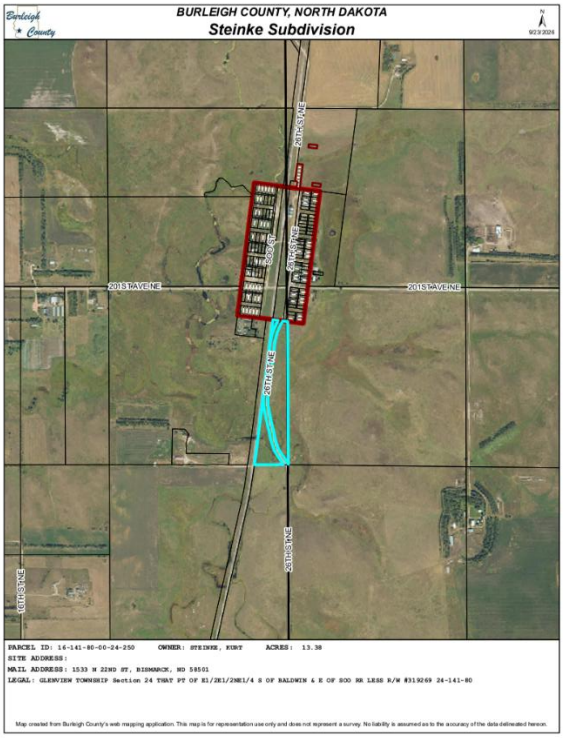
Legal Description:	Part of the E 1/2 of the NE 1/4 of Section 24, T141N, R80W
911 Address:	Not yet assigned
Zoning Authority:	Burleigh County
Size:	17.32 acres, more or less
Lots:	2 lots, 1 of 8.37 acres & 1 of 3.26 acres
Existing Land Use:	Undeveloped
Existing Zoning:	A – Agricultural
Proposed Zoning:	R1 – Rural Residential

Project Narrative

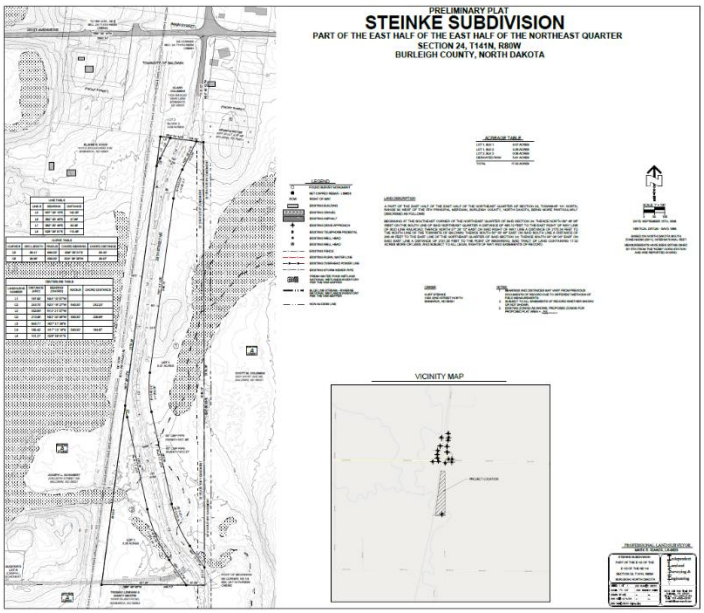
A request to Burleigh County regarding the division of a non-contiguous lot currently divided by 26th St NE. The division of this lot would create 2 new lots. One would be 8.37 acres, and the other would be 3.26 acres. These lots would be rezoned to R1 – Rural residential because they are both below the 10 acre minimum for their current A – Agricultural zoning. No existing structures exist on the site. A pre-application meeting was held with Burleigh County staff on September 23rd, 2026. The proposed subdivision was first submitted on September 24th, 2026.



Ex. 5-3-1: Zoning Map



Ex. 5-3-2: Aerial Map



Ex. 5-3-3: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 5-4

November 12, 2026

Project Summary

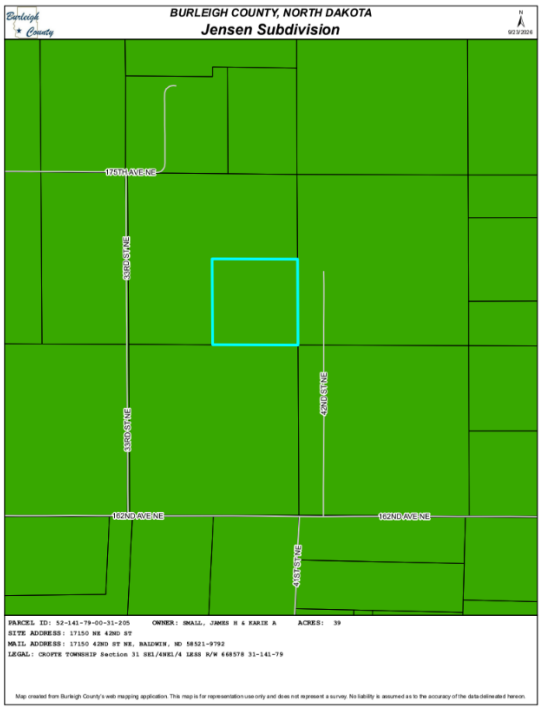
Project:	Jensen Subdivision
Status:	Consent Agenda
Applicant:	James H. & Karie A. Small
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Splitting of a 39.96 acre parcel into 2 lots
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

Site Information

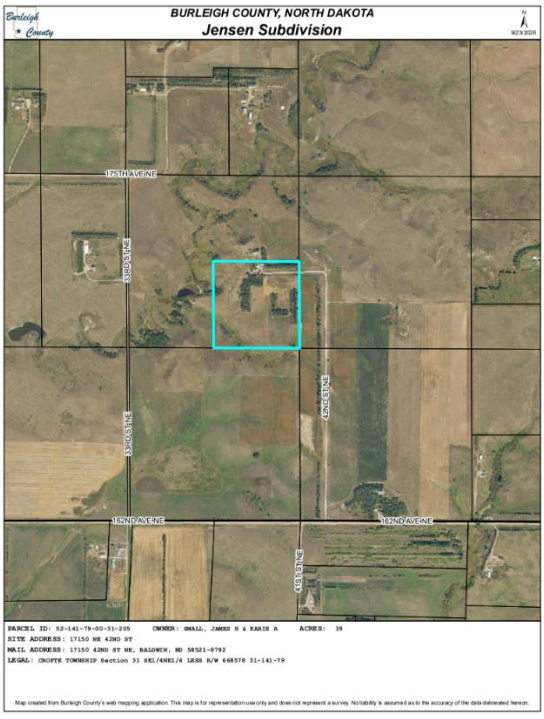
Legal Description:	The SE 1/4 of the NE 1/4 of Section 31, T141N, R79W
911 Address:	17150 NE 42nd St
Zoning Authority:	Burleigh County
Size:	39.96 acres, more or less
Lots:	2 lots, 1 of 10.00 acres and 1 of 29.96 acres
Existing Land Use:	Rural Homestead
Existing Zoning:	A – Agricultural
Proposed Zoning:	A – Agricultural

Project Narrative

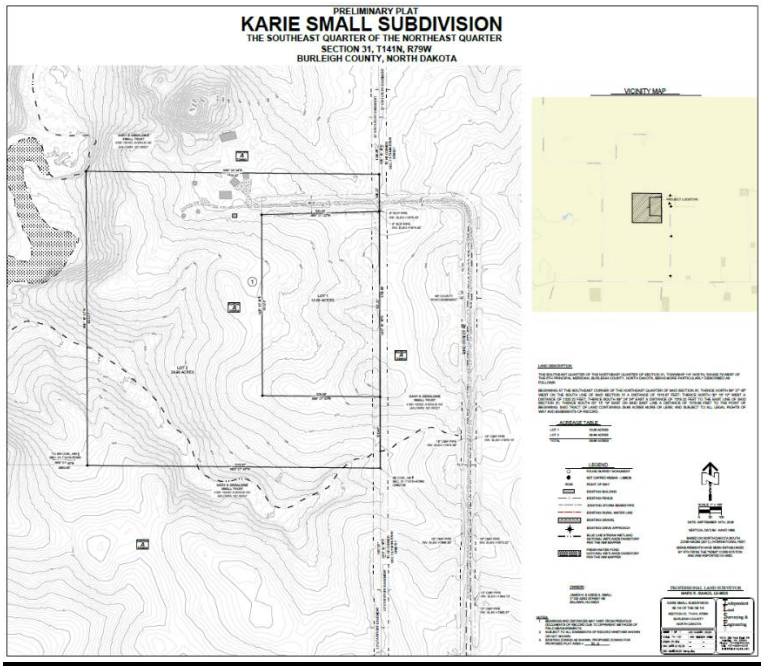
A request to Burleigh County regarding splitting a 39.96 acre parcel into a 29.96 acre lot and a 10.00 acre lot. This would allow for the 10 acre lot to be sold to someone else. Because both lots are 10 acres or larger, no zoning change is required. Several residential and agricultural buildings exist on what will be the 29.96 acre lot, and there are no buildings on the 10 acre lot. One of these buildings lies within the required setback boundary on the north end of the parcel, but this property line is not being altered, so this building is grandfathered in and will not be moved. A pre-application meeting was held with Burleigh County staff on September 22nd, 2026. The proposed subdivision was first submitted on September 24th, 2026.



Ex. 5-4-1: Zoning Map



Ex. 5-4-2: Aerial Map



Ex. 5-4-3: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 5-5

November 12, 2026

Project Summary

Project:	Fried Subdivision
Status:	Consent Agenda
Applicant:	Leanne Fried
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Expansion of an existing unplatted lot to include additional land, done to facilitate a change in ownership
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

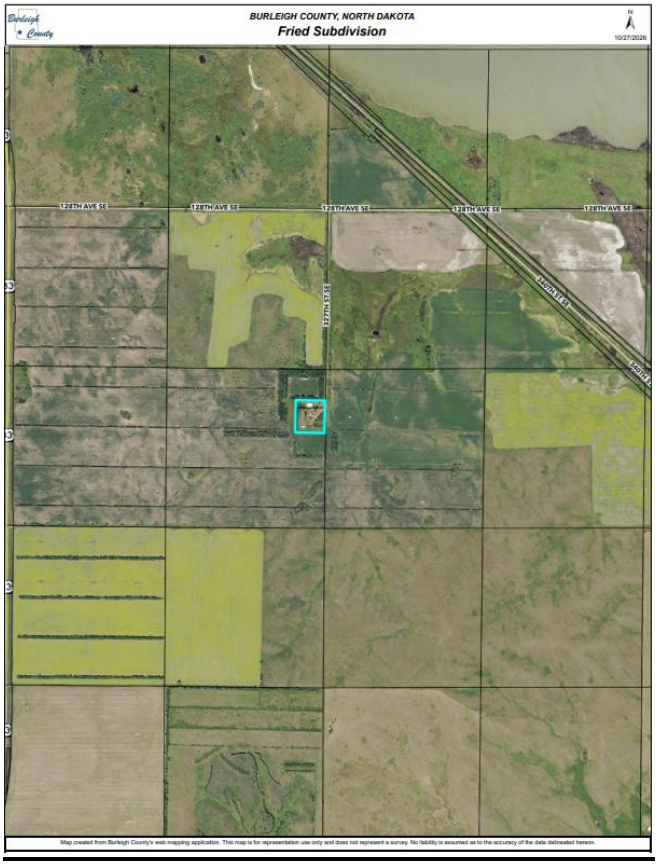
Site Information

Legal Description:	Auditor's Lot A of the SE 1/4 and Part of the SE 1/4 All in Section 28, T137N, R76W
911 Address:	13700 327th St SE
Zoning Authority:	Long Lake Township
Size:	5.91 acres, more or less
Lots:	1 lot of 5.91 acres
Existing Land Use:	Farmstead
Existing Zoning:	A – Agricultural

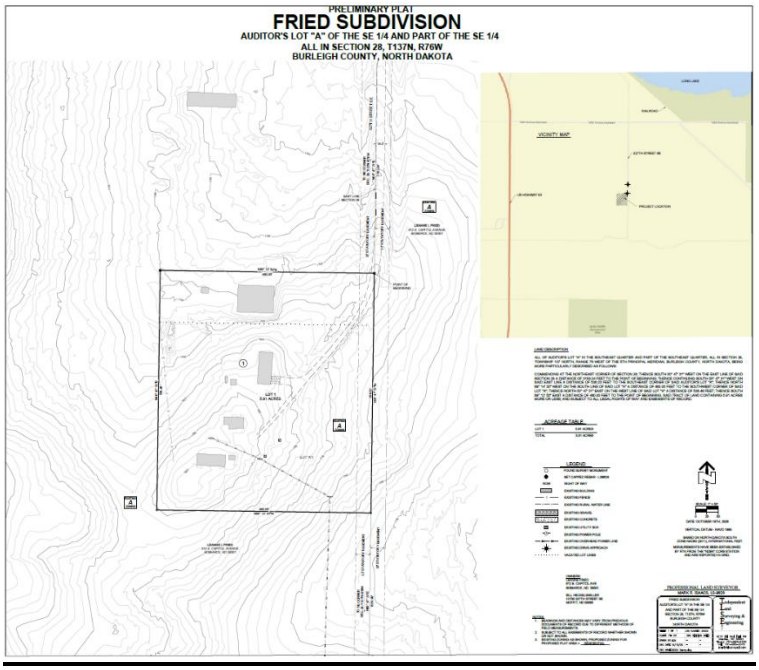
Project Narrative

A request to Burleigh County regarding the expansion of an existing unplatted lot to include additional land, done to facilitate a change in ownership. The original 4.63 acre lot would be expanded to the north to include an additional 1.28 acres. An existing farmstead is located on the original lot, and the expanded lot would include an additional agricultural building. The proposed subdivision was first submitted on October 21st, 2026.

This proposed subdivision is located within the zoning authority of Long Lake Township – an organized township.



Ex. 5-5-1: Aerial Map



Ex. 5-5-2: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing.

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 5-6

November 12, 2026

Project Summary

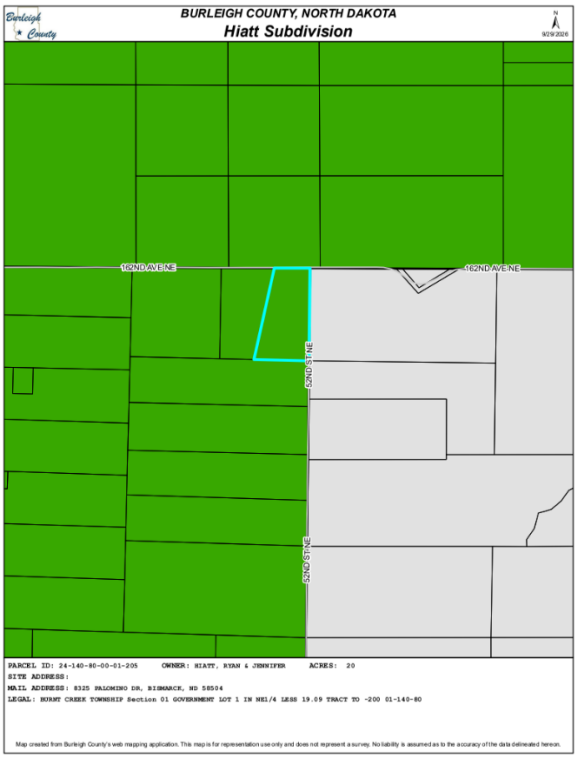
Project:	Hiatt Subdivision
Status:	Consent Agenda
Applicant:	Ryan & Jennifer Hiatt
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Splitting a parcel into 2 lots and changing zoning
Staff Recommendation:	Approval of the preliminary plat and calling for a public hearing

Site Information

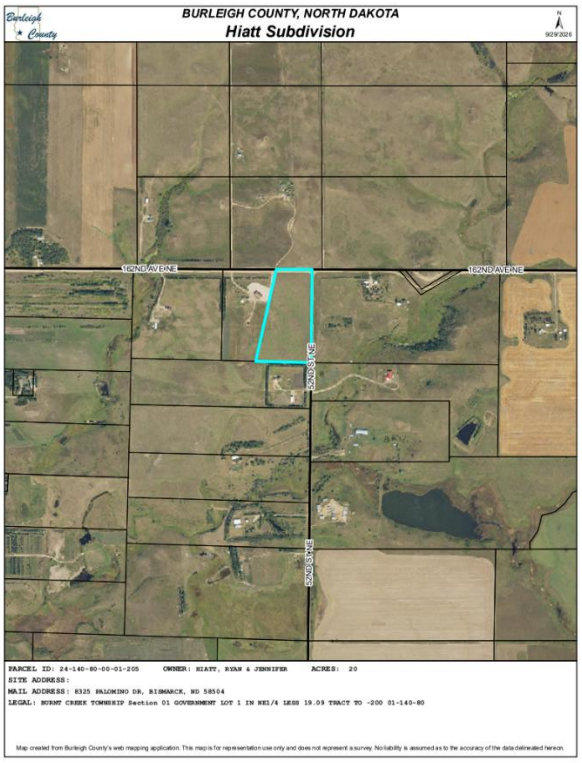
Legal Description:	Part of Gov't Lot 1 of the NE 1/4 of Section 1, T140N, R80W
911 Address:	Not yet assigned
Zoning Authority:	Burleigh County
Size:	20.0 acres, more or less
Lots:	2 lots of 8.5 acres
Existing Land Use:	Farmland
Existing Zoning:	A – Agricultural
Proposed Zoning:	R1 – Rural Residential

Project Narrative

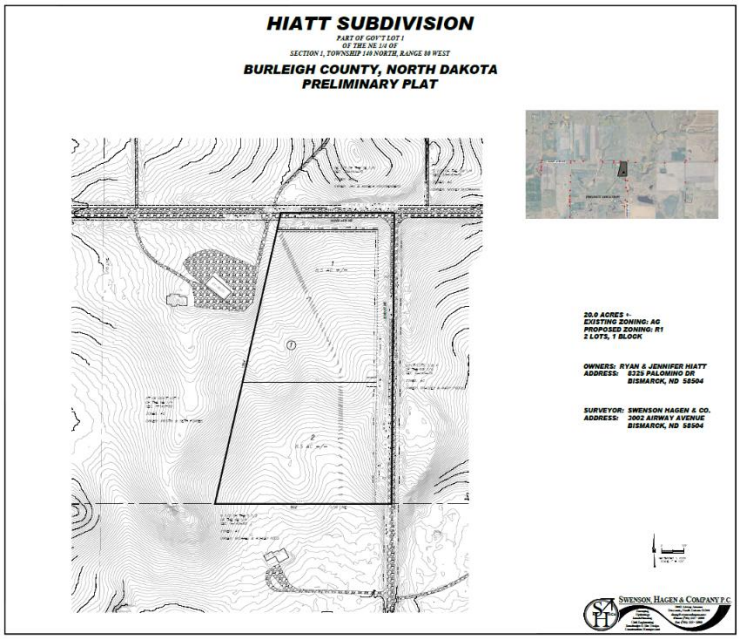
A request to Burleigh County regarding the splitting of a 20 acre parcel into 2 equally sized lots. The resulting lots would be under the 10 acre minimum for parcels zoned A – Agricultural, so the zoning would change to R1 – Rural Residential. No structures currently exist on the site. The proposed subdivision was first submitted on September 24th, 2026.



Ex. 5-6-1: Zoning Map



Ex. 5-6-2: Aerial Map



Ex. 5-6-3: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This preliminary plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a preliminary plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the preliminary plat & call for a public hearing.
2. Approve the preliminary plat with conditions & call for a public hearing after all conditions have been completed.
3. Deny the preliminary plat with reason.
4. Table the preliminary plat for more information.

Agenda Item 6-1

November 12, 2026

Project Summary

Project:	Grant Subdivision
Status:	Public Hearing
Applicant:	Rosella M. Grant
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Creation of a new 1 lot subdivision on a 29.32 acre site
Staff Recommendation:	Approval of the final plat and giving a "do pass" recommendation to the B.C.C.

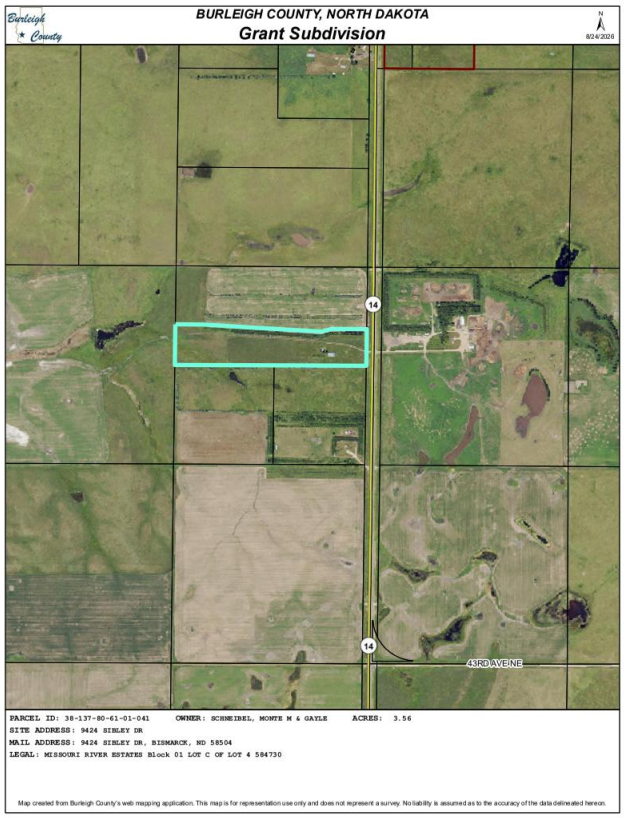
Site Information

Legal Description:	Part of the N 1/2 of the NE 1/4 of Section 17, T139N, R76W
911 Address:	5302 Highway 14
Zoning Authority:	Sterling Township
Size:	29.32 acres, more or less
Lots:	1 lot of 29.32 acres
Existing Land Use:	Agricultural Buildings
Zoning:	A – Agricultural

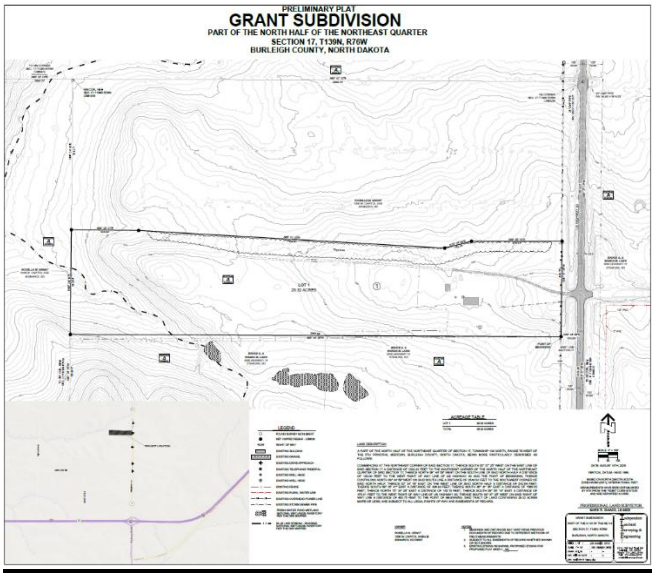
Project Narrative

A request to Burleigh County regarding the creation of a 1 lot subdivision on an unplatted parcel. The proposed subdivision would create a new 29.32 acre parcel from a part of an existing unplatted 77.99 acre parcel. Currently, the only structures on the site are agricultural in nature, with no principal structure. This proposed subdivision was first submitted on August 20th, 2026.

This proposed subdivision is located within the zoning jurisdiction of Sterling Township – an organized Township.



Ex. 6-1-1: Aerial Map



Ex. 6-1-2: Final Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and giving a "do pass" recommendation to the B.C.C.

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a "do pass" recommendation to the B.C.C.
2. Approve the final plat with conditions & give a "do pass" recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

Agenda Item 6-2

November 12, 2026

Project Summary

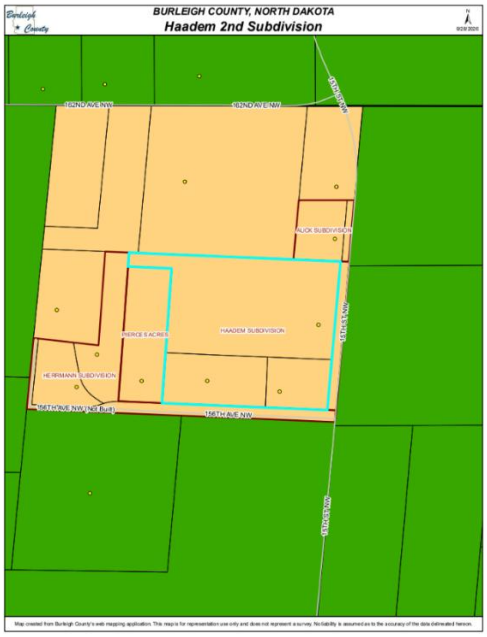
Project:	Haadem 2nd Subdivision
Status:	Public Hearing
Applicant:	Jared & Heather Haadem
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Redrawing the existing boundaries between 3 lots in an existing subdivision
Staff Recommendation:	Approval of the final plat and giving a “do pass” recommendation to the B.C.C.

Site Information

Legal Description:	Lot 1, Block 1 and Lots 2A & 2B of Lot 2, Block 1 all in Haadem Subdivision, Section 6, T140N, R80W
911 Address:	15750 NW 15th St
Zoning Authority:	Burleigh County
Size:	43.24 acres, more or less
Lots and Blocks:	3 lots; 1 of 30.22 acres, 1 of 8.87 acres, and 1 of 4.15 acres
Existing Land Use:	Rural Residential
Existing Zoning:	R1 – Rural Residential

Project Narrative

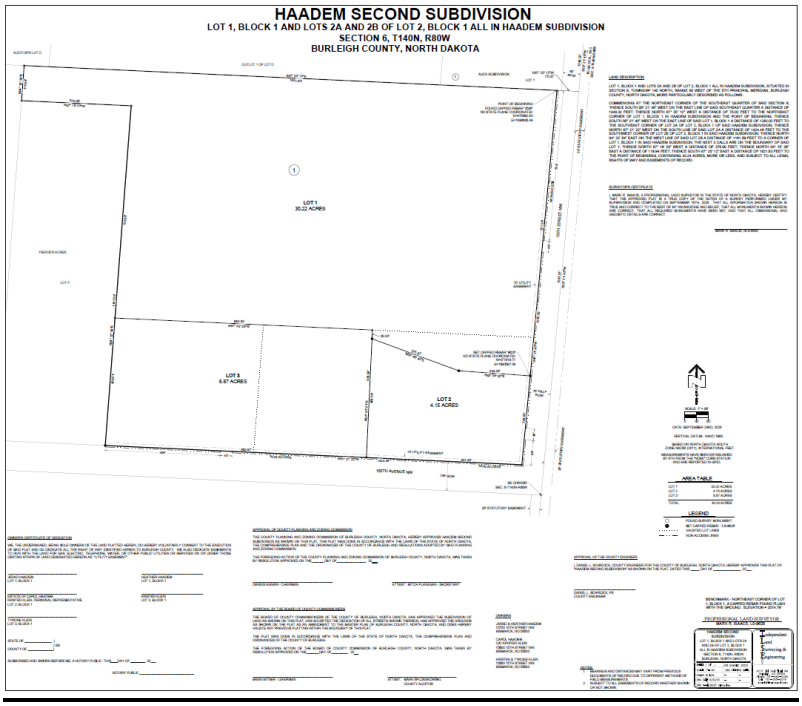
A request to Burleigh County regarding redrawing the existing boundaries between 3 lots in an existing subdivision. Lot 2, which is currently 5.41 acres, would transfer 1.26 acres to Lot 1, which is currently 28.96 acres. Additionally, 2 existing lots owned by the same individual would be merged into a new 8.87 acre lot. All 3 lots have single-family residencies on site. A pre-application meeting was held with Burleigh County staff on September 22nd, 2026. The proposed subdivision was first submitted on September 24th, 2026.



Ex. 6-2-1: Zoning Map



Ex. 6-2-2: Aerial Map



Ex. 6-2-3: Final Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a “do pass” recommendation to the B.C.C.
2. Approve the final plat with conditions & give a “do pass” recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

Agenda Item 6-3

November 12, 2026

Project Summary

Project:	University of Mary 3rd Subdivision
Status:	Public Hearing
Applicant:	University of Mary
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Redrawing the lot lines in the existing subdivision to place the entire university onto 1 lot
Staff Recommendation:	Approval of the final plat and giving a “do pass” recommendation to the B.C.C.

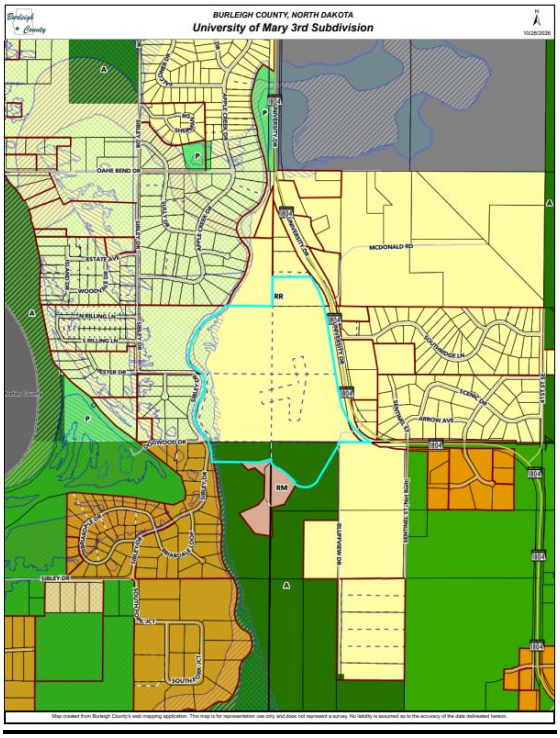
Site Information

Legal Description:	University of Mary Subdivision, Part of Sections 34 and 35, T138N, R80W and Sections 2 and 3, T137N, R80W, and Lot 4, Block 1 in University of Mary 2nd Subdivision in the SE 1/4 of the SW 1/4, Section 35, T138N, R80W
911 Address:	7500 University Dr
Zoning Authority:	Burleigh County (Former ETA)
Size:	198.73 acres, more or less
Lots and Blocks:	1 lot of 198.73 acres
Existing Land Use:	University
Existing Zoning:	RR – Rural Residential and A – Agricultural (Former ETA)
Proposed Zoning:	R1 – Rural Residential (Burleigh County Zoning)

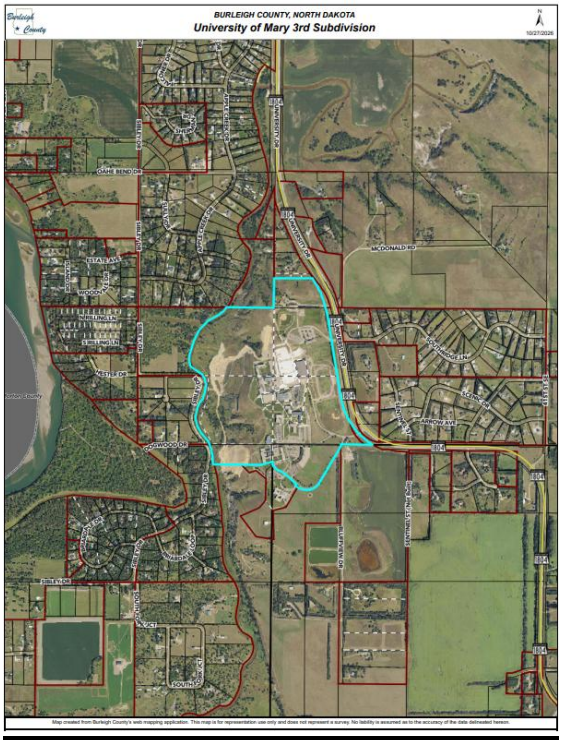
Project Narrative

A request to Burleigh County regarding removing existing lot lines within the existing University of Mary Subdivision. Currently, the subdivision is made up of several lots that divide up the university. This proposal would place the entire university onto a single lot of 198.73 acres. This proposal would also involve a zoning change. Currently, two of the lots in the subdivision are zoned A – Agricultural while the rest are RR – Rural Residential, both under the Former ETA zoning code. This proposal would make the entire site R1 – Rural Residential under the county’s zoning code.

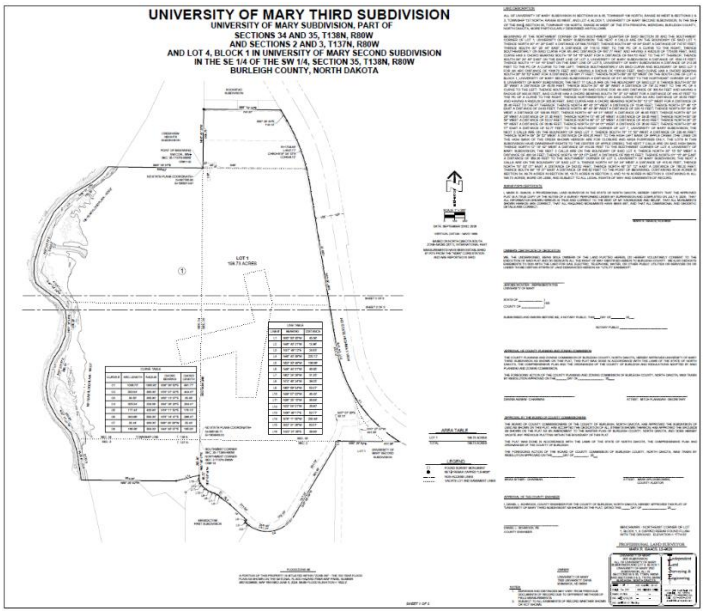
A pre-application meeting was held with Burleigh County staff on August 26th, 2026. The proposed subdivision was first submitted on September 24th, 2026.



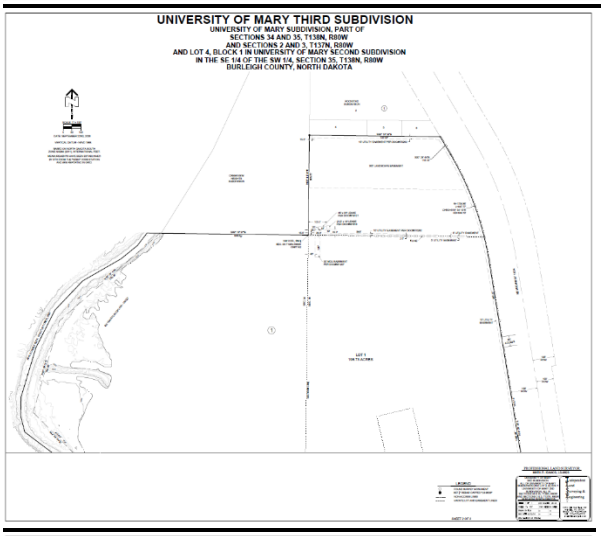
Ex. 6-3-1: Zoning Map



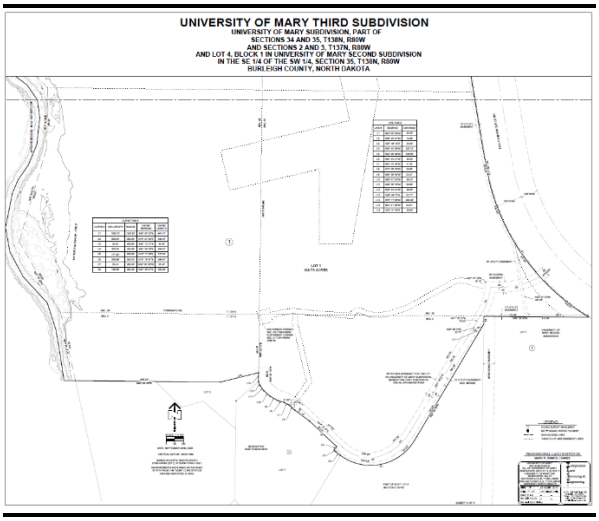
Ex. 6-3-2: Aerial Map



Ex. 6-3-3: Final Plat, Page 1



Ex. 6-3-4: Final Plat, Page 2



Ex. 6-3-5: Final Plat, Page 3

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a "do pass" recommendation to the B.C.C.
2. Approve the final plat with conditions & give a "do pass" recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

Agenda Item 6-4

November 12, 2026

Project Summary

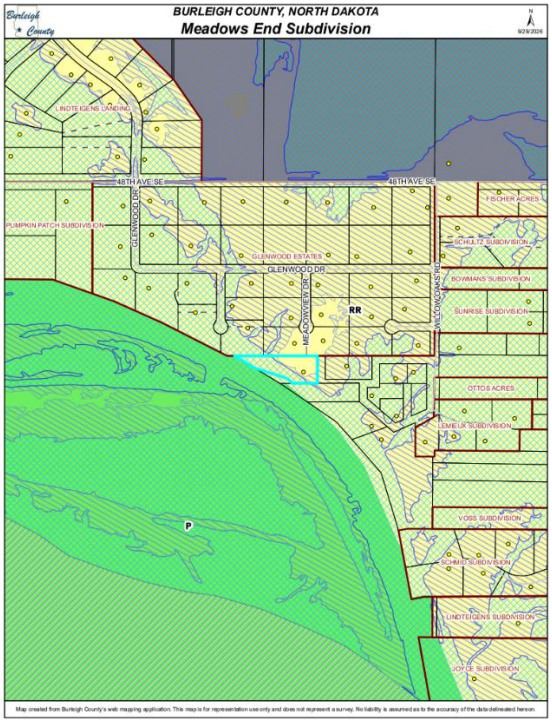
Project:	Meadows End Subdivision
Status:	Public Hearing
Applicant:	Todd & Lois Ihle
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Subdividing of an unsubdivided parcel
Staff Recommendation:	Approval of the final plat and giving a “do pass” recommendation to the B.C.C.

Site Information

Legal Description:	Part of the N 1/2 of Section 28, T138N, R80W
911 Address:	575 Meadowview Dr
Zoning Authority:	Burleigh County (Former ETA)
Size:	43.24 acres, more or less
Lots and Blocks:	3 lots; 1 of 30.22 acres, 1 of 8.87 acres, and 1 of 4.15 acres
Existing Land Use:	Rural Residential
Existing Zoning:	RR – Rural Residential

Project Narrative

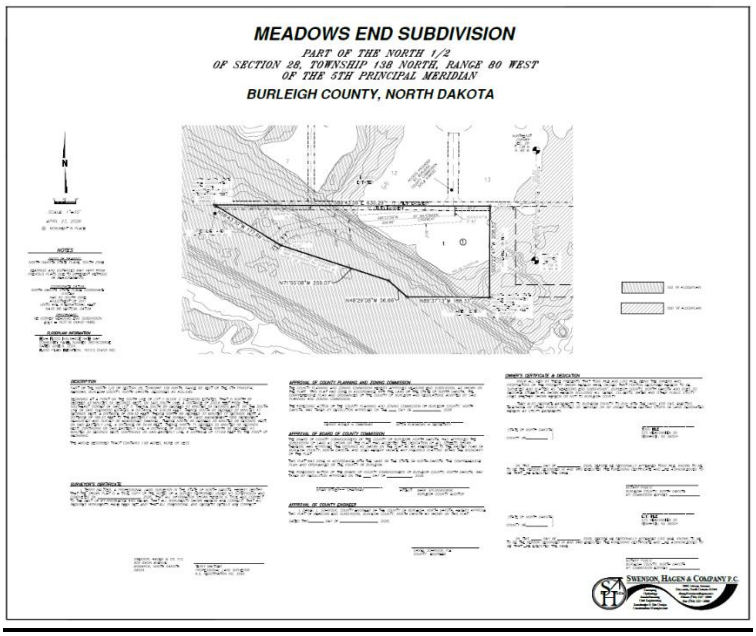
A request to Burleigh County regarding the subdividing of an unsubdivided parcel. This existing 1.99 acre Rural Residential parcel is not currently a part of any subdivision. There is a single-family residence on the parcel. The proposed subdivision was first submitted on September 24th, 2026.



Ex. 6-4-1: Zoning Map



Ex. 6-4-2: Aerial Map



Ex. 6-4-3: Preliminary Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural Residential.
4. This subdivision lies within the 100-year floodplain.
5. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 3 Residential Neighborhoods – Objectives 1 and 2.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the preliminary plat and calling for a public hearing

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a “do pass” recommendation to the B.C.C.
2. Approve the final plat with conditions & give a “do pass” recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

Agenda Item 6-5

November 12, 2026

Project Summary

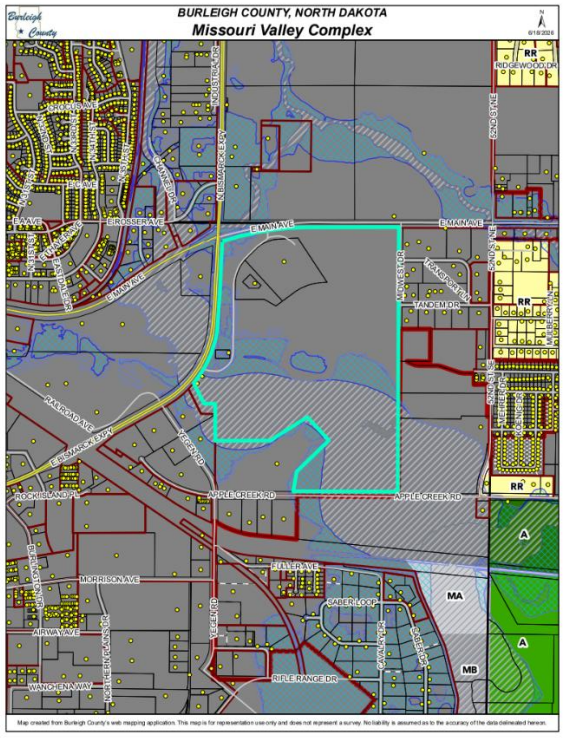
Project:	Missouri Valley Complex 2nd Replat
Status:	Public Hearing
Applicant:	Burleigh County
Project Contact:	Jacob Zabel, County Planner
Staff Recommendation:	Approval of the final plat and giving a “do pass” recommendation to the B.C.C.

Site Information

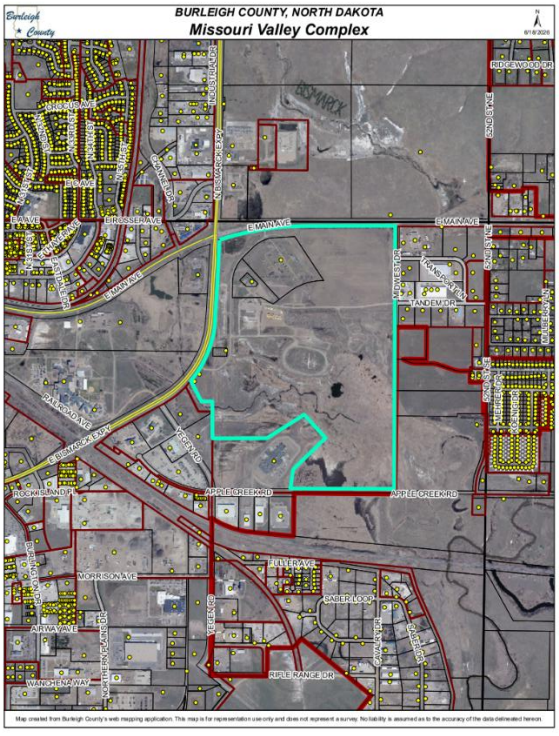
Address:	3805 E Bismarck Expwy
Zoning Authority:	City of Bismarck, given to Burleigh County under a JPA
Size:	367 acres, more or less
Zoning:	P – Public (Bismarck)

Project Narrative

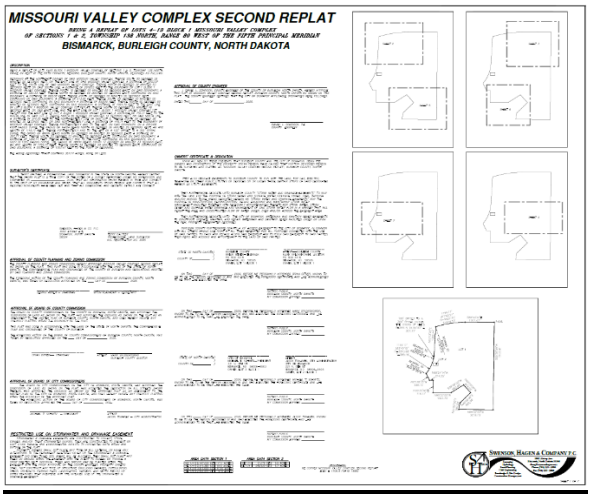
A Joint Powers Agreement (JPA) was signed by the City of Bismarck and the Board of Burleigh County Commissioners on April 6, 2026. The JPA gives Burleigh County the authority to exercise permitting, platting/zoning with subdivision review and administration. The JPA also means that Burleigh County shall construct and maintain all roads within the Missouri Valley Complex, with any modification to access points or creation of new access points needing to be renewed and approved by the City Engineer. This plat has been reviewed by both county & city staff, and will need to be approved by the city commission after it is approved by the county commission. This project has been in review since March 19, 2026.



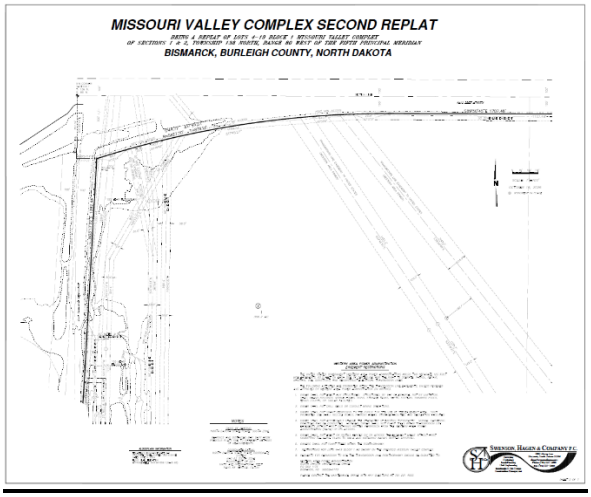
Ex. 6-5-1: Zoning Map



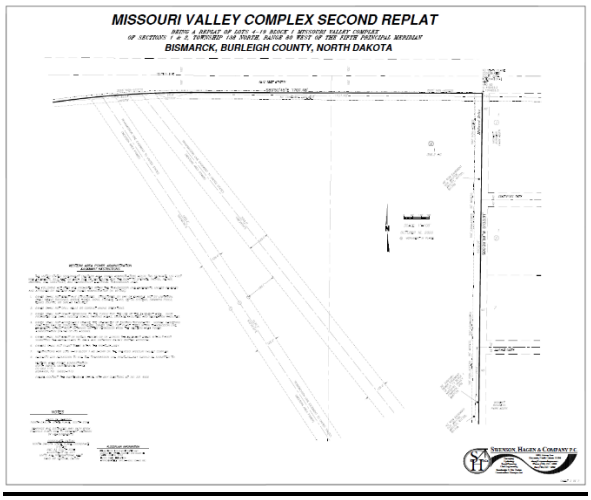
Ex. 6-5-2: Aerial Map



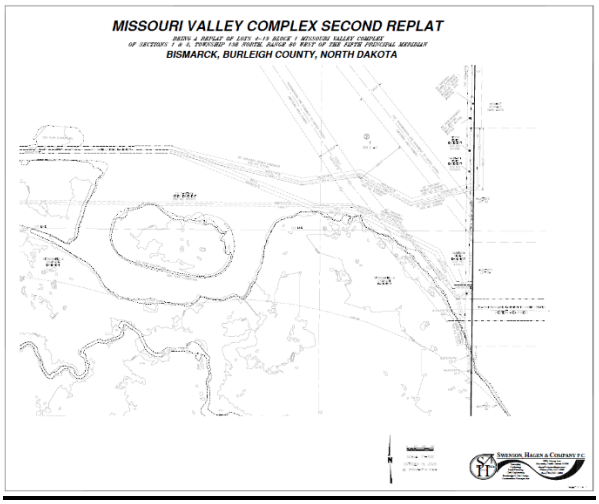
Ex. 6-5-3: Final Plat, Pg. 1



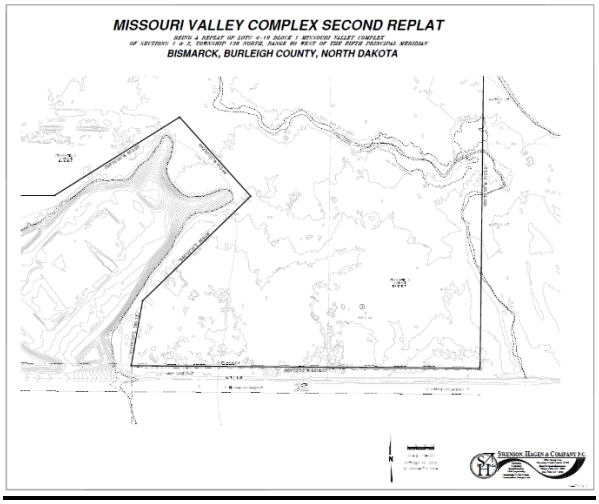
Ex. 6-5-4: Final Plat, Pg. 2



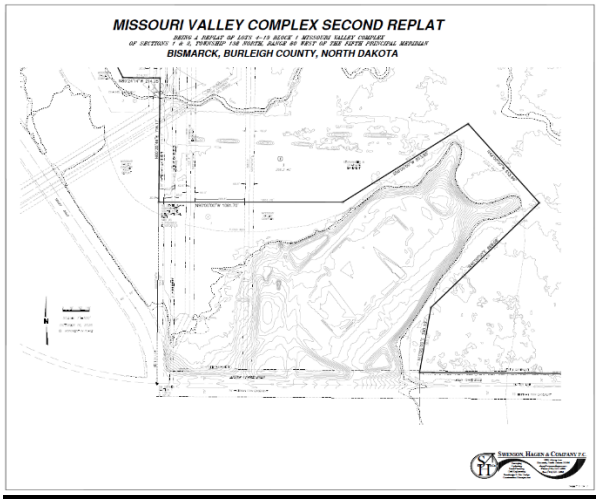
Ex. 6-5-5: Final Plat, Pg. 3



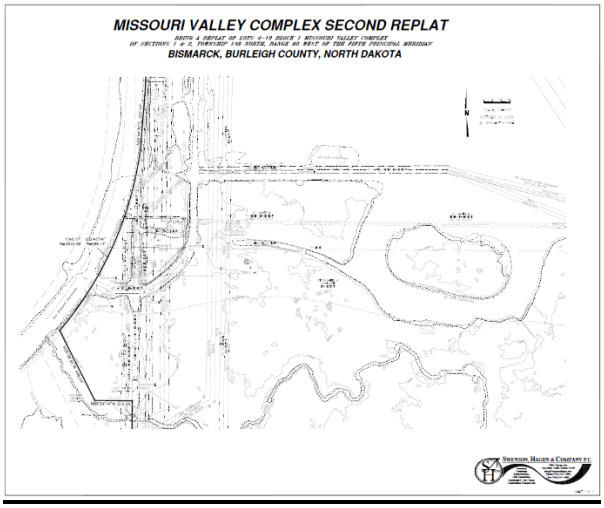
Ex. 6-5-6: Final Plat, Pg. 4



Ex. 6-5-7: Final Plat, Pg. 5



Ex. 6-5-8: Final Plat, Pg. 6



Ex. 6-5-9: Final Plat, Pg. 7

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. The proposed subdivision is located in the floodplain.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and giving a “do pass” recommendation to the B.C.C.

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a “do pass” recommendation to the B.C.C.
2. Approve the final plat with conditions & give a “do pass” recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

Agenda Item 6-6

November 12, 2026

Project Summary

Project:	Baldwin Greenhouse Subdivision
Status:	Public Hearing
Applicant:	Strengthen ND Stoll Holdings LLP
Project Contact:	Jacob Zabel, County Planner
Applicant Request:	Platting of an unplatted lot and adoption of a PUD
Staff Recommendation:	Approval of the final plat and giving a "do pass" recommendation to the B.C.C.

Site Information

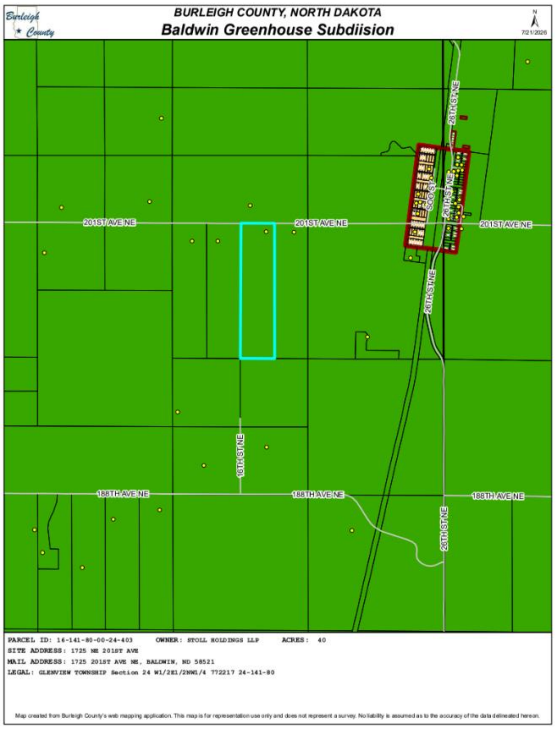
Legal Description:	W 1/2 of the E 1/2 of the NW 1/4 of Section 24, T141N, R80W
911 Address:	1725 201st Ave NE
Zoning Authority:	Burleigh County
Size:	40.04 acres, more or less
Land Use:	Baldwin Greenhouse
Existing Zoning:	A - Agricultural
Proposed Zoning:	PUD – Planned Unit Development

Project Narrative

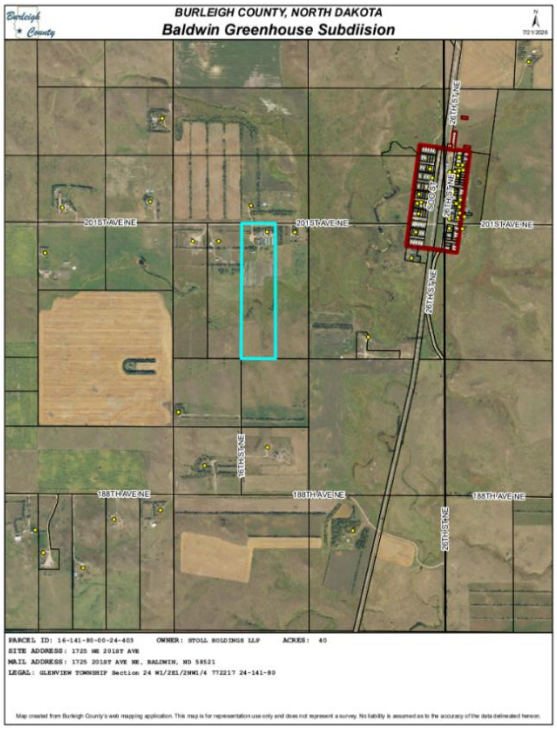
A request to Burleigh County regarding a zoning change from A – Agricultural to PUD – Planned Unit Development to allow the owners to use a facility on the sire for limited retail and classroom space. A pre-application meeting was held on April 17, 2026.

The proposed rezoning would affect 1 lot containing 40.04 acres, more or less. Several buildings already exist on the site, with access from 201st Avenue NE. The Burleigh County Planning and Zoning Commission tabled the item for more information at the October 14th meeting. This proposed subdivision was first submitted on April 23, 2026.

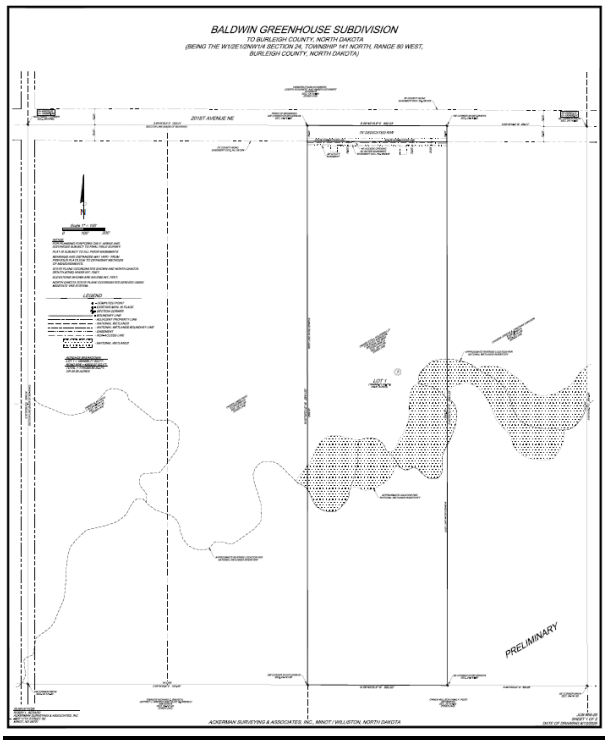
A visual of the proposed buffer will be shared to the commission at the meeting, but is not yet available as of the time that this report was finalized.



Ex. 6-6-1: Zoning Map



Ex. 6-6-2: Aerial Map



Ex. 6-6-3: Final Plat

Staff Findings

1. This subdivision meets the requirements of Article 33 of the Burleigh County Zoning Ordinance.
2. This final plat has been submitted to all reviewing entities. All concerns and corrections have been addressed.
3. Burleigh County's future land use plan designates the area of this subdivision as Rural.
4. This subdivision meets the requirements of the Burleigh County Comprehensive Plan Article 6 Business and Industry – Objectives 1 and 3.

Staff Recommendation

The petition for a final plat meets all administrative requirements of the Burleigh County Zoning Ordinance. Staff recommends approval of the final plat and giving a "do pass" recommendation to the B.C.C.

Planning Commission Actions

The Burleigh County Planning and Zoning Commission can:

1. Approve the final plat & give a “do pass” recommendation to the B.C.C.
2. Approve the final plat with conditions & give a “do pass” recommendation to the B.C.C. after all conditions have been completed.
3. Deny the final plat with reason.
4. Table the final plat for more information.

STAFF REPORT Introduction

Status:	Planning and Zoning Commission – Public Hearing
Project Contact:	Mitch Flanagan
Request:	Revise and Update Article 33 of Burleigh County Ordinances
Staff Recommendation:	Review for Recommendations to the County Commission

DRAFT- ORDINANCE 26-000 ZO

AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 33 SUBDIVISION REGULATIONS THE 1972 AMENDED ZONING ORDINANCE OF BURLEIGH COUNTY, NORTH DAKOTA. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA.

The following regulations apply to the subdivision of any and all land within Burleigh County that is not within the corporate limits or within the area of application of extraterritorial jurisdiction of any city.

Section 1. Purpose of Subdivision Regulations

In order to provide for the proper arrangement of streets in relation to other existing and planned streets, and to the master plan of Burleigh County; to provide for adequate and convenient open spaces; for recreation; for light and air; in order to avoid congestion of population; in order to provide for traffic, utilities, for access of firefighting apparatus; in order to provide for, and improve, the public health, safety, and general welfare of the citizens of Burleigh County, the following rules and regulations have been adopted by the Planning Commission of Burleigh County in accordance with the laws of the State of North Dakota.

Section 2. Planning and Zoning Commission Revie

The Planning and Zoning Commission of Burleigh County shall review and approve or disapprove the subdivision of all lands within its jurisdiction and recommend the same to the Board of County Commissioners.

Section 3. Township Review

For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, the Township Board of Supervisors of the township in which the subdivision is located shall review the subdivision and make a recommendation to the Board of County Commissioners.

Section 4. Definitions

The following definitions represent the meanings of terms as they are used in these regulations:

Alley - A strip of land, dedicated to public use, primarily to provide vehicular service access to the side or rear of properties otherwise abutting on a street.

Easement **-** A grant by the property owner of the use of a strip of land by the public, or by one or more persons or corporations for a specific purpose or purposes.

Highway – Primary - Any Designated Interstate or Federal Route, such as I-94 or US 83. Primary highways provide for rapid movements of relatively large traffic volumes between large lane areas, major traffic generators and other arterials. Primary highways should have controlled
access and are usually multi-land roads with no parking.

Highway – Secondary - Any Designated State or County arterial route, such as Highway 1804 or County Highway 10. Secondary highways provide through traffic movements between Areas and links collectors with other arterials. Secondary highways usually have two to four lanes and may be divided or undivided roads, preferably with little or no parking, and limited access.

Improvements - Street grading and surfacing, with or without curbs and gutter, sidewalks, crosswalks, water mains, sanitary and storm sewers, culverts, bridges, street trees.

Lot - A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or for development.

Master Plan - The comprehensive plan, or any portion thereof, made and adopted by the Planning Commission in accordance with the laws of the State of North Dakota, indicating the general or specific locations recommended for streets, parks, public buildings, zoning districts and all other public improvements.

Planning and Zoning Commission **-** The Planning and Zoning Commission of Burleigh County.

Road – Collector - Roadway which provides traffic movements between local roads and arterial roads and highways and also provides direct access to abutting property. Collector roads are usually two-lane roads that should be designed to minimize on-street parking and direct driveway access.
Road – Local - Roadway whose primary function is to provide access to abutting property. Local roads are usually two-lane roads with parking and direct access to adjacent lands.

Subdivisions - The division of a lot, tract or parcel of land into lots for the purpose, whether immediate or future, of sales or building development, including any plat or plan which includes the creation of any part of one or more streets, public easements, or other rights-of-way, whether public or private, for access to or from such lots, and/or

DRAFT

including the creation of new or enlarged parks, playgrounds, plazas or open spaces. "Subdivision" includes the re-subdivision of one or more lots in a subdivision made and recorded prior to or after the date these regulations are adopted. However, the division of land for agricultural purposes into parcels of forty (40) or more acres, not involving any new street or easement of access, shall be exempted from these regulations.

Section 5. Procedures

The following procedures shall be followed in the process of platting except for the requirements found under Section 12 defined as Minor Changes to Existing Plats.

1. Preliminary Steps

   a. The applicant shall determine the zoning district in which the property is located. If the zoning is not appropriate, the applicant will also need to request a zoning change. Proper zoning must be approved by the Board of County Commissioners before a subdivision proposal can be approved and filed.

      1. For subdivisions proposed in areas not under the zoning jurisdiction of Burleigh County, documentation that the subdivision complies with the zoning requirements of the township must be provided along with the request for tentative approval of a preliminary plat.

   b. Before preparing plans for a subdivision, the sub divider shall consult informally with County planning and engineering officials concerning the relation of the property to existing conditions of zoning and need, future plans, community facilities, utilities, and other necessary services.

   c. It is the duty of the Planning and Zoning Commission to discourage the subdividing of lands that are far in advance of the needs of the community; or that by their location cannot be efficiently served by public utilities, fire protection, police protection or other services; or that are located in areas subject to flooding, or that are topographically unsuitable for development; or that for any other reason are being unwisely or prematurely subdivided.

2. Tentative Approval

   a. The sub divider shall apply in writing on the required form to the Planning Department for tentative approval of a subdivision plat at least ~~twenty-one (21) days~~ thirty (30) days prior to the meeting of the Planning and Zoning Commission at which it is to be considered.

DRAFT

Residence (15.5’ peak height)



Existing Shop (22’ peak height)



South Greenhouses (14.5’ peak height)



Existing Retail Sales (18.5’ peak height)



North Greenhouses (18.5’ peak height)



Strawberry House (14.5’ peak height)



Proposed Strengthen ND Facility (20’11” peak height)





PUD Development Standards:

Location: **1725 201st Ave. NE Baldwin**

Use: **Geen House and Education center**

Lot size: **40 Acres**

Lot Area Coverage: 3% of lot principal and accessory building.

Accessory buildings: Allowed per county standards.

Building Height: Two story maximum, not to exceed-35' in height for principal building.

Foundations: All structures shall be built with frost protected foundations. In determining soil conditions for this lot, a site-specific design by a Registered Design Professional for the foundation system will be acceptable.

Architectural Drawings: Following approval of this PUD, the owners will begin detailed architectural design. Architectural drawings may be submitted and will provide sufficient detail to obtain all necessary building permits per Burleigh County standards.

Buffer Zones: A buffer zone must be established on the west property line to include:

1. A eight (8) foot solid privacy fence installed along the west property line.
2. Trees, bushes and shrubs planted along all property lines and fence, location and width to be determined by the Burleigh County Commission

This PUD shall:

1. Outdoor lighting fixtures directed so direct light is visible above a height of 5 feet. lighting fixtures near adjacent properties must have special shielding to help eliminate light pollution on adjacent properties.
2. Outdoor lighting must be five (5) feet from the adjacent properties.
3. Proper restroom facilities (porta potties) must be provided in addition to restroom facilities in structures.
4. Parking must be provided. No road side parking. All parking areas must be mowed or graveled to prevent fire hazards.
5. Maintain a singular and site-specific sewer system.
6. Maintain retention/detention ponds if required by the stormwater management plan.
7. There will be no overnight stays

DRAFT

8. Site design and building(s) must conform to all applicable requirements of the International Building Code (IBC) and the International Fire Code (IFC) as adopted by Burleigh County– Building Regulations and NDCC.
9. All parking areas shall be gravel or compacted dirt with grass cut low, and designed to prevent debris from the site entering the public right-of-way, and be arranged to provide for orderly and safe loading or unloading and parking.
10. Sound generated by outdoor amplification of music or voice must not exceed 55 decibels between the hours of 9:00 am and 9:00pm.
11. Events not needing a Special Use Permit shall be held between the hours of 9:00 am to 9:00 pm, with one-hour before and after event for set-up and clean up only. All outdoor light fixtures shall be installed in a manner intended to limit the amount of off-site impacts. Light fixtures located near adjacent properties may require special shielding devices to prevent light trespass.
12. The use is setback a minimum of 50' adjacent to properties with a differing land use classification.
13. A site plan, and if necessary, a stormwater management plan study is submitted for review and approval prior to the issuance of a building permit

Sewer System: An individual septic system shall be allowed on this lot separate from any existing sewer systems present. PUD Developers shall install and maintain by the owners per Burleigh County Building Department regulations.

a. Private Sewage System:
   i: Individual septic system: This individual private septic system shall be designed by a registered design professional.
   ii. Register with NDDEQ the Class V Injection Wells as part of the septic system permit review.

Lot Access: Fixed approaches, as per initial design, may only be modified and/or moved with the special approval of the Burleigh County Engineer and Highway Department. The driveway approach shall be permitted as issued by Burleigh County Highway Department.

1. The approach shall be a fixed single approach driveway.
2. U.S. Post Office approved mail receptacle shall be provided in predetermined location.

Platting: Any development shall be platted to ensure future conformity with the PUD and to give Burleigh County assurance this PUD shall only be amended in accordance with Article 20 Section 5 (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Burleigh County Planning & Zoning Commission.

Flood Plains and SFHA: Not applicable

Lot Modifications: Any subsequent significant modification of lots shall be subject to the requirements of Article 33 of Burleigh County Zoning Ordinance of Ordinances.

DRAFT

Issuance of Building Permits: Building permits shall not be issued until all development standards are approved and completed to current Burleigh County standards.

Zoning: After PUD approval, the identified parcel shall be zoned as a PUD per Burleigh County zoning regulations.

Site Plan: A site plan shall be provided that contains the following minimum information:

a. Site information -

1. Name of PUD facility
2. Name and address of the PUD applicant and owner
3. Name, address, and registration of professional surveyor involved in preparing the site plan
4. Scale, which shall be 1 inch equals 100 feet or less and shown graphically.
5. Date site plan was prepared

b. Driving Surfaces

1. Entry to property, entry to building and turnaround for 1st responders required to be paved.
2. Req' width of entry road to be County standard

c. Parking

1. Off street parking required
2. Parking lot or parking area can be compacted dirt with grass cut low.
3. Fire break around parking area- 30' wide,
4. Provide adequate drainage,
5. Provide adequate lighting.

d. Building Life Safety

Fire and Building Safety:

1. Life Safety Inspection is required prior to rezoning
2. Fire inspections required annually,
3. Fire extinguishers tested annually,
4. All temporary tents req' fire resistant material,
5. Designated smoking areas: 20' from entry of buildings, req' proper disposal,
6. No fuel loads near buildings or parking lot.

Infrastructure Installation: Developer shall install an individual septic system and water facilities per the Burleigh County Zoning Ordinance. The driveway shall be built to Burleigh

DRAFT

County standards. The Developer shall submit all necessary design documents for the approval of the storm water plans.

a. A utility service plan shall be provided showing existing utilities in place and all existing and proposed easements.

Infrastructure Funding: Any development shall fund the cost of initial engineering design, sanitary sewer, grading, water, and road installation.

Infrastructure Maintenance and Repair: The landowner shall be responsible for future repairs and maintenance of the private driveway and parking area. The owner shall be responsible for future repairs and maintenance of sanitary sewer facility, storm water management and for mowing of detention/retention pond and common areas.

a. A site plan will detail proposing driveway, parking and building locations.

Parking and Traffic Rules and Regulation: Parking and enforcement shall conform to Article 10, Burleigh County Zoning Ordinance.

Snow Removal: Snow removal is the responsibility of the owner.

Garbage Collection: Garbage collection shall be the responsibility of property owner.

Monument Signs: No monument signs will be required to be installed but may be at the discretion of the developer.

Easements: All easements shall be shown on the plat.

Capital Improvement & Maintenance Fund: All future repairs and maintenance of property shall be the responsibility of the owner.

Grantor/Grantee of Easements: The only easement constructed will be at the approval of the Highway Engineer and the Burleigh County Zoning and Planning committee.

Activities requiring a Special Use Permit:

1. Corn Mazes
2. You pick vegetables
3. Carnivals and farmer's markets
4. Social events for individuals or organizations i.e. Weddings, graduations, company picnics.

Section 2. **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

DRAFT

Section 3. **Effective Date.** This ordinance shall be in full force and effect from and after its final passage and adoption.

Section 4. **Severability.** If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Final Passage and Adoption:

I, Mark Splonkowski, do hereby certify that I am the duly elected auditor, of the County of Burleigh, State of North Dakota, and that the foregoing is a full, true and correct copy of an ordinance adopted by the Board of Burleigh County Commissioners at its regular meeting on to be determined.
____day of _____

IN WITNESS WHEREOF, I have hereto set my hand and seal of Burleigh County

this _____day of _____, 2024.

_____
Mark Splonkowski
Burleigh County Auditor/Treasurer

DRAFT

Baldwin Greenhouse Buffer Report

This buffer, to be located along the west property line of the Baldwin Greenhouse Subdivision, will include both a fence and tree lines. The fence will be located at or near the property line. There will also be five (5) rows of trees, which will be located fifteen feet apart from each other, as well as from the fence. The fence and tree line will both begin at the north property line, where the seventy-five (75) foot proposed right-of-way would end. The fence and tree line will end at the south property line. There is a section of the buffer area located in a wetland where trees are unlikely to grow, with the exception of sandbar willow trees. This area will only have a fence buffer, with no tree lines.

In Attachment A, a diagram of this buffer can be seen on the final plat. The fence line is shown in blue and the tree lines are shown in red. All distances are not to scale. Additionally, the wetlands are shown in green.

The fence line will be made up of a Six (6) foot non-metal fence. The tree lines can be made up of the following trees or shrubs that have been determined to be able to grow in the soils on-site:

<u>Deciduous Trees</u>

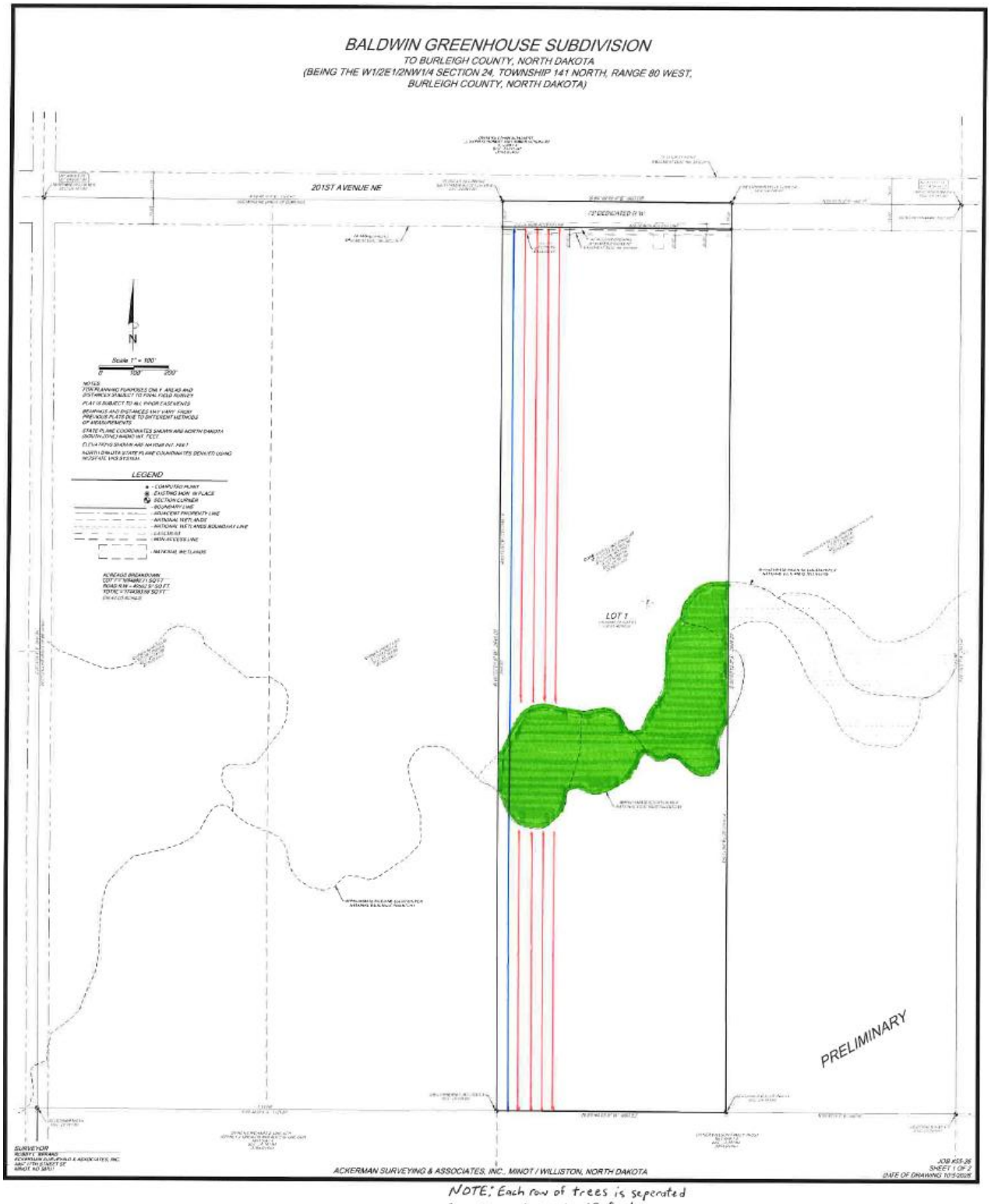
- Green Ash
- Siberian Elm
- Hawthorn
- Russian Olive
- Rocky Mountain Juniper
- Pine
- Eastern Redcedar

<u>Deciduous Shrubs</u>

- Silver Buffaloberry
- Caragana
- Chokecherry
- Golden Currant
- Honeysuckle
- Common Lilac
- American Plum
- Rose
- Western Sandcherry
- Silverberry
- Snowberry
- Sumac Skunkbrush

DRAFT

Attachment A:



NOTE: Each row of trees is seperated from the next row by 15 feet.