

ORDINANCE NO. 1336

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

WHEREAS, The zoning district amendment for TRACT 1 is found to align with the City of Mandan Future Land Use and Transportation Plan; and

WHEREAS, The zoning district amendment for TRACT 2 is found to create harmony with the adjacent properties to the east and west, which are similarly zoned; and

WHEREAS, The RESTRICTIONS provided for herein for TRACT 1 are necessary to facilitate the existing commercial use and mitigate traffic impacts to the intersection of 1806 N and 37th St. without the benefit of a traffic impact study and necessary improvements stemming from more intense commercial uses; and

WHEREAS, The RESTRICTIONS provided for herein for TRACT 2 are necessary to allow limited agricultural uses as requested by the applicant and allow the City of Mandan the ability to reevaluate the suitability of the property for alternative uses moving forward; and

WHEREAS, There exists commercial uses north across 37th St., presently outside of the City of Mandan's extraterritorial jurisdiction; and

WHEREAS, The City of Mandan Land Use and Transportation Plan calls for utilizing commercial nodes, where one at this location would be appropriate given the similar geospatial distribution of the others contained in said document; and

WHEREAS, 37th St. is a planned future minor arterial intersecting with 1806 N, an existing major arterial, lending itself to be a prime commercial location in the future.

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

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

TRACT 1 OF EXHIBIT 'A' (PROPOSED LOT 1, BLOCK 1 OF LONGHORN 2ND ADDITION) BEING ALL OF AUDITOR'S LOT "A" OF THE NE1/4 OF SECTION 9, AND PART OF LONGHORN 1ST ADDITION REPLAT (INCLUDING ENTZEL DRIVE) OF THE NW1/4 OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 9, T139N-R81W; THENCE SOUTH 00°35'02" EAST ALONG THE WEST BOUNDARY LINE

OF SAID SECTION 9 FOR 50.00 FEET TO A POINT ON A LINE 50 FEET SOUTH OF AND PARALLEL TO THE NORTH BOUNDARY LINE OF SAID SECTION 9, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 89°35'49" EAST ALONG SAID PARALLEL LINE FOR 247.12 FEET TO A POINT ON THE EAST BOUNDARY LINE OF LONGHORN 1ST ADDITION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA; THENCE SOUTH 30°39'08" EAST ALONG THE EAST BOUNDARY LINE FOR 231.55 FEET; THENCE SOUTH 00°35'31" EAST FOR 822.16 FEET; THENCE SOUTH 87°31'02" WEST FOR 305.19 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF ND HIGHWAY 1806, SAID POINT ALSO BEING ON THE ARCE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2939.79 FEET RADIUS; THENCE ALONG SAID CURVE TO THE LEFT, AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE (THE CHORD OF WHICH BEARS NORTH 22°26'51" WEST, 818.42 FEET) AN ARC LENGTH OF 821.09 FEET TO THE C.S. (CURVE TO SPIRAL) OF A CURVE TO THE LEFT HAVING A RAIDUS OF 2939.79 FEET; THENCE ALONG SAID SPIRAL CURVE, AND CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE (THE CHORD OF WHICH BEARS NORTH 32°59'16" WEST, 328.03 FEET) A SPIRAL CURVE LENGTH OF 328.12 FEET TO A POINT ON A LINE 50 FEET SOUTH OF AND PARALLEL TO THE NORTH BOUNDARY LINE OF SECTION 10, T139N-R81W; THENCE NORTH 89°49'51" EAST ALONG SAID PARALLEL LINE FOR 422.35 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 11.69 ACRES, MORE OR LESS.

Said tract shall be removed from the A-Agricultural and R-7 Residential District and be included in the CB – Commercial District **WITH RESTRICTIONS**. The allowable uses are limited to the following:

- **Kennel**
- **Dog Daycare**
- **Animal Hospital or Clinic**
- **Pet Grooming**
- **Pet Hospital or Clinic**

AND

TRACT 2 OF EXHIBIT 'A' (PROPOSED LOT 2, BLOCK 1 OF LONGHORN 2ND ADDITION) BEING A PART OF AUDITOR'S LOT "A" OF THE NE1/4 OF SECTION 9, AND PART OF LONGHORN 1ST ADDITION REPLAT OF THE NW1/4 OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 9, T139N-R81W; THENCE NORTH 89°35'50" EAST ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 9 FOR 218.12 FEET TO THE NORTHEAST CORNER OF LONGHORN 1ST ADDITION REPLAT OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA ; THENCE SOUTH 30°39'08" EAST ALONG THE EAST BOUNDARY LINE OF SAID LONGHORN 1ST ADDITION REPLAT FOR

289.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 30°39'08" EAST FOR 1235.45 FEET TO THE SOUTHEAST CORNER OF SAID LONGHORN 1ST ADDITION REPLAT; THENCE SOUTH 89°30'17" WEST ALONG THE SOUTH BOUNDARY LINE OF SAID LONGHORN 1ST REPLAT FOR 875.91 FEET TO THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2939.79 FEET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LONGHORN 1ST ADDITION REPLAT; THENCE ALONG SAID CURVE TO THE LEFT, AND ALONG THE WEST BOUNDARY LINE OF SAID LONGHORN 1ST ADDITION REPLAT (THE CHORD OF WHICH BEARS NORTH 12°06'10" WEST, 240.41 FEET) AN ARC LENGTH OF 240.48 FEET; THENCE NORTH 87°31'02" EAST FOR 305.19 FEET; THENCE NORTH 00°35'31" WEST FOR 822.16 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 9.14 ACRES, MORE OR LESS.

Said tract shall be removed from the R-7 Residential District and be included in the A-Agricultural District **WITH RESTRICTIONS**. The allowable uses are limited to the following:

- **Field crop farming;**
- **Commercial flower growing;**
- **Fruit growing;**
- **Tree, shrub or plant nursery; and**
- **Livestock raising or feeding**

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



Tim Helbling, President
Board of City Commissioners

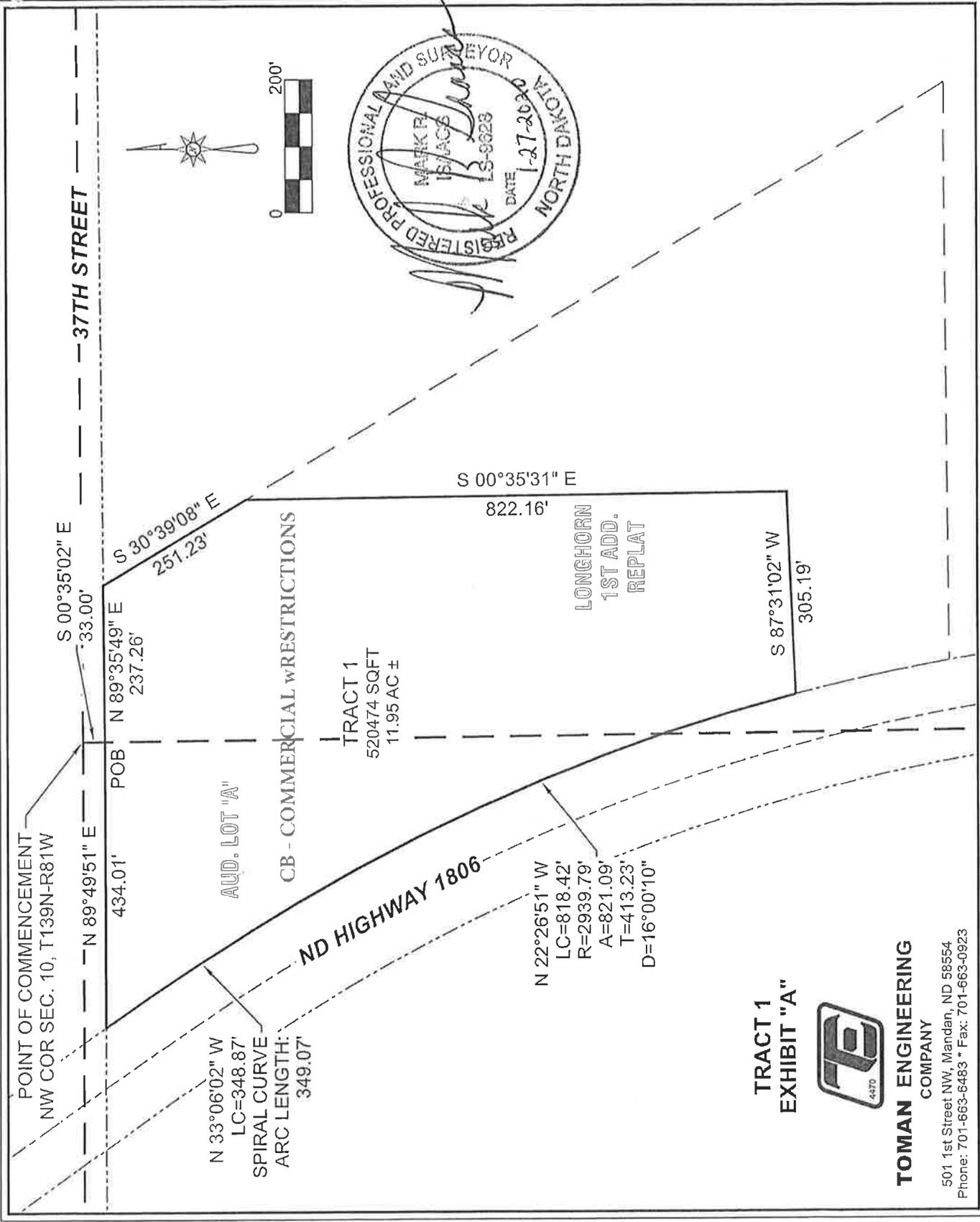
Attest:



Jim Neubauer
City Administrator

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

February 24, 2020
March 17, 2020
April 7, 2020



TRACT 1
EXHIBIT "A"



TOMAN ENGINEERING
 COMPANY
 501 1st Street NW, Mandan, ND 58554
 Phone: 701-663-6483 * Fax: 701-663-0923

POINT OF COMMENCEMENT
NW COR SEC. 10, T139N-R81W

N 89°35'50" E
218.12'

37TH STREET

S 30°39'08" E
289.43'

AUD. LOT "A"

POB

N 00°35'31" W
822.16'

LONGHORN
1ST ADD.
REPLAT

TRACT 2
EXHIBIT "A"



TOMAN ENGINEERING
COMPANY

501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923

N 12°06'10" W
LC=240.41'
R=2939.79'
A=240.48'
T=120.31'
D=4°41'13"

N 87°31'02" E
305.19'

TRACT 2
397946 SQFT
9.14 AC ±

S 30°39'08" E
1235.45'

A-AGRICULTURE WRESTRICTIONS

S 89°30'17" W
875.91'

