



COMMUNITY DEVELOPMENT DEPARTMENT

DATE: September 6, 2016
FROM: Carl D. Hokenstad, AICP, Director of Community Development
ITEM: High Meadows Twelfth Addition – Final Plat

REQUEST

Greg & Gail Mayer and Donald & Lorraine Fitzgerald are requesting approval of a final plat for High Meadows Twelfth Addition. The proposed action would further subdivide two recently annexed rural residential parcels into six urban residential lots for single-family development.

The property is located in northwest Bismarck, west of North Washington Street along the north side of Arabian Avenue and along an extension of Sudbury Avenue.

Please place this item on the September 13, 2016 City Commission meeting.

BACKGROUND INFORMATION

The Planning & Zoning Commission held a public hearing on this request on August 24, 2016.

No members of the public spoke at the public hearing.

At the conclusion of the hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the final plat for High Meadows Twelfth Addition.

RECOMMENDED CITY COMMISSION ACTION

Consider the request for approval of the final plat for High Meadows Twelfth Addition and take final action on the request.

STAFF CONTACT INFORMATION

Please contact Kim L. Lee, AICP, the planner in our office assigned to this request, at 355-1846 or klee@bismarcknd.gov. Planning Manager Kim Lee will also present this item at the meeting.



STAFF REPORT

City of Bismarck
 Community Development Department
 Planning Division

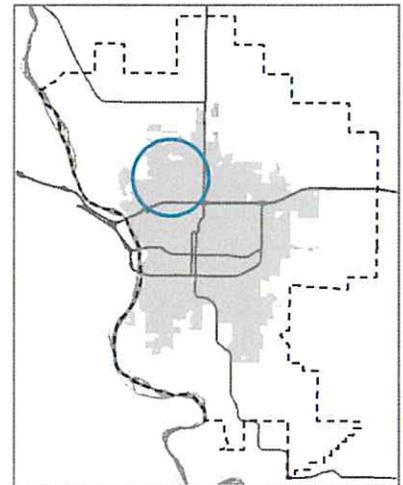
August 24, 2016

Application for: Major Subdivision Final Plat

TRAKiT Project ID: FPLT2015-010

Project Summary

Title:	High Meadows Twelfth Addition (formerly known as High Meadows 13 th Addition)
Status:	Planning & Zoning Commission – Public Hearing
Owner(s):	Greg & Gail Mayer and Donald & Lorraine Fitzgerald
Project Contact:	David Patience, Swenson, Hagen & Co.
Location:	The property is located in northwest Bismarck, west of North Washington Street along the north side of Arabian Avenue (a replat of Lot 5 and part of Lot 6, Block 3, KMK Estates).
Project Size:	3.11 acres
Request:	Replat property for development of urban density single-family lots.



Site Information

Existing Conditions		Proposed Conditions	
Number of Lots:	2 parcels in 1 block	Number of Lots:	6 lots in 1 block
Land Use:	Rural single-family residential	Land Use:	Urban single-family residential
Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan	Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan
Zoning:	R5 – Residential	Zoning:	R5 – Residential
Uses Allowed:	R5 – Single-family residential	Uses Allowed:	R5 – Single-family residential
Max Density Allowed:	R5 – 5 units / acre	Max Density Allowed:	R5 – 5 units / acre

Property History

Zoned:	04/1959 (RR) 02/2016 (R5)	Platted:	11/1969	Annexed:	10/2014
---------------	------------------------------	-----------------	---------	-----------------	---------

(continued)

Staff Analysis

The proposed plat will convert two rural residential lots into six urban residential lots.

The preliminary version of this plat was tentatively approved by the Planning and Zoning Commission on October 28, 2015 as High Meadows 13th Addition. Since the previous version of High Meadows 12th has been abandoned, the name of this plat was changed to High Meadows 12th Addition at the request of staff.

There is an existing accessory building on the property that would be platted as Lot 1. This accessory building currently serves the single-family dwelling that is location on the property that would be platted as Lot 6; however, accessory buildings need to be located on the same lot as the principal use. For this reason, the accessory building would need to be removed from Lot 1 prior to recording the plat, or the owner would need to request that Lots 1 and 6 be combined into one tax parcel until such time as the accessory building is removed.

Required Findings of Fact

Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission;
3. The proposed subdivision generally conforms to the 2014 Fringe Area Road Master Plan, as amended;
4. The stormwater management plan for the subdivision has been approved by the City Engineer;
5. The provision of neighborhood parks and open space is not needed because the

proposed final plat is a replat of part of an existing residential subdivision;

6. The proposed subdivision plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision;
7. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the proposed subdivision at the time the property is developed;
8. The proposed subdivision is not located in an area that is subject to flooding, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, and/or an area that is topographically unsuited for development;
9. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
10. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
11. The proposed subdivision would not adversely affect the public health, safety and general welfare.

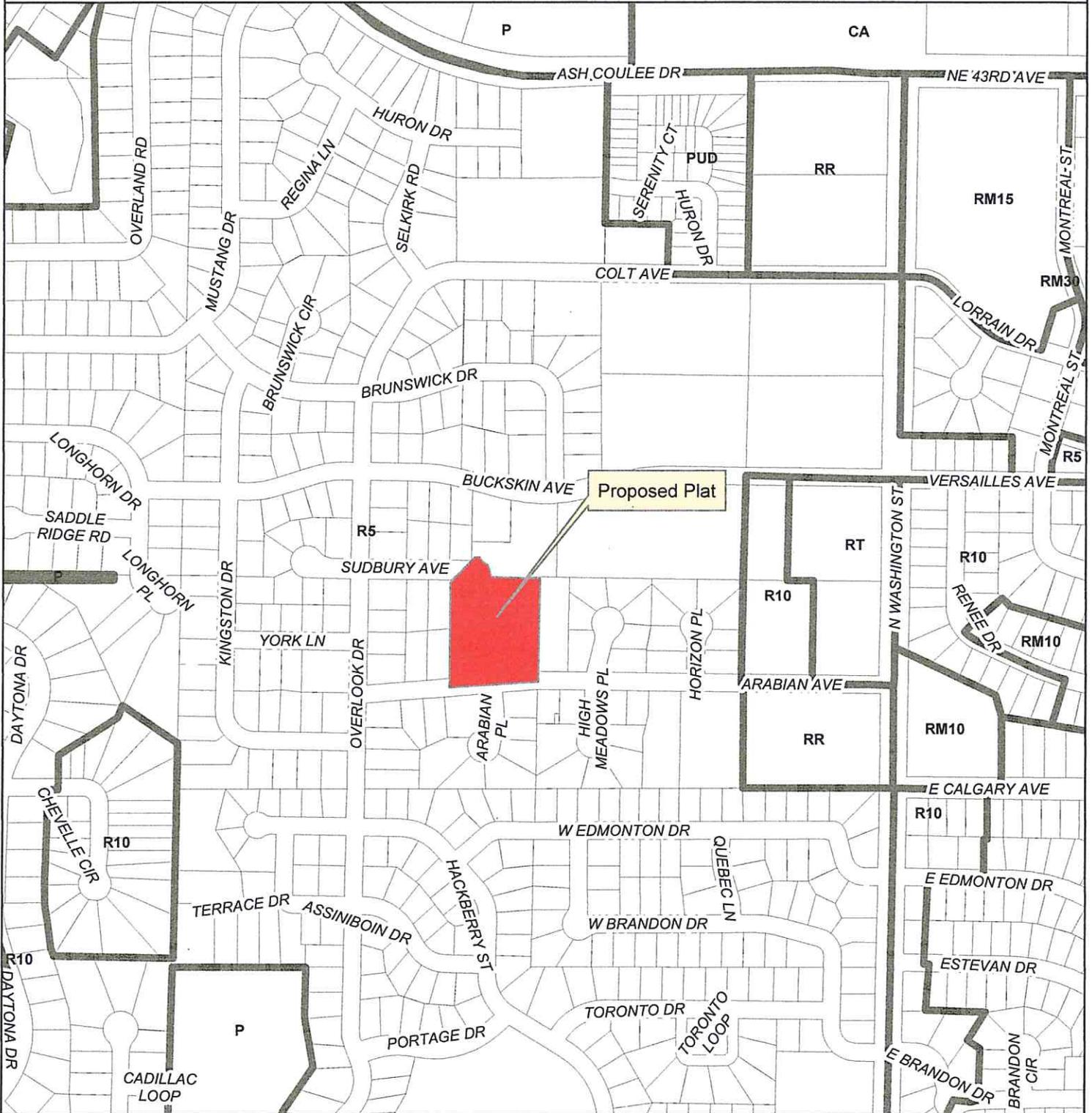
Staff Recommendation

Based on the above findings, staff recommends approval of the final plat for High Meadows Twelfth Addition.

Attachments

1. Location Map
2. Reduction of Final Plat
3. Reduction of Preliminary Plat

Proposed Plat High Meadows Twelfth Addition



August 12, 2016 (klee)

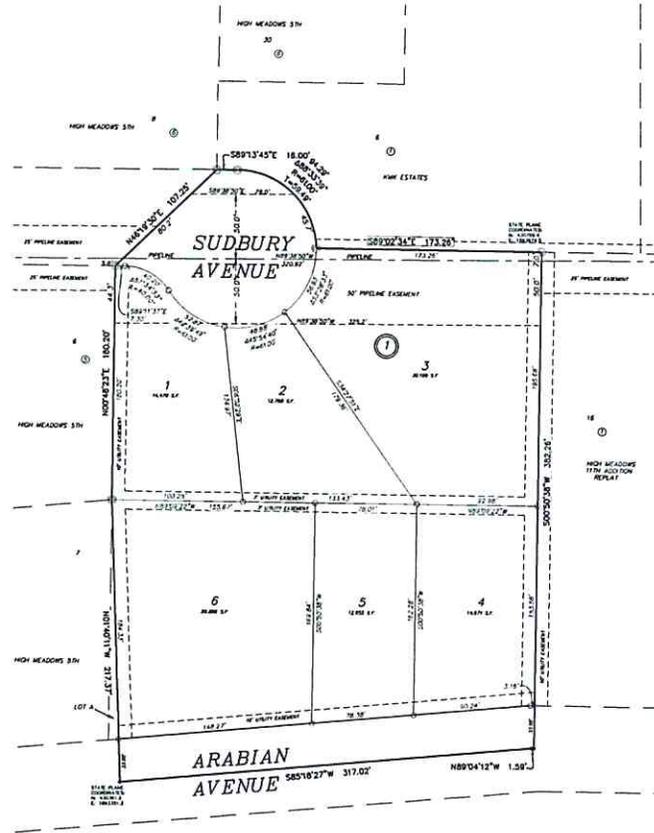
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



HIGH MEADOWS TWELFTH ADDITION

REPLAT OF LOT 5 AND PART OF LOT 6 BLOCK 3
KMK ESTATES SUBDIVISION
PART OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP
139 NORTH, RANGE 80 WEST

BISMARCK, NORTH DAKOTA



NOTES

BASE OF BEARING:
NORTH DAKOTA STATE PLANE SOUTH ZONE BY
CITY ORDINANCE

HORIZONTAL ADJUSTMENT:
HORIZONTAL ADJUSTMENT BY
151 EAST OF DELAWARE ROAD
ELEV = 1534.62 (NGVD 29)

COORDINATE SYSTEM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
MAD BY SOUTH ZONE
ADJUSTMENT OF 1988
UNITS ARE INTERNATIONAL FEET

VERTICAL DATA:
NATIONAL GRID TO NAD 83 DATUM OF 1923
BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS

○ MOVEMENT TO BE SET
● MOVEMENT IN PLACE



SCALE - 1" = 40'
AUGUST 10, 2016

○ MOVEMENT TO BE SET
● MOVEMENT IN PLACE

PIPELINE DESCRIPTION

ALL THAT PART OF HIGH MEADOWS TWELFTH ADDITION, BISMARCK, NORTH DAKOTA THAT LIES 5.0
FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE
BEGINNING ON THE EAST LINE OF SAID HIGH MEADOWS TWELFTH ADDITION A DISTANCE OF 7.0 FEET
SOUTH OF THE NORTHEAST CORNER OF LOT 5 NORTH 93° 28' 10" WEST 30.00 FEET TO A POINT WEST A
DISTANCE OF 20.00 FEET TO THE WEST LINE OF SAID HIGH MEADOWS TWELFTH ADDITION AND 5.6
FEET NORTH OF THE SOUTH LINE OF S. SUDDURY AVENUE.



SWENSON, HAGEN & COMPANY P.C.

909 Dean Avenue
Bismarck, North Dakota 58101
505.755.2400
505.755.2401
505.755.2402
505.755.2403
505.755.2404
505.755.2405
505.755.2406
505.755.2407
505.755.2408
505.755.2409
505.755.2410
505.755.2411
505.755.2412
505.755.2413
505.755.2414
505.755.2415
505.755.2416
505.755.2417
505.755.2418
505.755.2419
505.755.2420

DESCRIPTION

BEING A REPLAT OF LOT 5 AND PART OF LOT 6 BLOCK 3 OF KMK ESTATES PART OF THE NORTHEAST
1/4 OF SECTION 20, T. 139 N., R. 80 W., BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS
FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6 BLOCK 3 HIGH MEADOWS 5TH ADDITION, THENCE NORTH
44 DEGREES 19 MINUTES 30 SECONDS EAST, A DISTANCE OF 107.24 FEET TO THE BOUNDARY OF LOT 6 BLOCK
3 KMK ESTATES, THENCE SOUTH 93 DEGREES 18 MINUTES 45 SECONDS EAST, A DISTANCE OF 16.00 FEET
THENCE SOUTHWESTERLY AND TO THE RIGHT ON A 3.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 94.39 FEET
TO THE SOUTH LINE OF LOT 6 BLOCK 3 KMK ESTATES, THENCE SOUTH 89 DEGREES 24 MINUTES 34 SECONDS
EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 173.48 FEET TO THE WEST LINE OF LOT 6 BLOCK 3 HIGH
MEADOWS 5TH ADDITION, THENCE SOUTH 00 DEGREES 30 MINUTES 30 SECONDS WEST, ALONG SAID
WEST LINE, AND TO SOUTHWESTERLY EXTENSION, A DISTANCE OF 302.28 FEET TO THE CENTERLINE OF ARABIAN
AVENUE, THENCE NORTH 89 DEGREES 24 MINUTES 34 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF
1.15 FEET, THENCE SOUTH 89 DEGREES 18 MINUTES 45 SECONDS WEST, CONTAINING ALONG SAID CENTERLINE, A
DISTANCE OF 317.02 FEET TO THE SOUTHERN EXTENSION OF THE EAST LINE OF LOT 6 HIGH MEADOWS 5TH
ADDITION, THENCE NORTH 00 DEGREES 40 MINUTES 11 SECONDS WEST, ALONG SAID EXTENSION AND SAID EAST
LINE, A DISTANCE OF 317.37 FEET TO THE SOUTHEAST CORNER OF LOT 5 BLOCK 3 HIGH MEADOWS 5TH
ADDITION, THENCE SOUTH 00 DEGREES 30 SECONDS EAST, ALONG THE EAST LINE OF LOT 6 BLOCK 3 HIGH
MEADOWS 5TH ADDITION, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT CONTAINS 2.11 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY
THAT THIS ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY EFFICIENTLY UNDER MY SUPERVISION
AND COMPLETED ON _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO
ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE, AND HE
ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

STATE OF NORTH DAKOTA } SS SWENSON, HAGEN & CO. P.C.
COUNTY OF BURLEIGH } BISMARCK, NORTH DAKOTA

ON THIS _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO
ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE, AND HE
ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID PATRICE, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES AUGUST 24, 2016.

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING
COMMISSION OF THE CITY OF BISMARCK, ON THE _____ DAY OF _____, 2016, IN ACCORDANCE WITH LAWS
OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY
THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND
SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

KATHLEEN REAGER - CHAIRMAN CARL D. HOKENSTADT - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE
SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DESIGNATION OF ALL STREETS
SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE
MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND HAS HEREBY DECLARED ANY PREVIOUS PLATING
WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOLLOWING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS
TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 2016.

ATTEST:
KEITH J. HUNKE - CITY ADMINISTRATION

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE
"HIGH MEADOWS TWELFTH ADDITION", BISMARCK, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

GARRETT J. SCHILL
CITY ENGINEER

OWNERS' CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT GREGORY MATHER AND DERRICK W. FITZGERALD IN
FITZGERALD BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION
DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "HIGH MEADOWS TWELFTH ADDITION", BISMARCK, NORTH
DAKOTA AND TO SO DEDICATE STREETS AS SHOWN HEREON TO THE PUBLIC USE.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC,
TELEPHONE, OR OTHER PUBLIC UTILITIES OR SURFACES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED
HEREON AS UTILITY, SANITARY SEWER, STORM SEWER & STORM WATER EASEMENTS.

THEY FURTHERMORE DEDICATE UNITS TO THE CITY OF BISMARCK "STORM WATER AND DRAINAGE EASEMENTS" TO
RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE, CANALS, CULVERT, THROUGH
AND/OR AROUND THE PROPERTY SHOWN HEREON AND "STORM WATER AND DRAINAGE EASEMENTS" FOR THE
PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT
FACILITIES TOGETHER WITH THE NECESSARY APPROPRIATEMENTS PERTAINING TO STORM SEWER, STORM WATER AND SURFACE
WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND
UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA } SS GREGORY MATHER } GREG MATHER
COUNTY OF BURLEIGH } BISMARCK, NORTH DAKOTA } OWNERS LOTS 1-6 BLOCK 1

ON THIS _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED GREGORY MATHER AND GREG
MATHER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE, AND HE
ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

STATE OF NORTH DAKOTA } SS DONALD J. FITZGERALD } DONALD W. FITZGERALD
COUNTY OF BURLEIGH } BISMARCK, NORTH DAKOTA } OWNERS LOTS 5 & 6

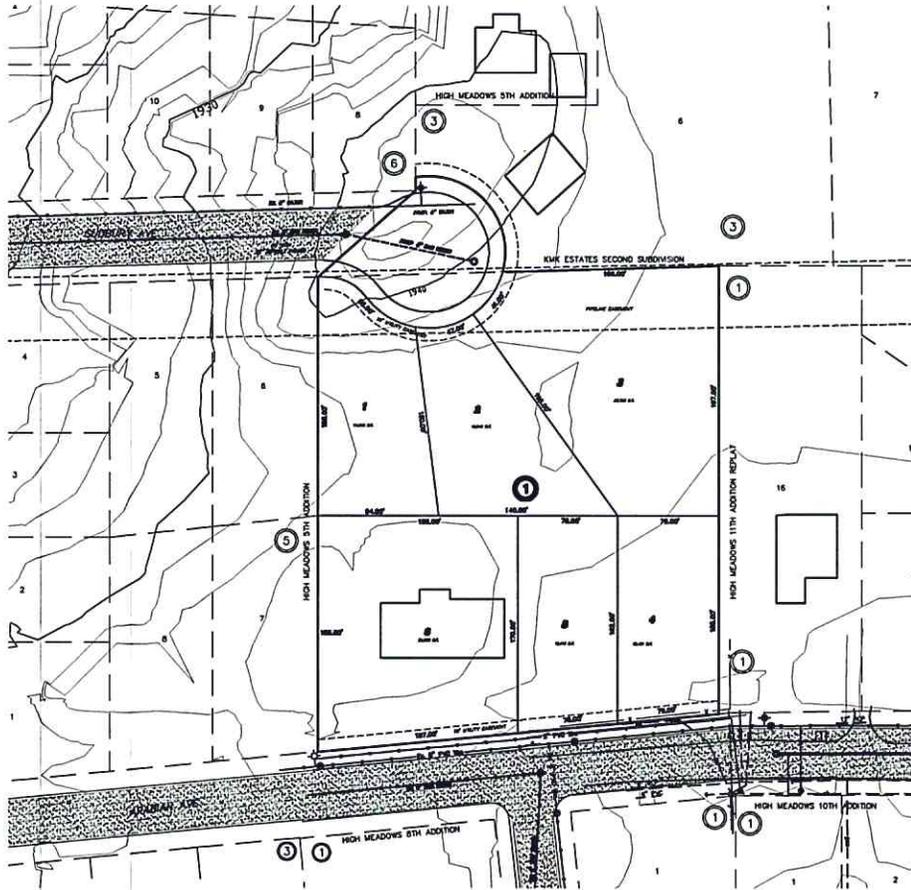
ON THIS _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED DONALD W. FITZGERALD,
FITZGERALD, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE
AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

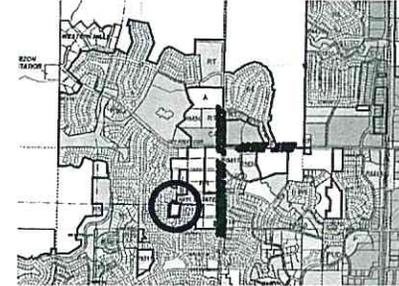
AUG 10 2016

HIGH MEADOWS THIRTEENTH ADDITION

REPLAT OF LOT 6 AND PART OF LOT 6 BLOCK 3
 KMK ESTATES SUBDIVISION
 PART OF THE E 1/2 OF THE NW 1/4 OF SECTION 20,
 TOWNSHIP 130 NORTH, RANGE 80 WEST
 BISMARCK, NORTH DAKOTA



LOCATION MAP



2.74 ACRES
 EXISTING ZONING: R5
 6 LOTS

OWNER: GREG MAYER
 ADDRESS: 1022 E DIVIDE AVENUE
 BISMARCK, ND 58501
 PHONE: (701) 400-2586

OWNER: DON FITZGERALD
 ADDRESS: 435 BUCKSKIN DRIVE
 BISMARCK, ND 58501
 PHONE: (701) 258-7191



VERTICAL DATUM: NGVD 29

SEPTEMBER 25, 2015