Bismarck

COMMUNITY DEVELOPMENT DEPARTMENT

DATE: September 6, 2016

FROM: Carl D. Hokenstad, AICP, Director of Community Development

ITEM: Woodland Third Subdivision – Final Plat

REQUEST

Duane and Carla Vetter are requesting approval of a final plat for Woodland Third Subdivision. The action would create one rural residential lot for the development of a new single-family residence.

The property is located south of Bismarck in the extraterritorial area, along the east side of 12th Street SE between 48th Avenue SE and Oahe Bend Drive.

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 Woodland Third Subdivision.

RECOMMENDED CITY COMMISSION ACTION

Consider the request for approval of the final plat for Woodland Third Subdivision and take final action on the request.

STAFF CONTACT INFORMATION

Please contact Jenny Wollmuth, CFM, the planner in our office assigned to this request, at 355-1845 or jwollmuth@bismarcknd.gov, or Kim L. Lee, AICP, Planning Manager, at 355-1846 or klee@bismarcknd.gov. Planning Manager Kim Lee will present this item at the meeting.

STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

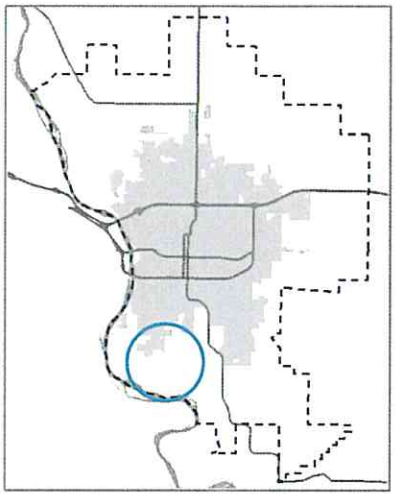
August 24, 2016

Application for: Major Subdivision Final Plat

TRAKiT Project ID: FPLT2016-006

Project Summary

Title:	Woodland Third Subdivision
Status:	Planning & Zoning Commission – Public Hearing
Owner(s):	Duane and Carla Vetter
Project Contact:	Landon Niemiller, Swenson, Hagen & Co.
Location:	South of Bismarck, between 48th Avenue SE and Oahe Bend Drive, along the east side of12th Street SE.
Project Size:	2.27 acres
Request:	Plat property for development of one rural residential lot.



Site Information

Existing Conditions		**Proposed Conditions**	
Number of Lots:	Part of one parcel	*Number of Lots:*	1 lot in 1 block
Land Use:	Undeveloped	*Land Use:*	Single-family rural residential
Designated GMP Future Land Use:	Conventional Rural Residential	*Designated GMP Future Land Use:*	Conventional Rural Residential
Zoning:	RR – Residential	*Zoning:*	RR – Residential
Uses Allowed:	RR – Large lot single-family residential and limited agriculture	*Uses Allowed:*	RR – Large lot single-family residential and limited agriculture
Max Density Allowed:	RR – 1 unit per 65,000 square feet	*Max Density Allowed:*	RR – 1 unit per 65,000 square feet

Property History

Zoned:	*Pre-1980*	*Platted:*	*N/A*	Annexed:	N/A

Staff Analysis

The Planning and Zoning Commission at their meeting of July 27, 2016 recommended tentative approval of the proposed plat.

Approval of the proposed subdivision is being requested for the future development of a single rural residential lot.

The proposed subdivision is located within the Special Flood Hazard Area (SFHA) or 100-year floodplain.

(continued)

Development of the site, including construction of the proposed single-family dwelling, must comply with Section 14-03-09 of the City Code of Ordinances (FP – Floodplain District).

Required Findings of Fact

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 with written concurrence from the County Engineer;
5. The provision of neighborhood parks and open space is not needed because the proposed final plat is not an urban subdivision with residential zoning districts;
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 located within the Special Flood Hazard Area (SFHA) or 100-year floodplain. However, the subdivision is proposed to be developed according to existing ordinance requirements pertaining to development in the floodplain and therefore, the proposed development would not adversely impact water quality and/or environmentally sensitive lands;
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

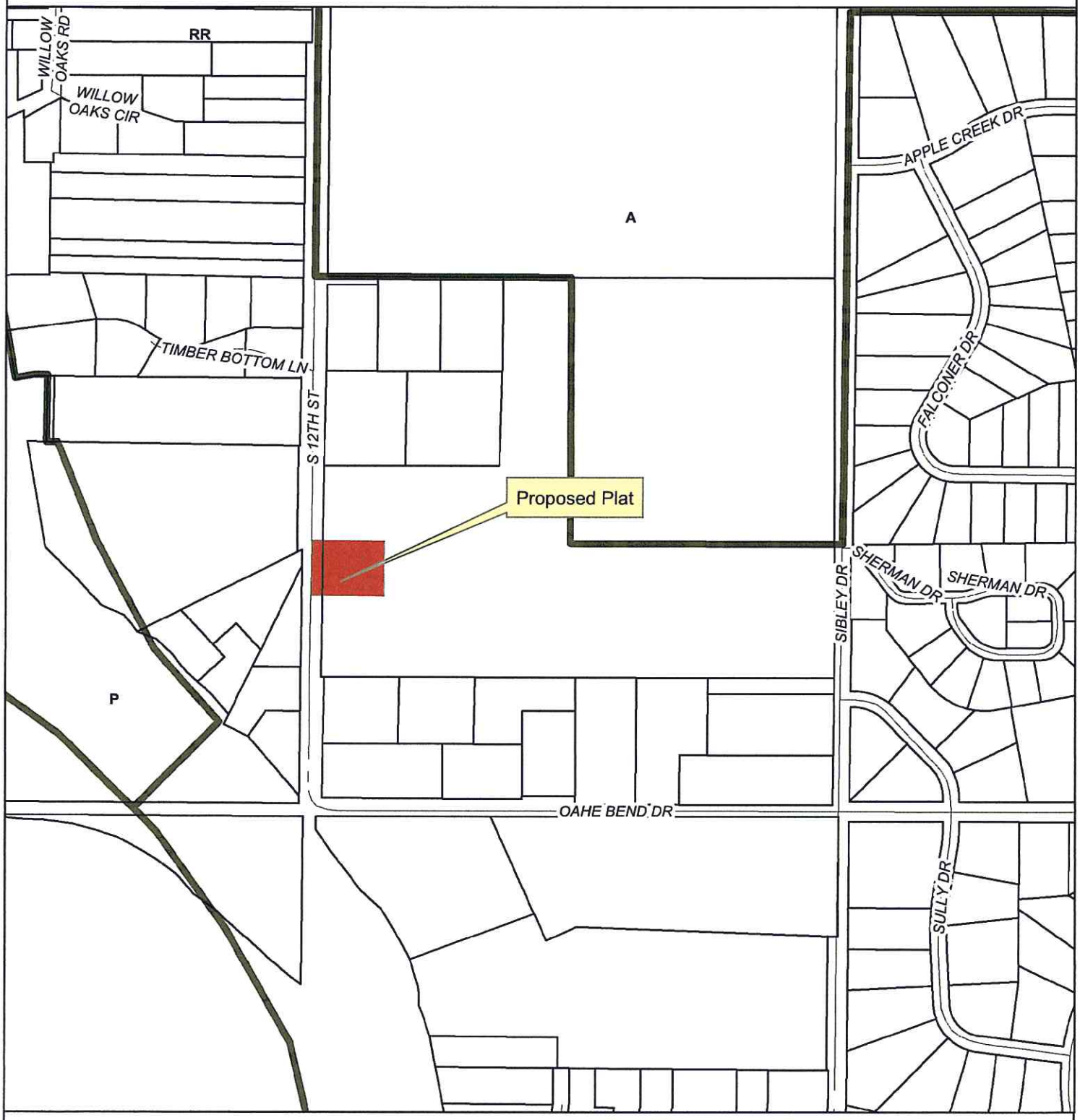
Based on the above findings, staff recommends approval of the final plat for Woodland Third Subdivision.

Attachments

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

Staff report prepared by: Jenny Wollmuth, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Proposed Plat
Woodland Third Subdivision



June 27, 2016 (hlb)

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.

0 270 540 1,080 Feet

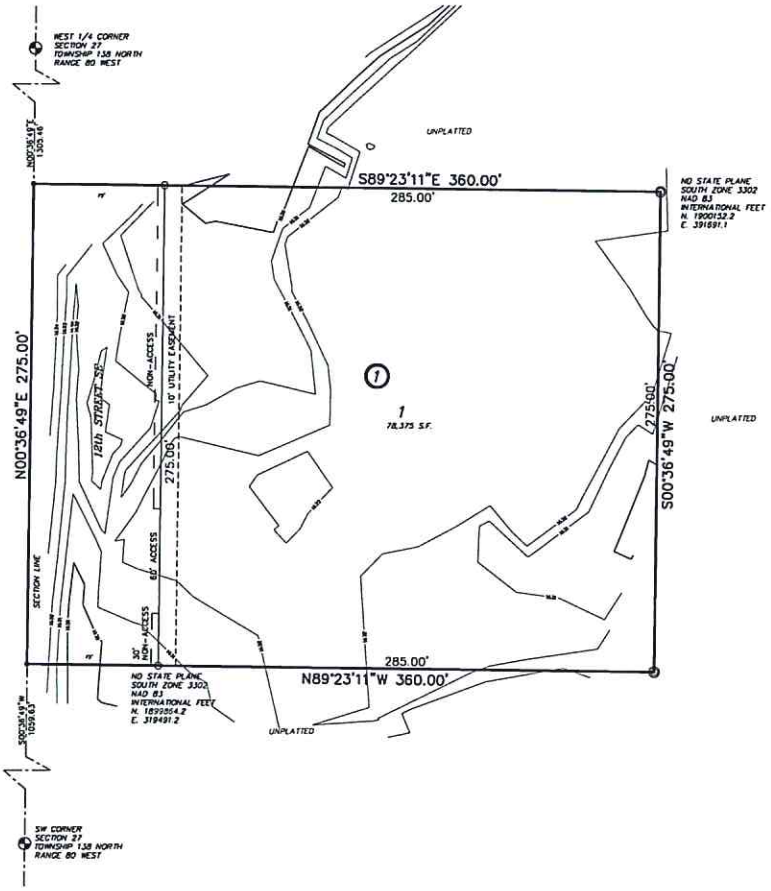
N

AUG 1 0 2016

WOODLAND THIRD SUBDIVISION

PART OF THE SW 1/4 OF SECTION 27, TOWNSHIP 138 NORTH, RANGE 80 WEST
OF THE 5TH PRINCIPAL MERIDIAN
LINCOLN TOWNSHIP

BURLEIGH COUNTY, NORTH DAKOTA



SCALE: 1"=30'

AUGUST 10, 2016

○ MONUMENT TO BE SET
● MONUMENT IN PLACE

NOTES

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

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

BENCHMARK:
IRON PIPE
NORTHEAST CORNER OF LOT 3 BLOCK 1
IMPERIAL VALLEY SUBDIVISION
ELEV. 1834.15 (NAVD 88)

FLOODPLAIN INFORMATION

FEMA FLOOD INSURANCE RATE MAP
COMMUNITY PANEL NUMBER 38015C0960D
DATED AUGUST 5, 2014
FLOOD PLAIN ELEVATION=1835.0 (NAVD 88)

AREA

LOTS	78,375 S.F.	1.80 ACRES
STREETS	20,625 S.F.	0.47 ACRES
TOTAL	99,000 S.F.	2.27 ACRES

DESCRIPTION

WOODLAND THIRD SUBDIVISION, PART OF THE SW 1/4 OF SECTION 27, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINCOLN TOWNSHIP, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW 1/4; THENCE NORTH 00 DEGREES 36 MINUTES 49 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1059.63 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 36 MINUTES 49 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 275.00 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 11 SECONDS EAST, A DISTANCE OF 360.00 FEET; THENCE SOUTH 00 DEGREES 36 MINUTES 49 SECONDS WEST, PARALLEL WITH SAID WEST LINE, A DISTANCE OF 275.00 FEET; THENCE NORTH 89 DEGREES 23 MINUTES 11 SECONDS WEST, A DISTANCE OF 360.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT CONTAINS 2.27 ACRES, MORE OF LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON FEBRUARY 2, 2015, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

STATE OF NORTH DAKOTA}
} SS
COUNTY OF BURLEIGH}

SWENSON, HAGEN & CO. P.C.
909 BASH AVENUE
BISMARCK, ND 58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3393

ON THIS ____ DAY OF _____ 2015, 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 PATENCE, 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 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.

WAYNE LEE YEAGER – CHAIRMAN

CARL D. HORENSTAD – 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 PLAT, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE PLAT.

THE FOREGOING 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 ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "WOODLAND THIRD SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

GABRIEL J. SCHELL
CITY ENGINEER

APPROVAL OF COUNTY ENGINEER

I, MARCUS HALL, COUNTY ENGINEER OF BURLEIGH COUNTY, NORTH DAKOTA, HEREBY APPROVE "WOODLAND THIRD SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

MARCUS HALL, COUNTY ENGINEER

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____ 2016.

ATTEST: KEVIN J. GLATT – COUNTY AUDITOR

BRIAN BITTNER--CHAIRMAN

OWNERS' CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT DUANE VETTER, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "WOODLAND THIRD SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA, AND DOES SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

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

STATE OF _____}
} SS
COUNTY OF _____}

DUANE VETTER
8021 SE 12TH ST
BISMARCK, ND 58504

ON THIS ____ DAY OF _____ 2016, BEFORE ME PERSONALLY APPEARED DUANE VETTER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND THYE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

STATE OF _____}
} SS
COUNTY OF _____}

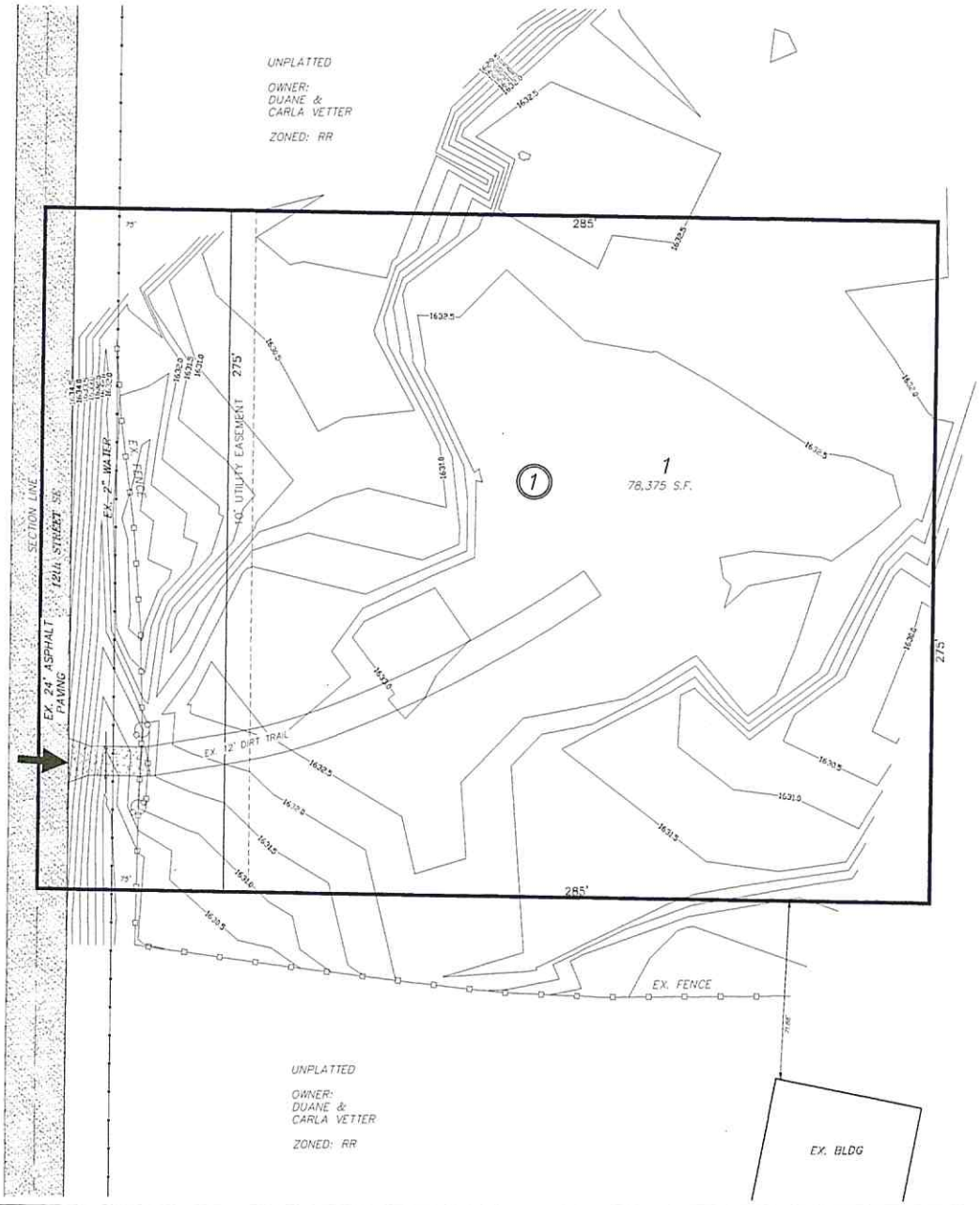
_____ NOTARY PUBLIC
_____ COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

SWENSON, HAGEN & COMPANY P.C.

WOODLAND THIRD SUBDIVISION

PART OF THE SW 1/4 OF SECTION 27, TOWNSHIP 138 NORTH, RANGE 80 WEST

BURLEIGH COUNTY, NORTH DAKOTA



LOCATION MAP

1.8 ACRES
EXISTING ZONING: RR
1 LOT

OWNER: DUANE VETTER
ADDRESS: 6021 SE. 12TH ST
BISMARCK, ND 58501
PHONE: (701) 223-4924

FLOOD PLAIN:

FIRM MAP NUMBER: 38015C0960D
100 YR. FLOOD PLAIN ELEV: 1633.7

N
W E
S

0 20' 40'

SCALE - 1" = 20"

VERTICAL DATUM: NAVD 88

JUNE 20, 2016

SWENSON, HAGEN & COMPANY P.C.