



Community Development Department

DATE: June 18, 2019

FROM: Ben Ehreth, Community Development Director

ITEM: Street Name Change of "North Star Drive" to "Northstar Drive"

REQUEST

The City of Bismarck is initiating a street name change of "North Star Drive", dedicated within JMAC Industrial Addition, to "Northstar Drive."

Please place this item on the June 25, 2019 City Commission meeting agenda.

BACKGROUND INFORMATION

The purpose of the change is to maintain consistency of naming with the original segments of this street recorded in Northstar Commercial Park and Northstar Commercial Park 3rd Subdivision.

RECOMMENDED CITY COMMISSION ACTION

Based on the findings contained in the staff report, staff recommends approval of the attached resolution to change the name of "North Star Drive", as shown on the plat of JMAC Industrial Addition, to "Northstar Drive."

STAFF CONTACT INFORMATION

Ben Ehreth, AICP | Community Development Director, 355-1842 or
behreth@bismarcknd.gov



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

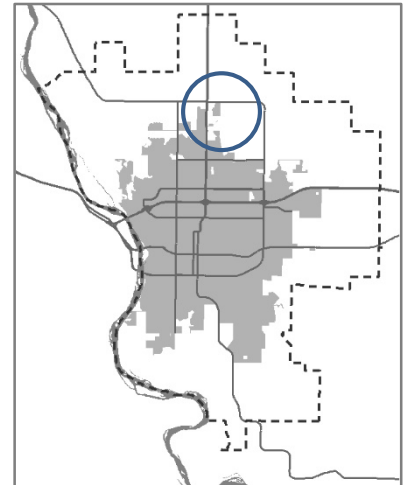
June 25, 2019

Application for: Plat Modification – Street Name Change

TRAKiT Project ID: PLMD2019-004

Project Summary

Title:	Street Name Change of “North Star Drive” to “Northstar Drive”
Status:	Board of City of Commissioners
Owner(s):	Pronghorn, LLC
Project Contact:	Daniel Nairn, AICP, Planner
Location:	In north Bismarck, east of US Highway 83/State Street and south of 71 st Avenue NE
Project Size:	2.83 Acres
Request:	Change name of street to be consistent with original segment of the same street to the west



Staff Analysis

The City of Bismarck is initiating a street name change of “North Star Drive”, dedicated within JMAC Industrial Addition, to “Northstar Drive.” The purpose of the change is to maintain consistency of naming with the original segments of this street recorded in Northstar Commercial Park and Northstar Commercial Park 3rd Subdivision.

CENCOM has agreed to the need for this street name change. All of the adjoining properties are owned by Pronghorn, LCC, who has been notified of this action. No development of any adjoining lots has occurred to date.

Required Findings of Fact (relating to land use)

1. The street name shown on the plat of record or the name of common usage is confusing, in error or is otherwise inconsistent with other street names within the City of Bismarck or the extraterritorial jurisdiction;

2. The change or correction of the street name is consistent with the general intent and purpose of the zoning ordinance; and
3. The change or correction of the street name is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Staff Recommendation

Based on the above findings, staff recommends approval of the attached resolution to change the name of “North Star Drive”, as shown on the plat of JMAC Industrial Addition, to “Northstar Drive.”

Attachments

1. Location Map
2. Excerpt from Plat
3. Resolution

(continued)

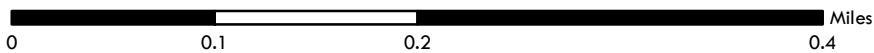
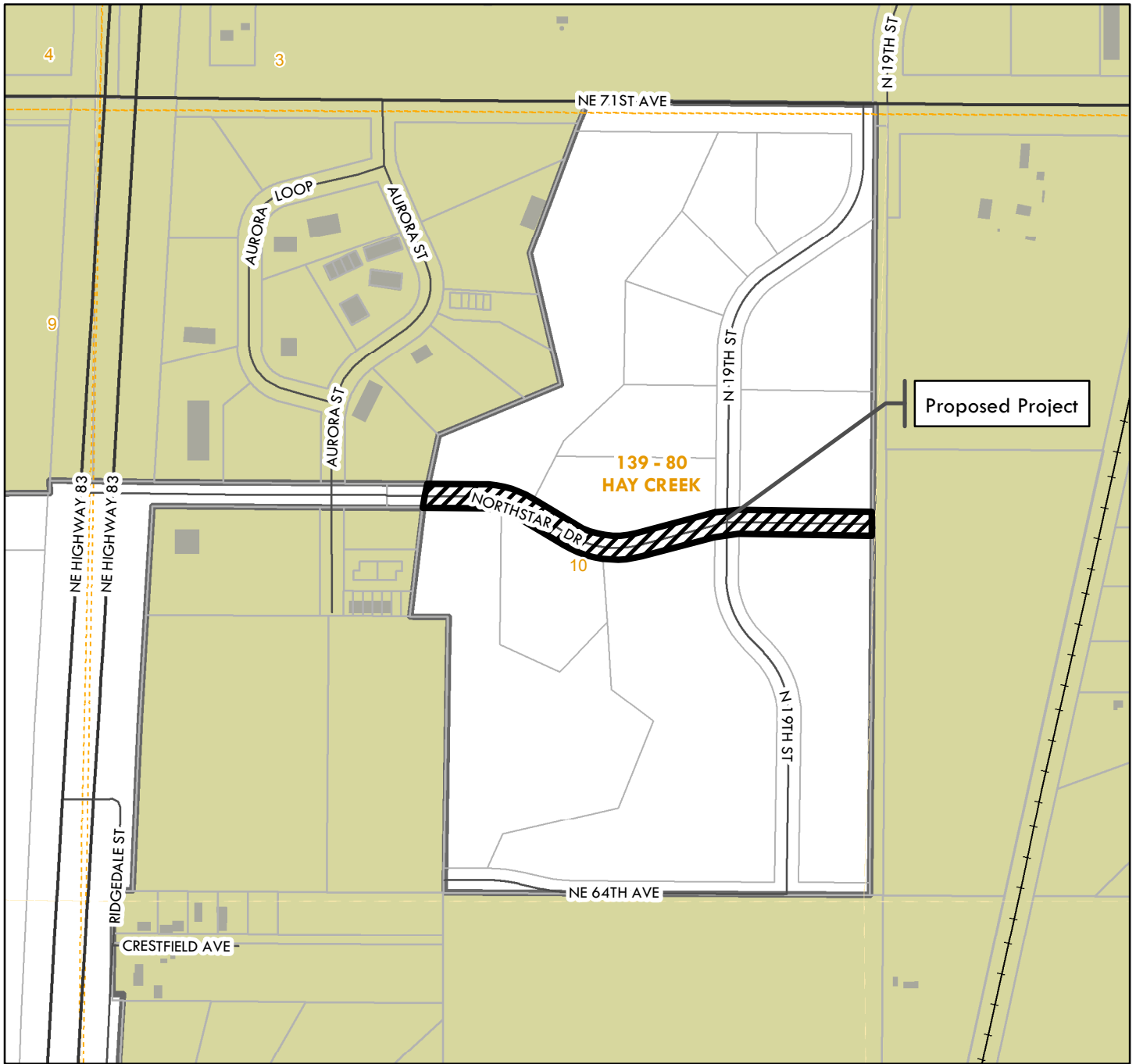
Staff report prepared by: Daniel Nairn, AICP, Planner
701-355-1854 | dnairn@bismarcknd.gov



Location Map

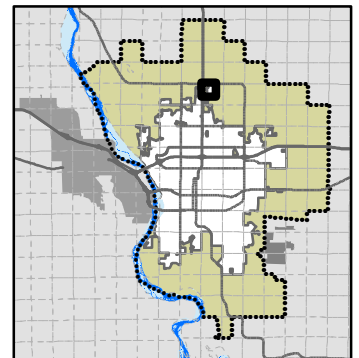
North Star Drive to Northstar Drive
JMAC Industrial Addition

PLMD2019-004



- City Limits
- Bismarck ETA Jurisdiction
- County Outside ETA

Section, township, and range indicated in orange



City of Bismarck
Community Development Department
Planning Division
June 13, 2019 (HLB)

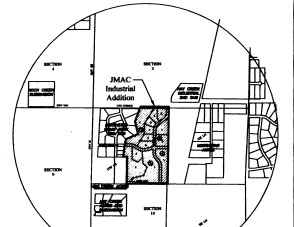
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

JMAC INDUSTRIAL ADDITION

A **PLAT** OF JMAC INDUSTRIAL ADDITION, BEING A REPLAT OF AUDITORS LOTS A & B, LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA TO BE HEREAFTER KNOWN AS:

LOTS 1 THROUGH 3, BLOCK 1; LOTS 1 THROUGH 7, BLOCK 2; LOTS 1 THROUGH 2, BLOCK 3; AND LOT 1, BLOCK 4 OF JMAC INDUSTRIAL ADDITION LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA.

OWNER'S DEDICATION
LOCATION MAP
N.T.S.



SECTION 10
T 139 N, R 80 W
GRAPHIC SCALE

(BY FEET)
1 inch = 100 ft

LEGEND

- FOUND MONUMENT
- SET 5/8" I.P. REBAR W/ L.S. CAP STAMPED TO SOLEM'S PLAT
- COMPUTED POINT
- NON ACCESS LINE

DESCRIPTION

A PLAT OF JMAC INDUSTRIAL ADDITION, BEING A REPLAT OF AUDITORS LOTS A & B, LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA TO BE HEREAFTER KNOWN AS: LOTS 1 THROUGH 3, BLOCK 1; LOTS 1 THROUGH 7, BLOCK 2; LOTS 1 THROUGH 2, BLOCK 3; AND LOT 1, BLOCK 4 OF JMAC INDUSTRIAL ADDITION LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE S89°22'22"E ALONG THE NORTH SECTION LINE OF SAID SECTION 10, A DISTANCE OF 343.10 FEET TO THE POINT OF BEGINNING; THENCE S09°52'21"W, THENCE CONTINUING S20°39'25"W, ALONG THE EASTERN LINE OF NORTHSTAR COMMERCIAL PARK 3RD SUBDIVISION, A DISTANCE OF 141.05 FEET; THENCE S20°42'26"W, ALONG SAID EASTERN LINE, A DISTANCE OF 338.10 FEET; THENCE S31°31'49"W, ALONG SAID EASTERN LINE, A DISTANCE OF 499.80 FEET; THENCE S07°40'11"W, ALONG SAID EASTERN LINE, A DISTANCE OF 463.33 FEET; THENCE S12°02'32"W, ALONG SAID EASTERN LINE, A DISTANCE OF 246.14 FEET TO THE SOUTH RIGHT OF WAY LINE OF NORTH STAR DRIVE; THENCE S20°19'17"W ALONG SAID EASTERN LINE, A DISTANCE OF 384.64 FEET TO THE SOUTH LINE OF SAID NORTHSTAR COMMERCIAL PARK 3RD SUBDIVISION; THENCE S89°32'19"E, A DISTANCE OF 127.29 FEET; THENCE S09°49'38"W, A DISTANCE OF 266.64 FEET TO THE EASTWEST QUARTER CORNER OF SAID SECTION 10; THENCE S89°22'22"E, ALONG SAID QUARTER LINE, A DISTANCE OF 148.39 FEET TO THE POINT OF BEGINNING OF SECTION 10; THENCE N02°25'26"E, ALONG SAID QUARTER LINE, A DISTANCE OF 574.96 FEET TO THE SOUTH RIGHT OF WAY LINE OF 71ST AVENUE; THENCE CONTINUING N02°25'26"E, A DISTANCE OF 60.00 FEET TO THE NORTH LINE OF SECTION 10; THENCE N89°22'22"W, ALONG SAID NORTH SECTION LINE, A DISTANCE OF 962.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 78.81 ACRES, MORE OR LESS.

WESTERN AREA POWER ADMINISTRATION
EASEMENT RESTRICTIONS

THE UNITED STATES GOVERNMENT (WESTERN AREA POWER ADMINISTRATION) HOLDS A 125 FOOT WIDE EASEMENT FOR THE RIGHT TO OPERATE, PATROL, REPAIR, MAINTAIN, LINE, CONSTRUCT, AND RECONSTRUCT AN ELECTRICAL TRANSMISSION LINE.

THE FOLLOWING ACTIVITIES ARE PROHIBITED WITHIN THE TRANSMISSION LINE EASEMENTS, UNLESS OTHERWISE APPROVED BY WESTERN AREA POWER ADMINISTRATION (IN WRITING):

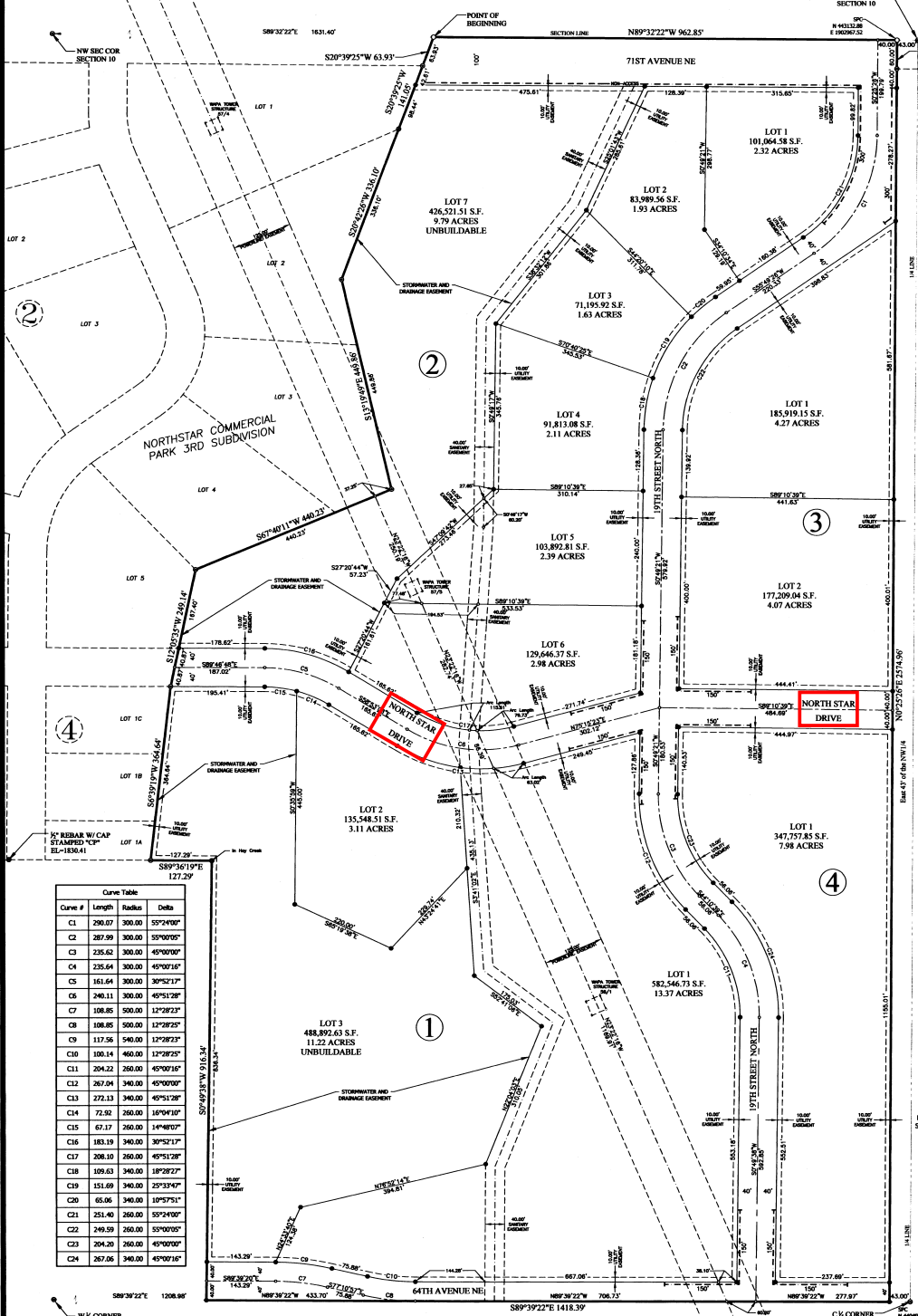
1. OWNER SHALL NOT ERECT ANY STRUCTURES. STRUCTURES, BY WAY OF EXAMPLE, NOT BY LIMITATION, SHALL MEAN BUILDINGS, MOBILE HOMES, SIGNS, STORAGE TANKS, STORAGE FACILITIES, SWIMMING POOLS, TENNIS COURTS, OR SIMILAR FACILITIES.
2. OWNER SHALL NOT DRILL WELLS OR CONDUCT MINING OPERATIONS.
3. OWNER SHALL NOT GRANT PERMISSION TO THE PUBLIC FOR THE USE OF THE EASEMENT AREA. SUCH PERMISSION USE SHALL INCLUDE RECREATION, PARKING AREAS, STORAGE FACILITIES, AND RECREATION FACILITIES.
4. OWNER SHALL NOT APPRECIABLY CHANGE THE CHARACTER OF EXISTING TOPOGRAPHY. NORMAL GARDENING PRACTICES MAY BE CONDUCTED. HOWEVER, OWNER SHALL NOT PLANT ANY TREES WITHIN THE TRANSMISSION LINE EASEMENTS WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE WESTERN AREA POWER ADMINISTRATION (WAPA) OR ITS ASSIGNS.
5. OWNER SHALL NOT ERECT OR INSTALL FENCES OR ACROSS THE EASEMENT AREAS WITHOUT FIRST SUBMITTING THE FENCE PLANS TO WESTERN AND OBTAINING WESTERN'S WRITTEN APPROVAL.
6. OWNER SHALL NOT PLANT TREES WITHIN THE RIGHT-OF-WAY.
7. REQUESTS FOR PERMISSION TO USE THE TRANSMISSION LINE RIGHT-OF-WAY SHOULD BE SUBMITTED TO:

WESTERN AREA POWER ADMINISTRATION
NORTH DAKOTA MAINTENANCE OFFICE
P.O. BOX 1172
BISMARCK, ND 58502-1173

PLEASE CONTACT AL WOOD OR BERRY PAULSON WITH ANY QUESTIONS AT (701)221-6500
Date: August 7, 2015

Prepared by
BARTLEY & WEST

3455 E. Century Ave.
Bismarck, North Dakota 58503
701-258-1115
FAX 701-258-1111
www.bartleyandwest.com



Curve #	Length	Radius	Delta
C1	290.07	300.00	55°24'07"
C2	287.99	300.00	55°00'05"
C3	235.62	300.00	45°00'00"
C4	235.64	300.00	45°00'16"
C5	161.64	300.00	30°52'17"
C6	240.11	300.00	45°51'28"
C7	106.85	500.00	12°28'23"
C8	106.85	500.00	12°28'25"
C9	117.56	540.00	12°28'23"
C10	100.14	460.00	12°28'25"
C11	204.22	250.00	45°00'16"
C12	267.04	340.00	45°00'00"
C13	272.13	340.00	45°51'28"
C14	72.92	260.00	16°04'10"
C15	67.17	260.00	14°48'07"
C16	183.19	340.00	30°52'17"
C17	208.10	260.00	45°51'28"
C18	109.63	340.00	18°28'27"
C19	151.69	340.00	29°33'47"
C20	65.06	340.00	10°57'51"
C21	251.40	260.00	55°24'00"
C22	249.59	260.00	55°00'05"
C23	204.20	260.00	45°00'00"
C24	267.06	340.00	45°00'16"

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND WHICH IS INCLUDED IN THIS PLAT, THIS PLAT BEING ENTITLED: A PLAT OF JMAC INDUSTRIAL ADDITION, BEING A REPLAT OF AUDITORS LOTS A & B, LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA TO BE HEREAFTER KNOWN AS: LOTS 1 THROUGH 3, BLOCK 1; LOTS 1 THROUGH 7, BLOCK 2; AND LOTS 1 THROUGH 3, BLOCK 3 OF JMAC INDUSTRIAL ADDITION LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA, THAT THE PLAT HAS BEEN MADE AT MY REQUEST AND UNDER MY DIRECTION, FOR THE PURPOSE OF DEFINING AND DESCRIBING THE PROPERTY AS SHOWN BY THIS PLAT.

I HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS, ACCESS EASEMENTS, STORM SEWER EASEMENTS, SANITARY SEWER EASEMENTS AND WATERMAIN EASEMENTS AS SHOWN AND MARKED ON THIS PLAT, INCLUDING THE SEWER, CEMENT, WATER AND OTHER PUBLIC UTILITY LINES. I ALSO HEREBY DEDICATE THE EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREIN AS "UTILITY EASEMENTS".

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS, 15 DAY OF September, 2015.

REDLAND, LLC
By: *[Signature]*
STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

APPROVAL OF CITY PLANNING COMMISSION

ON THIS, 15 DAY OF September, 2015, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JON MCCRAY, HANNAH REBER, AND JACOB LEE, A LIMITED LIABILITY COMPANY AND THAT HE, AS SUCH REBER, AUTHORIZED TO DO SO, DETACHED THE FOREGOING OWNER'S DEDICATION BY SIGNING THE NAME OF THE CORPORATION BY HIMSELF AS MANAGING MEMBER.

APPROVAL OF BOARD OF CITY COMMISSION

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

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE 25 DAY OF June, 2015.

APPROVAL OF BOARD OF CITY COMMISSION

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

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED ON THE 25 DAY OF June, 2015.

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

JMAC INDUSTRIAL ADDITION, AS SHOWN ON THIS PLAT.

DATED THIS 15 DAY OF October, 2015

SURVEYOR'S CERTIFICATE

I, DAVE SOLEM, A PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF REDLAND, LLC AS OWNERS AND UNDER THEIR DIRECTION, DED ON OR PRIOR TO OCTOBER 15TH, 2015, I SURVEYED THE LAND DESCRIBED AS FOLLOWS: A PLAT OF JMAC INDUSTRIAL ADDITION, BEING A REPLAT OF AUDITORS LOTS A & B, LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA TO BE HEREAFTER KNOWN AS: LOTS 1 THROUGH 3, BLOCK 1; LOTS 1 THROUGH 7, BLOCK 2; LOTS 1 THROUGH 2, BLOCK 3; AND LOT 1, BLOCK 4 OF JMAC INDUSTRIAL ADDITION LYING IN THE NORTHWEST QUARTER (NW ¼) OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA.

I ALSO HEREBY CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE SURVEY MADE UNDER MY DIRECT SUPERVISION, AND THAT THE DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT, AND THAT THIS PLAT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ALL RESPECTS, A TRUE DESCRIPTION OF SAID PROPERTY.

DATED THIS 15 DAY OF August, 2015.

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

ON THIS, 17 DAY OF August, 2015, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED DAVE SOLEM, A PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF NORTH DAKOTA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING SURVEYOR'S CERTIFICATE, AND I HEREBY ACKNOWLEDGE THAT HE EXECUTED THE FOREGOING INSTRUMENT.

JANELLE M. HAGER
Notary Public
State of North Dakota
My Commission Expires 08-15-2018

VERTICAL DATUM
THE CITY OF BISMARCK VERTICAL CONTROL NETWORK, NAD83

BASED ON BEARINGS & HORIZONTAL DATUM
BEARINGS SHOWN ARE GRID BEARINGS BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, WITH 63 SOUTH ZONE, REFERENCED FROM THE CITY OF BISMARCK GPS CONTROL MONUMENTS.

OWNER: REDLAND, LLC
1500 HILLER STREET, SUITE 200
BARTLETT & WEST INC
WENATCHEE, WA 98601

SURVEYOR: DAVE SOLEM, P.L.S.
3455 EAST CENTURY AVE
BISMARCK, ND 58503

TOTAL ACREAGE WITHIN: 78.82 ACRES
ACREAGE OF LOTS: 67.18 ACRES
ACREAGE OF STREETS: 11.64 ACRES

BURLEIGH COUNTY RECORDER

W
N
E
S

RESOLUTION

**STREET NAME CHANGE IN
JMAC INDUSTRIAL ADDITION**

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota deems it necessary to change a street name to “Northstar Drive” on the following property:

All of “North Star Drive”, dedicated in JMAC Industrial Addition and adjacent to Lots 1-3, Block 1; Lots 6-7, Block 2; Lot 2, Block 3; and Lot 1, Block 4, JMAC Industrial Addition, in the City of Bismarck, Burleigh County, North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that this Board unanimously goes on record this 25th day of June, 2019 giving its support for the name change to “Northstar Drive” of the previously described roadway is in all things allowed and granted.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized to file a transcript thereof for record in the office of the County Recorder, Burleigh County, North Dakota.

Adopted this 25th day of June, 2019.

CERTIFICATE

I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified Assistant City Administrator of the City of Bismarck, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted at a legally convened meeting of the Board of City Commissioners held on June 25, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota, this 25th day of June, 2019.

(SEAL)

Jason Tomanek
Assistant City Administrator
Bismarck, North Dakota