



City Administration

DATE: January 21, 2020

FROM: Jason Tomanek, Assistant City Administrator

ITEM: Highland Acres Sidewalks | Update from Bruce Whittey

REQUEST:

Consider receiving an update from Bruce Whitey regarding the installation of sidewalks in the Highland Acres neighborhood.

BACKGROUND INFORMATION

On July 24, 2017 Bruce Whittey requested the postponement of sidewalk construction in portions of the Highland Acres neighborhood citing the area was being considered historically significant. The request was to allow for an 18-month postponement to allow time to conduct research with the State Historical Society.

On September 11, 2018, Mr. Whittey reported the State Historical Society/ND State Historic Preservation Office would require the entire Highland Acres neighborhood be included in the application; the original request was to nominate Blocks 1-5, Highland Acres Addition, Highland Acres 2nd Addition, Torrance Addition and Memorial Park Addition. The remaining blocks were appended to the initial application. The Board of City Commissioners directed staff to explore establishing a Certified Local Government Program and granted an extension to postpone a determination regarding sidewalk installation to February 2020.

Additional information has been provided and is appended to this memorandum.

RECOMMENDED CITY COMMISSION ACTION

Receive the report from Bruce Whittey and consider the request for additional time to allow for the on-going research to support the historic designation of the Highland Acres neighborhood.

STAFF CONTACT INFORMATION

Jason Tomanek | Assistant City Administrator, 355-1300 or jtomanek@bismarcknd.gov



Background:

July 25, 2017 The City Commission delayed the consideration of installation of a number of sidewalks during the application and nomination process to formally recognize Highland Acres by the National Register as an historic district.

July 2018 Bruce Whittey met with Community Development to begin discussions on creating a Certified Local Government (CLG) which would create a local Historic Preservation Commission. As part of the Commission's mission it could facilitate the nomination of historic districts and solicit funding for implementation.

September 11, 2018 Bruce Whittey reported to the City Commission that the ND State Preservation Office would require that the historic nomination would require that the entire Highland Acres subdivision be included in the application. The original request was to nominate Highland Acres Blks 1-5, Highland Acres 2nd, Torrance, and Memorial Park. The remaining blocks were to be added at a later date amending the original application. The Commission supported the request to delay sidewalk consideration until January 2020.

September 25, 2018 The City Commission directed Community Development to pursue designation of Bismarck as a Certified Local Government, creating an Historic Preservation Ordinance which would be submitted the ND Preservation Office for approval.

January 8, 2019 After public hearing, Ordinance 6358, creating the Bismarck Historic Preservation Commission was approved by the City Commission.

August 21, 2019 Bruce Whittey appeared before the Bismarck Historic Preservation Commission to ask their assistance in nominating Highland Acres as an historic district.

October 16, 2019 The Bismarck Historic Preservation Commission directed that a Cultural Heritage grant be prepared to fund Highland Acres site surveys required in the historic district application.

November 26, 2019 The City Commission approved the Bismarck Historic Preservation Commission's request to submit the Cultural Heritage grant to the ND State Historical Preservation Office.

Other City of Bismarck support:

July 2016 In a setback variance request before the Board of Adjustments for new construction in Highland Acres 2nd addition, Community development reversed an earlier decision to honor the front setback as originally filed on the plat rather than the City's policy of 25 feet.

September 20, 2019 The City of Bismarck issued a letter to Claudia Berg, State Preservation Officer, supporting Bismarck Historic Preservation Board in its efforts to create Highland Acres as an historic district.

Safety:

In a letter issued by Mark Berg, Traffic Engineer, September 2018 and updated in January 2020 it indicated that there have been no vehicle/pedestrian incidents within Highland Acres in the last 11 years.