



Community Development Department

DATE: September 1, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Lots 1 – 3, Block 3, Meadowlark Commercial 7th Addition – Annexation

REQUEST

Skyline Properties, LLC is requesting approval of the annexation of Lots 1-3, Block 3, Meadowlark Commercial 7th Addition. The annexation is being requested in preparation for future commercial development of the property.

The property is located in northeast Bismarck, north of 43rd Avenue NE and east of US Highway 83, between Brookside Lane and 57th Avenue NE, along the west side of North 19th Street.

Please place this item on the September 8, 2020 and September 22, 2020 City Commission meeting agendas.

BACKGROUND INFORMATION

The Planning and Zoning Commission held final consideration of this item on August 26, 2020.

At the conclusion of final consideration, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the annexation of the Lots 1-3, Block 3, Meadowlark Commercial 7th Addition, the west half of the adjacent North 19th Street right-of-way, and all of the adjacent Brookside Lane right-of-way not previously annexed.

RECOMMENDED CITY COMMISSION ACTION

September 8th meeting of the Board of City Commissioners – consider the annexation as outlined in Ordinance 6433 and call for a public hearing on this item for the September 22nd meeting of the Board of City Commissioners.

September 22nd meeting of the Board of City Commissioners – hold a public hearing on the annexation as outlined in Ordinance 6433 and take final action on the request.

STAFF CONTACT INFORMATION

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

Kim L. Lee, AICP | Planning Manager, 355-1846 or klee@bismarcknd.gov

Jenny Wollmuth, AICP, CFM | Planner, 355-1845 or jwollmuth@bismarcknd.gov

ORDINANCE NO. 6433

<i>First Reading</i>	_____
<i>Second Reading</i>	_____
<i>Final Passage and Adoption</i>	_____

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota, as follows:

Lots 1-3, Block 3, Meadowlark Commercial 7th Addition; the west half of the North 19th Street right-of-way between the south line of 57th Avenue NE and the centerline of Brookside Lane adjacent to Lots 1-3, Block 3, Meadowlark Commercial 7th Addition; the East 280.27 feet of the north half of the Brookside Lane right-of-way adjacent to Lot 3, Block 3, Meadowlark Commercial 7th Addition; and all of the Brookside Lane right-of-way adjacent to Lots 1, 2 and the West 100 feet of Lot 3, Block 3, Meadowlark Commercial 7th Addition and adjacent to the East 228 feet of Lot 3 and all of Lot 4, Gussner Acreage Homesites.

The above described tract of land contains 11.37 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this Ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota.



STAFF REPORT

City of Bismarck
 Community Development Department
 Planning Division

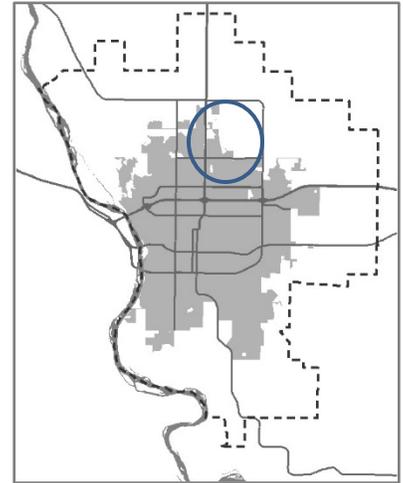
Agenda Item # 2
 August 26, 2020

Application for: Annexation

TRAKiT Project ID: ANNX2020-007

Project Summary

Title:	Lots 1-3, Block 3, Meadowlark Commercial 7 th Addition
Status:	Planning & Zoning Commission – Final Consideration
Owner(s):	Skyline Properties LLC
Project Contact:	Sanjay Patel, Managing Partner
Location:	In northeast Bismarck, north of 43 rd Avenue NE and east of US Highway 83, between Brookside Lane and 57 th Avenue NE, along the west side of North 19 th Street
Project Size:	11.37 acres
Request:	Annex property for future commercial development



Site Information

Existing Conditions		Proposed Conditions	
Number of Lots:	3 lots in 1 block	Number of Lots:	3 lots in 1 block
Land Use:	Undeveloped	Land Use:	Commercial uses
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:	CG – Commercial	Zoning:	CG – Commercial
Uses Allowed:	CG – General commercial, multi-family residential, and offices	Uses Allowed:	CG – General commercial, multi-family residential, and offices
Max Density Allowed:	CG – 42 units / acre	Max Density Allowed:	CG – 42 units / acre

Property History

Zoned:	12/2015	Platted:	12/2015	Annexed:	N/A
---------------	---------	-----------------	---------	-----------------	-----

Staff Analysis

Skyline Properties LLC is requesting approval of the annexation of Lots 1-3, Block 3, Meadowlark Commercial 7th Addition.

The annexation also includes the unannexed portions of the North 19th Street and Brookside Lane rights-of-way adjacent to this request. Annexation of these portions of North 19th Street and Brookside Lane would avoid

(continued)

segments of public rights-of-way in this location being outside corporate limits while the adjacent properties are within corporate limits.

Annexation of the property, including the adjacent rights-of-way, would allow for commercial development and the construction Brookside Lane and North 19th Street at the time of site development.

Utility Capital Charges

The annexation of any new lots within in the City of Bismarck is subject to utility capital charges for municipal utilities. Utility capital charges are due at the latter of three points: annexation and platting; water and sewer escrow; or petition for street improvement.

Required Findings of Fact (relating to land use)

1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed;
2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck;
3. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance;

4. The proposed annexation is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed annexation would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the annexation of Lots 1-3, Block 3, Meadowlark Commercial 7th Addition and the westerly half of the North 19th Street right-of-way between 57th Avenue NE and Brookside Lane, adjacent to Lots 1-3, Block 3, and the entire right-of-way for Brookside Lane adjacent to Lots 1-2, and the west half of Lot 3, Block 3, as well as the north half of Brookside Lane adjacent to the east half of Lot 3, Block 3, Meadowlark Commercial 7th Addition.

Attachments

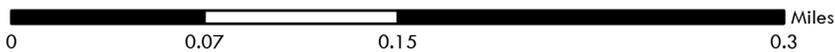
1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map



Location Map

ANNX2020-007

ANNEXATION OF MEADOWLARK COMMERCIAL 7TH ADD, L1-3, B3

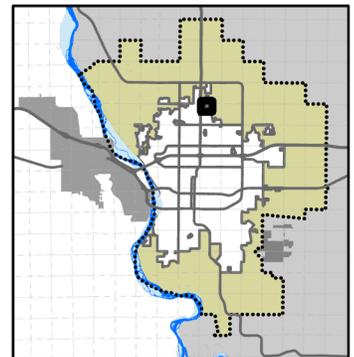


-  Bismarck ETA Jurisdiction
-  County Outside ETA

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 August 18, 2020 (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.

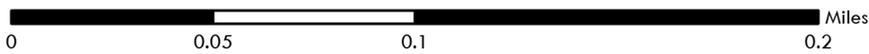
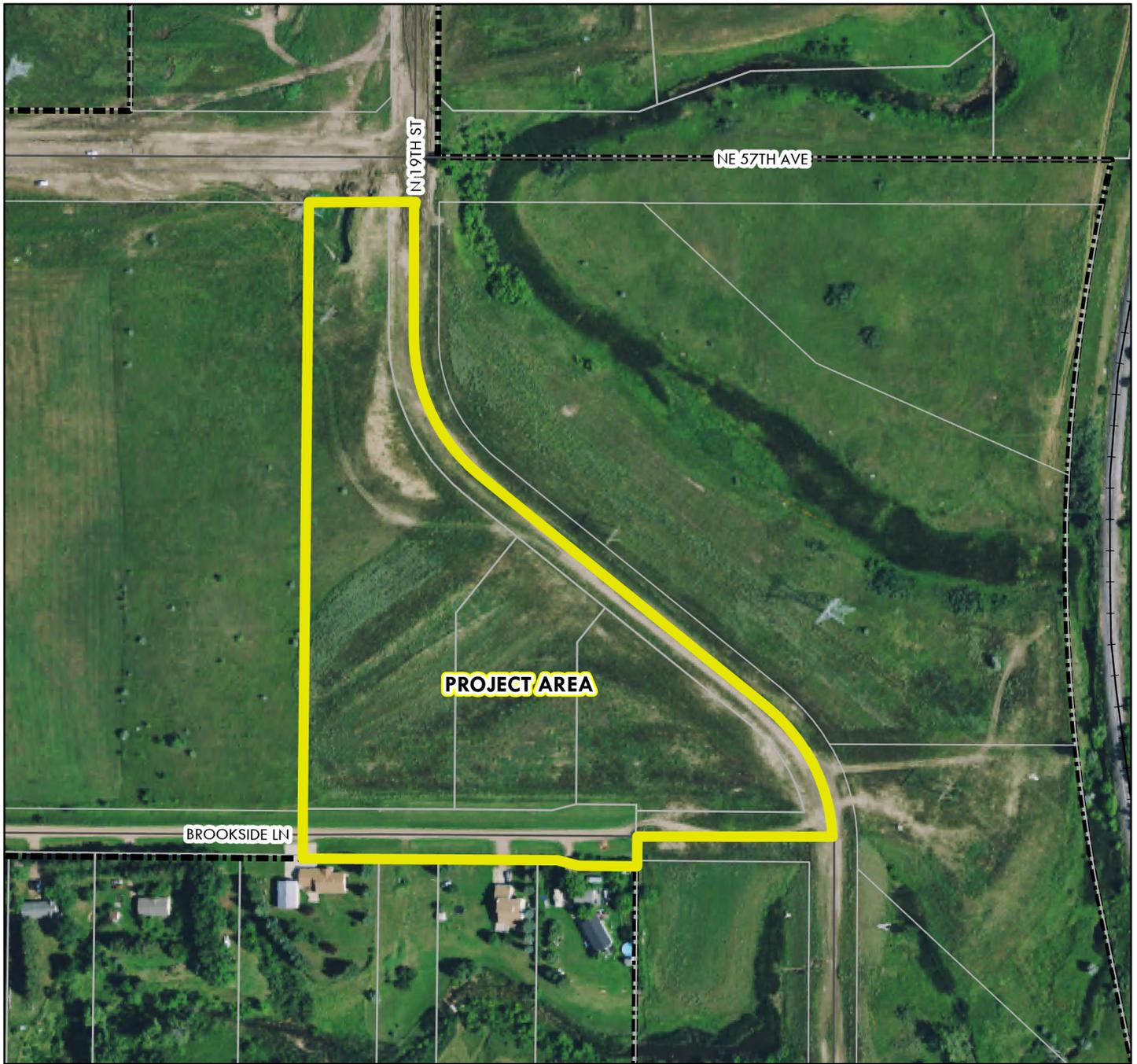




Aerial Map

MEADOWLARK COMMERCIAL 7TH ADD, L1-3, B3

ANNX2020-007

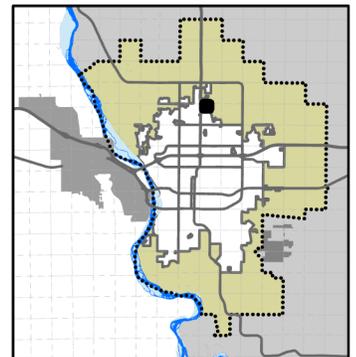


 City Limits
  Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
 Community Development Department
 Planning Division
 August 18, 2020

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.





Zoning and Plan Reference Map

MEADOWLARK COMMERCIAL 7TH ADD, L1-3, B3

ANNX2020-007
ZC2020-005

Zoning Districts

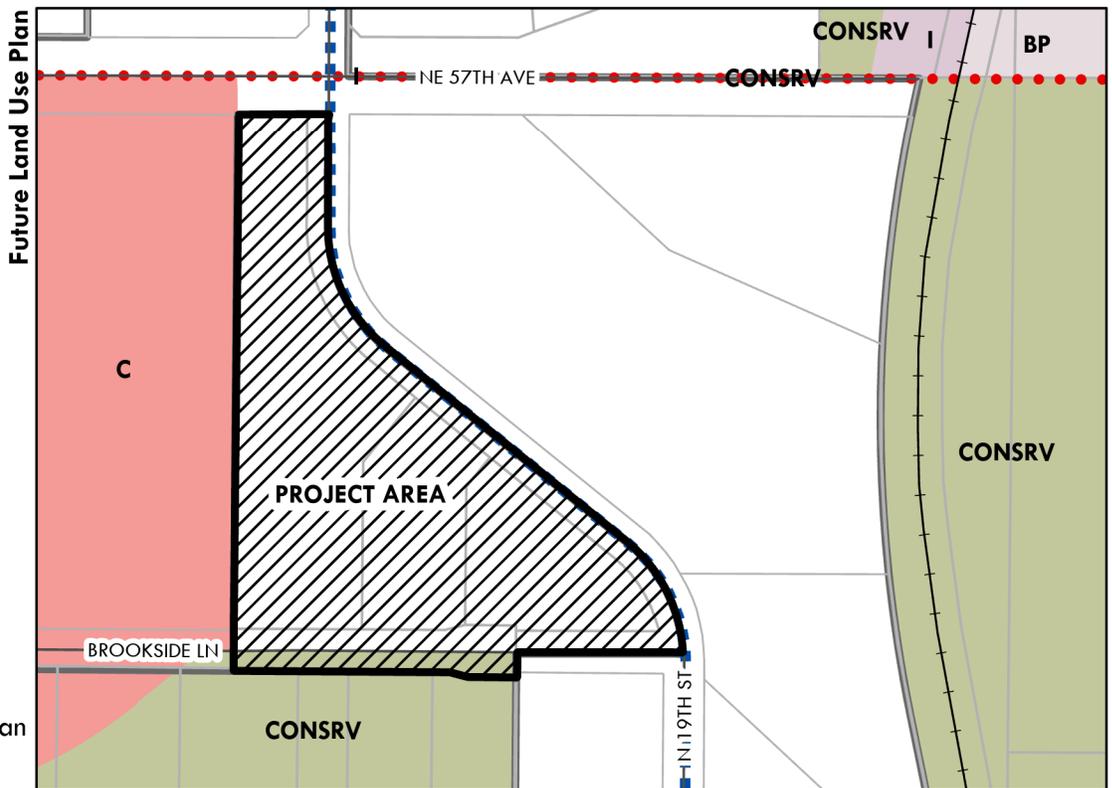
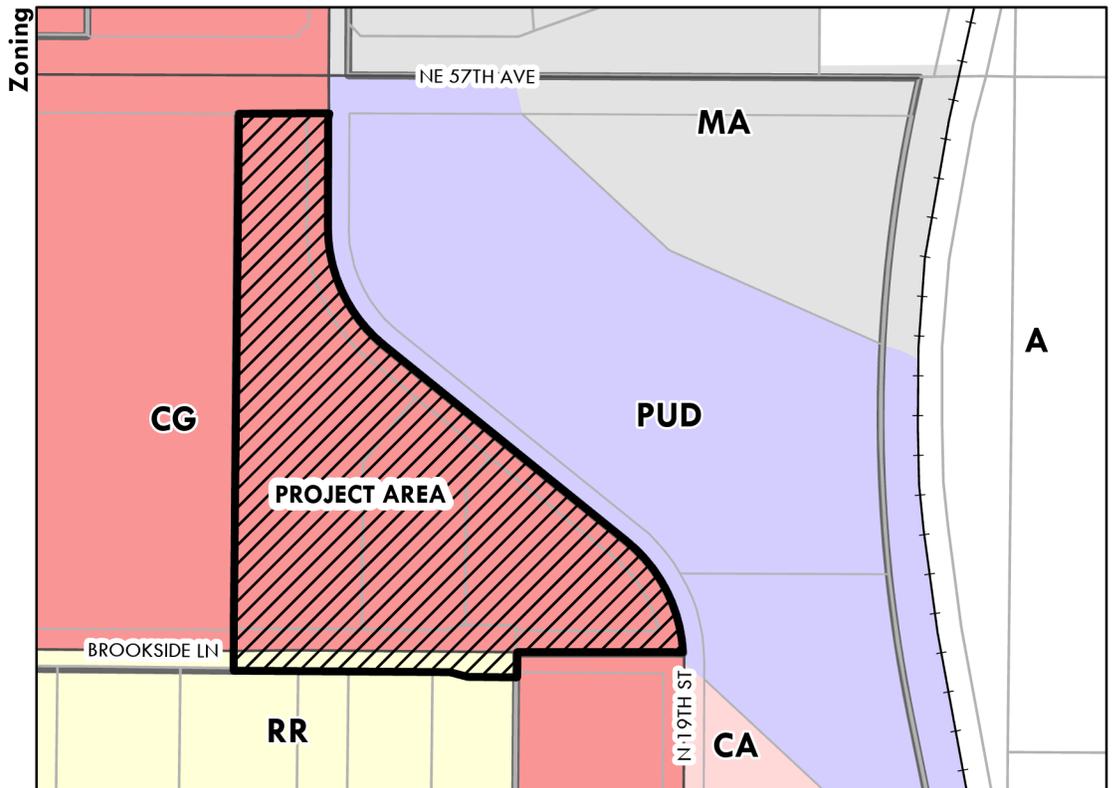
A	Agriculture
RR	Rural
	Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

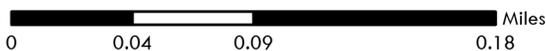
CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/Mixed Use
O/MU	Office/Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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 herein.



City of Bismarck
Community Development Dept.
Planning Division
August 18, 2020