



Community Development Department

DATE: June 25, 2024

FROM: Ben Ehreth, Community Development Director

ITEM: Central Outpost Subdivision – Zoning Map Amendment and Major Subdivision Final Plat

REQUEST:

Public hearing on Ordinance 6578, a zoning map amendment, and major subdivision final plat for Central Outpost Subdivision.

BACKGROUND INFORMATION:

Central Power Electric Cooperative, Inc requests approval of a zoning map amendment from the A – Agricultural zoning district to the PUD – Planned Unit Development zoning district and a major subdivision final plat for Central Outpost Subdivision.

The proposed one-lot subdivision would allow construction of a maintenance facility and laydown yard. Central Power Electric Cooperative, Inc. would utilize this site for repair and upkeep of substations and other facilities in the area. A mobile substation will be housed in this location for temporary use on sites throughout the area.

A public hearing at the Planning and Zoning Commission meeting was held on May 22, 2024. No members of the public spoke at the hearing and no written comments were submitted.

At the conclusion of the public hearing and based on the findings contained in the staff report, the Planning and Zoning Commission unanimously recommended approval of the zoning map amendment and major subdivision final plat.

The City Commission considered this request on June 11, 2024, and called for a public hearing.

The attached staff report contains a complete review of the request, according to the standards of the Comprehensive Plan, city ordinances, and relevant law. Additionally, the staff report contains an overview of past public engagement related to this request.

RECOMMENDED CITY COMMISSION ACTION:

Hold a public hearing on the zoning map amendment as outlined in Ordinance 6578 and major subdivision final plat for Central Outpost Subdivision and take final action.

STAFF CONTACT INFORMATION:

Ben Ehreth, Community Development Director, 701-355-1842, behreth@bismarcknd.gov

Daniel Nairn, Planning Manager, 701-355-1854, dnairn@bismarcknd.gov

ATTACHMENTS:

1. Central Outpost

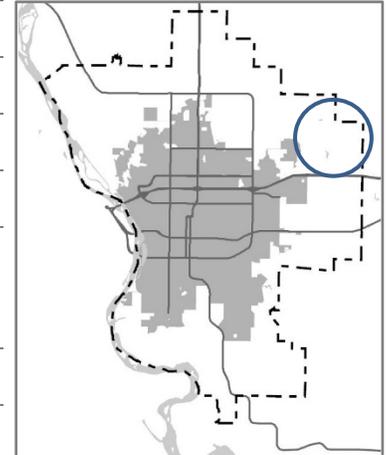
STAFF REPORT

Application for: **Final Plat**
Zoning Map Amendment

Project ID: **FPLT2024-003**
ZC2024-002

Project Summary

<i>Title:</i>	Central Outpost Subdivision
<i>Status:</i>	Board of City Commissioners - Consideration
<i>Property Owner(s):</i>	Central Power Electric Cooperative, Inc.
<i>Project Contact:</i>	Bryan Hastig, Interstate Engineering
<i>Project Location:</i>	Northeast of Bismarck, east of 80th Street NE and on the north side of 43rd Avenue NE (E ½ of E ½ of SW ¼ of Section 16, T139N-R79W)
<i>Project Size:</i>	40.21 Acres
<i>Applicant Request:</i>	Plat for development of utility maintenance facility and service yard
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 Tract	<i>Lots/Blocks:</i>	1 Lot in 1 Block
<i>Land Use:</i>	Agriculture	<i>Land Use:</i>	Utility maintenance facility and service yard
<i>Future Land Use:</i>	Urban Reserve Mid-Term (URA)	<i>Future Land Use:</i>	Urban Reserve Mid-Term (URA)
<i>Zoning:</i>	A – Agricultural	<i>Zoning:</i>	PUD – Planned Unit Development
<i>Uses Allowed:</i>	A – Agriculture	<i>Uses Allowed:</i>	PUD – Uses specified in PUD
<i>Max Density:</i>	A – 1 unit / 40 acres	<i>Max Density:</i>	PUD – Density specified in PUD

Area Information

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA)
<i>Township:</i>	Gibbs (organized)
<i>Neighborhood:</i>	Undefined

Property History

<i>Zoned:</i>	N/A
<i>Platted:</i>	N/A
<i>Annexed:</i>	N/A

Project Narrative

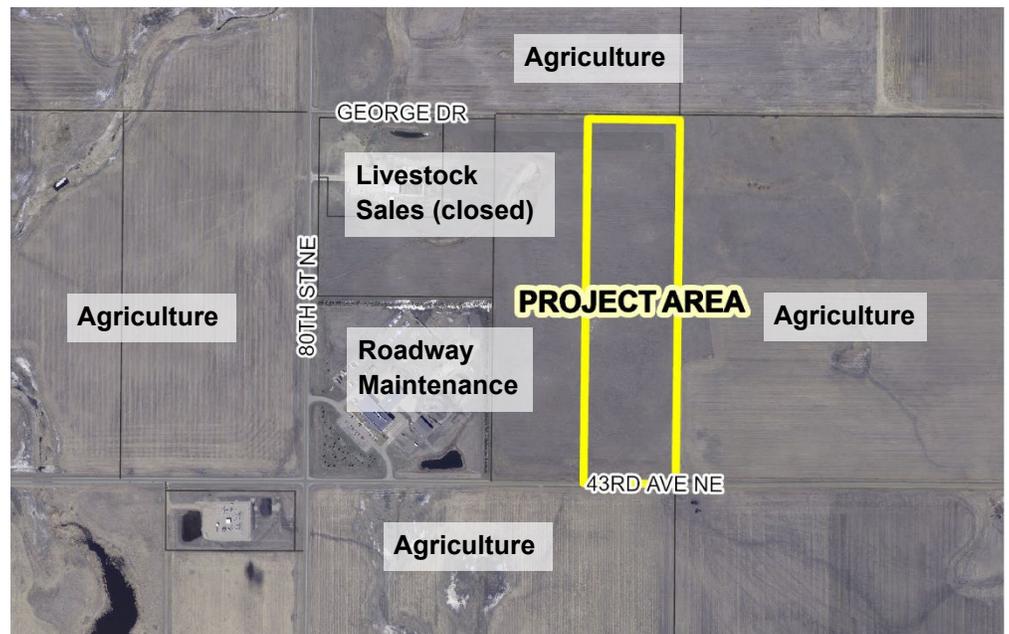
Central Power Electric Cooperative, Inc is requesting approval of a zoning map amendment from the A – Agricultural zoning district to the PUD – Planned Unit Development zoning district and a major subdivision final plat for Central Outpost Subdivision.

The proposed 1-lot subdivision would allow construction of a maintenance facility and laydown yard. Central Power Electric Cooperative, Inc. would utilize this site for repair and upkeep of substations and other facilities in the area. A mobile substation will be housed in this location for temporary use on sites throughout the area.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as mostly Urban Reserve Mid-Term, with a small portion as Urban Reserve Long-Term, in the Future Land Use Plan. Urban Reserve areas are suitable for urban development but are not projected to be annexed by the year 2045. Goals and objectives of this plan as they relate to this zoning map amendment and subdivision are referenced in review standards below.

The Major Street Plan shows an arterial roadway and two collectors adjacent to the proposed plat. Conformance with this plan is discussed in Findings of Fact below.

Public Engagement

Gibbs Township was notified of this request on April 8, 2024. The township has issued a resolution in support of this request, which is attached to this staff report.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on May 10 and May 17, and seven letters were mailed to the owners of nearby properties on May 10, 2024.

Basic project information, with the ability to contact staff for more details, has been provided

(continued)

publicly online through the Community Development Activities map.

The Planning and Zoning Commission held a public hearing on this request on May 22, 2024. No members of the public addressed the Commission during this hearing, and no written comments were submitted. The Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning map amendment and major subdivision final plat.

Additional public notification will occur if the Board of City Commission calls for a public hearing.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as Urban Reserve Mid-Term in the Future Land Use Plan, as described in the Project Context section above. Specific land uses are not identified for this area, because urban development is not expected until after 2045, the time horizon of the plan. The proposed zoning district would generally conform to the character of this district.

In this area, any development should be made with consideration for future redevelopment at urban densities. A large-lot utility site would not be likely to create a barrier to annexation, and the northern portion of the 40-acres tract could be further subdivided in the future as warranted for development.

It should be noted that the lands to the west of 80th Street NE are identified for Urban Neighborhood, and previous Future Land Use Plans identified the subject site for residential development. Although future land use is formally undefined, approval of this plat will make residential development of the immediate surroundings, in particular the tract of the land to the west, less likely and desirable.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are identified in the project context section above. All immediately adjacent lands are undeveloped or in agricultural use. The nearest developed sites are a roadway maintenance facility, a former livestock sales pavilion, and an electrical substation. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

Yes. The current zoning district of A – Agricultural was established when the city assumed the extraterritorial authority of this area. Conditions have changed since this time, as the city limits have expanded in the northeastern corridor.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would not directly adversely impact housing opportunities. However, over the longer-term, development of a non-residential use on this site may decrease the likelihood of residential development in the surrounding tracts of land. The inclusion of landscape buffers is intended to mitigate this impact.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance text amendment ([Comprehensive Plan](#))

Yes. The following objective of the plan would be advanced through the proposed amendment:

“Collaborate with public utility and delivery organizations to ensure efficient services” (C10).

This location is central to the utility service area, which includes several rural substations, and this location will optimize access to the mobile substation and other service needs of their facilities.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

Together 2045 Bismarck's Comprehensive Plan is adhered to with the proposed Planned Unit Development (Section 14-04-18(3)a)

Yes. The Planned Unit Development (PUD) would be limited to only public utility services, which would prevent the site and general area from developing into an industrial character overall,

and further aforementioned goals related to efficient service delivery.

The dimensional standards and requirements of the PUD mirror that of the roadway maintenance facility owned by Burleigh County. The application of these standards would create consistency for like uses within this section of land.

Adequate buffer areas have been provided between any noncompatible land uses (Section 14-04-18(3)b)

Yes. Although there are no incompatible adjacent uses currently, the proposed Planned Unit Development includes landscaped buffers to mitigate any potential negative impacts on future nearby uses. The landscaped buffers would be 50-feet in width and densely planted, similar to what has been planted by Burleigh County Highway Department to the west.

Natural features of the site would be preserved, insofar as possible, including the preservation of trees and natural drainage ways (Section 14-04-18(3)c)

Yes. The proposed planned unit development incorporates these existing natural features into the design of the development to the greatest extent feasible. A pending stormwater management plan will address any potential for water runoff from the site. There are no hazardous water or topographical slope conditions.

The internal roadway circulation system within the planned unit development has been adequately designed for the type of traffic that would be generated (Section 14-04-18(3)d)

Yes. The proposed planned unit development is served entirely by existing public rights-of-way without need for an internal circulation system

The character and nature of the proposed planned unit development contains a planned and coordinated land use or mix of land uses that are compatible and harmonious with the area in which it is located (Section 14-04-18(3)e)

(continued)

Yes. The proposed utility servicing uses, as designed and laid out in the proposed planned unit development, would be compatible and harmonious with the surrounding area.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Major Subdivision Final Plat

The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission

Yes. The proposed final plat is substantially similar to the preliminary plat.

Any and all conditions placed on approval of the preliminary plat by the Planning and Zoning Commission have been satisfied or will remain in place for future completion

Yes. No conditions were placed on the tentative approval of the preliminary plat.

Sufficient easements and rights-of-way are included on the proposed subdivision to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision (Goal G3-d)

Yes. The proposed subdivision includes easements that extended into and through the plat for stormwater and drainage, utilities, future City water and sewer, and rural water. Easements have been dedicated for the interim use as a rural site, and also for future urban services once the site is annexed into corporate limits.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

The Major Street Plan is adhered to with the proposed subdivision (Major Street Plan)

Yes. The corridors identified in the Major Street Plan are incorporated into rights-of-way within the proposed subdivision, in each case the half of the right-of-way within the platted area. A total of 75 feet of right-of-way would be dedicated for 43rd Street NE on the southern boundary. On the northern boundary, 40 feet would be dedicated for an extension of George Drive. Third, a new collector roadway would be dedicated along the eastern boundary, to be named Lignite Drive. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision (Active Mobility Plan)

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents (Goal I1-a, Section 14-09-04(2)a(vii))

Yes. The provision of neighborhood parks and open space is not needed because the proposed preliminary plat is not an urban subdivision with residential zoning districts.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system (Goal C3-c)

Yes, with improvements to 43rd Avenue NE. The segment of this roadway at this site is currently not paved. As a condition for acceptance of right-of-way, Burleigh County is anticipated to require improvement of this roadway to county standards. A waiver from improvement at this time of the

(continued)

collector roadways is being requested by the applicant.

Street connectivity is provided for efficient travel and secondary access for emergency services (Goal C4, Section 14-09-05)

Yes. There are no internal roadways proposed with this plat, and all access currently would be gained from the existing 43rd Avenue NE. Any future development that requires additional roadway access could be determined through a replatting process.

Roadway access is managed to reduce potential points of conflict and improve safety (Goal C3-b)

Yes. This plat would share a single access point to 43rd Avenue with the undeveloped tract of the land to the west. An access easement between these two properties would be recorded in conjunction with the plat. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the County’s access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Due to the public utility function of this site, it is important for an access point to the site to remain open at all times.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment (Goal 15, Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP) for the proposed subdivision.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision (Goal I6-a)

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development.

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District (Goal G3-f, Section 14-09-04(2)d)

Yes. The proposed subdivision is within two miles of the city limits and will require an agreement with the South Central Regional Water District prior to recordation of the plat. The City of Bismarck will retain rights to extend municipal water into the proposed subdivision after five years.

Water and sewer easements for future municipal services have been included on this plat. Detailed servicing plans have not been developed, but the reservation of easements during the platting process may facilitate future urbanization, as anticipated in the Comprehensive Plan.

The City’s investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision (Goal G3-a)

Yes. The proposed subdivision is outside of Bismarck city limits and will not be served by municipal services at this time.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Community Development Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

Upon tentative approval of the preliminary plat, the applicant has submitted a complete application for final plat approval, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission. A public hearing was held for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning map amendment from the A – Agricultural zoning district to the PUD – Planned Unit Development zoning district, as attached, and approval of a final plat for Central Outpost Subdivision.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Final Plat
5. Preliminary Plat
6. Site Plan (referenced in PUD)
7. Landscape Plan (referenced in PUD)
8. Township Resolution

Staff report prepared by: Daniel Nairn, AICP, Planning Manager

701-355-1854 | dnairn@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. 6578

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

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural zoning district and included in the PUD – Planned Unit Development zoning district

Lot 1, Block 1, Central Outpost Subdivision.

This PUD is subject to the following standards:

1. *Conformance to Submitted Documents*. The development must generally conform to the submitted site plan and landscape plan approved in conjunction with the PUD.
2. *Uses Permitted*. The uses within the district shall be limited to the following:
 - a. *Principal Uses*. The following principal uses shall be allowed:
 - i. Public utility storage and maintenance facility
 - ii. Public utility service yard
 - iii. Farming group

- b. *Accessory Uses.* No accessory uses shall be permitted, with the exception of any general services and utilities necessary for proper function of the principal uses on the site, including but not limited to above-ground storage tanks.
3. *Special Uses.* No uses requiring a special use permit shall be allowed.
4. *Dimensional Standards.* The following dimensional standards shall apply to all structures within this district:
 - a. *Front Yard (south).* The setback from the south lot line adjacent to the arterial roadway of 43rd Avenue NE shall be 175 feet.
 - b. *Front Yard (east).* The setback from the east lot line adjacent to the collector roadway of Lignite Drive shall be 125 feet.
 - c. *Side Yard (west).* The setback from the west lot line shall be 50 feet.
 - d. *Rear Yard (north).* The setback from the north lot line shall be 50 feet.
 - e. *Height.* No building shall exceed fifty (50) feet in height.
5. *Development Standards.* The following development standards shall apply to all development within the district.
 - a. *Landscaping.* A landscaped buffer yard, as depicted in the landscape plan, is provided on the north and west sides of the developed site to screen the operation from adjacent land uses. Buffer yards shall be planted in conjunction with site development. General plantings on the south and southeast portions of the lot, as depicted in the land use plan, must be planted to provide visual screening of the parking area from adjacent rights-of-way.
 - b. *Parking.* Off-street parking spaces for a service business shall be required, according to Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading). Required parking and necessary drive lanes must be paved. All other service yard areas may utilize a gravel surface.
 - c. *Service Yard.* All exterior equipment and material storage areas shall be fenced and set back no less than one hundred fifty (150) feet from the south or east property line and no less than seventy-five (75) feet from a north or west property line.
6. *Signs.* Signage may be installed in accordance with the provisions of Chapter 14-03.1 (Signs) following standards for Commercial zoning

districts. Notwithstanding, no off-premise advertising signs shall be allowed.

7. *Modifications.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major modifications require a public hearing and approval by the Bismarck Planning & Zoning Commission.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.



Zoning and Plan Reference Map

CENTRAL OUTPOST SUBDIVISION

PPLT2024-001
ZC2024-002

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

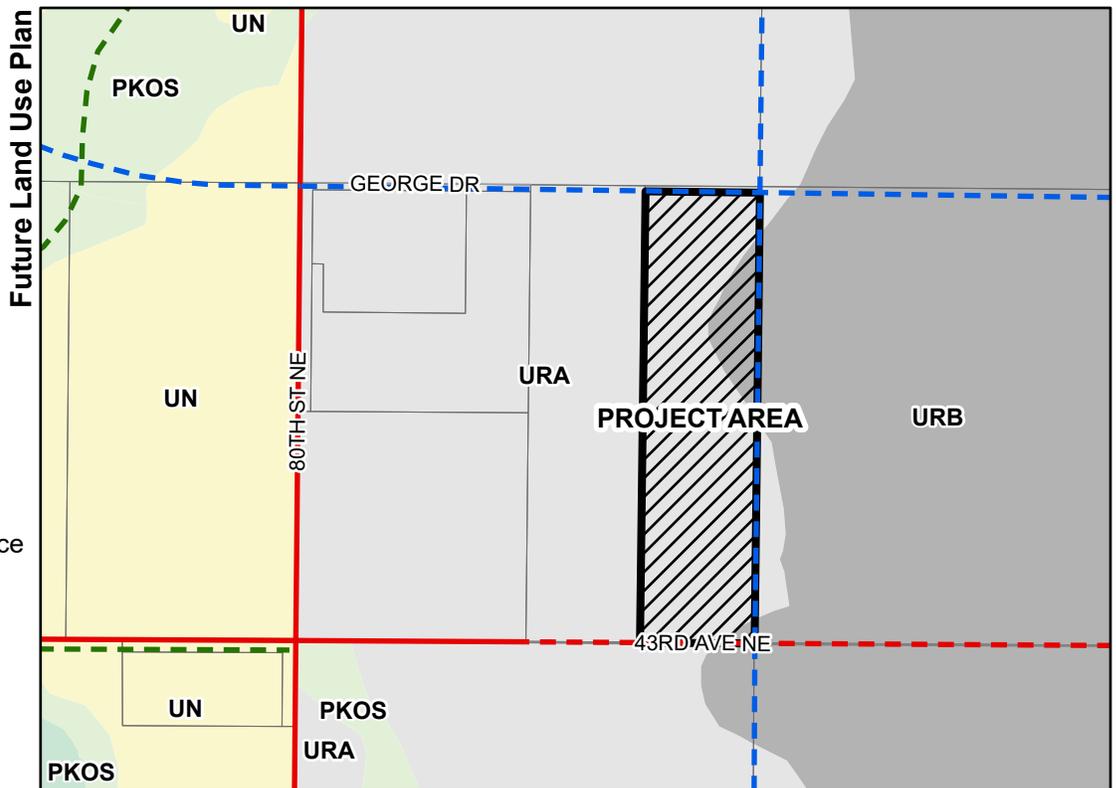
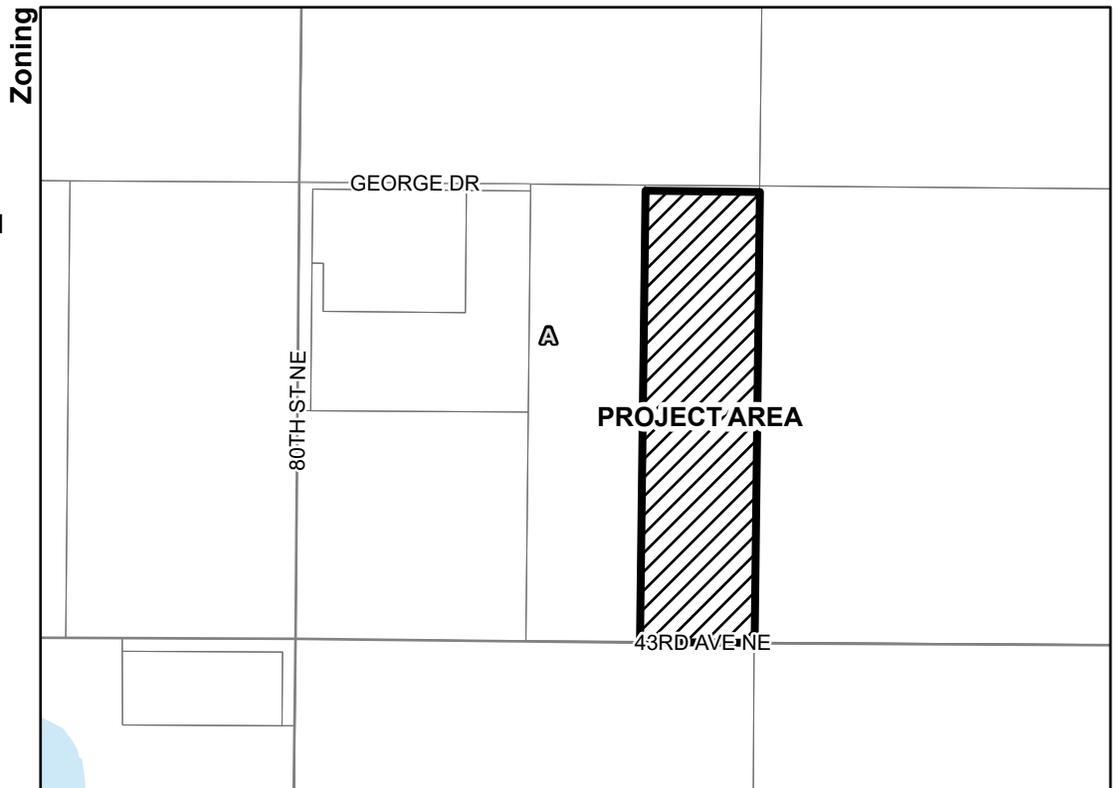
UN	Urban
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
	Residential
TR	Transitional Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/	Mid/Long-Term
URB	

Active Mobility Plan

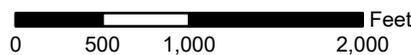
— Future Shared Trail

Major Street Plan

- Existing Arterial
- - - Future Arterial
- Existing Collector
- - - Future Collector
- Existing Interstate
- - - Future Interstate



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
Planning Division
March 19, 2024



Proposed Zoning Change

CENTRAL OUTPOST SUBDIVISION

ZC2024-002

Proposed New Zoning Map

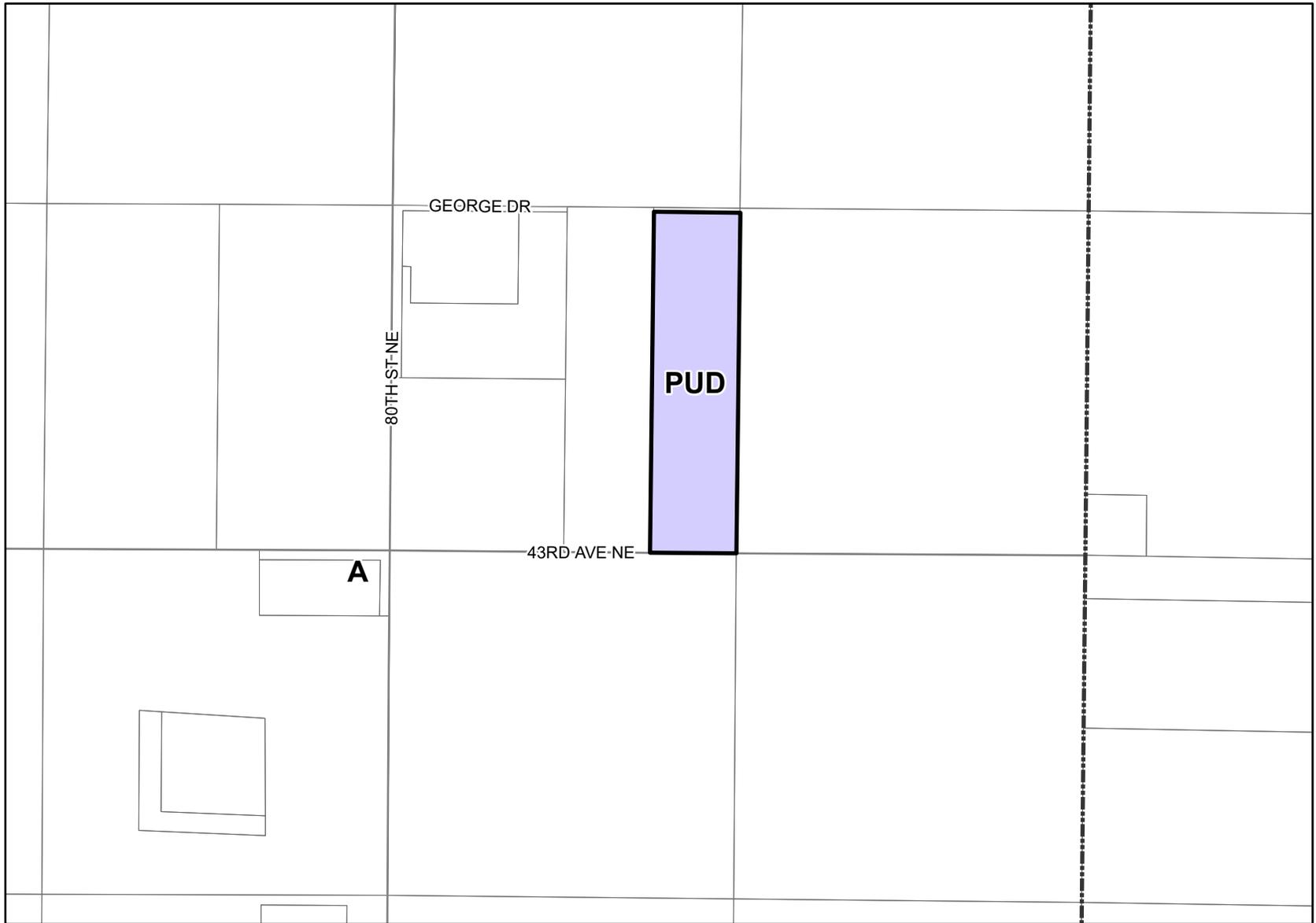
 Project Area
(zoning within
is proposed)

 City Limits

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

A "C-" prior to the district indicates that special conditions would apply to the zoning district



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City of Bismarck
Community Development
Planning Division
March 19, 2024

CENTRAL OUTPOST SUBDIVISION

LOCATED IN THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2E1/2SW1/4),
SECTION 16, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE 5TH P.M.,
BURLEIGH COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE OF DEDICATION

I, We, Central Power Electric Cooperative, Inc., being the owners of the land abated herein, have caused the land to be platted and do hereby voluntarily consent to the execution of this plat titled Central Outpost Subdivision, and dedicate all rights of way as shown on this plat to Burleigh County, North Dakota, and consent to any access control to the property as shown, and affirm that the description as shown in the certificate of the registered land surveyor is correct.

We also dedicate to the City of Bismarck and the public all easements as shown on the plat as "Utility Easement" to run with the land for gas, electric, communication and/or other public utilities on or under those certain strips of land designated hereon.

We also dedicate to Burleigh County all easements as shown on this plat as "Stormwater and Drainage Easement" to run with the land for the free and unobstructed flow of water under and/or over those areas including the construction and maintenance of stormwater facilities together with necessary appurtenances.

We also dedicate to the City of Bismarck all public easements as shown on this plat as "Water and Sewer Easement" to run with the land for use by any governmental subdivision, its officers and employees to construct, operate, maintain, and repair water main and/or sanitary sewer facilities under or upon those areas designated as such.

We also dedicate to South Central Regional Water all private easements as shown on this plat as "Rural Water Easement" to run with the land for use by all land-writing parties, their tenants, visitors, and licensees to construct, maintain, and repair water main facilities under or upon those areas designated as such.

Central Power Electric Cooperative
Thomas L. Meland, General Manager
525 20th Ave SW
Mnott, ND 58701

State of _____)
)SS
County of _____)

On this _____ day of _____, 20____, before me personally appeared Thomas L. Meland, General Manager of Central Power Electric Cooperative, Inc., known to me to be the person described in and who executed the within certificate ad they acknowledged to me that they executed the same.

Notary Public _____

CERTIFICATE OF SURVEYOR

I, Matthew Weeks, hereby certify I am a licensed land surveyor in the State of North Dakota, that this survey was made by me or under my direct supervision and that the survey is true and correct to the best of my knowledge, that all monuments shown hereon are correct, that all required monuments have been set, and that all dimensional and geodetic details are correct. This survey does not represent a complete title search.

PRELIMINARY - NOT INTENDED FOR RECORDATION

Matthew Weeks, P.L.S. 153-3626
Interstate Engineering, Inc.
1403 27th Street NW
Mandan, ND 58554

Subscribed and sworn before me this _____ of _____, 20____.

My commission expires _____, 20____, notary public Morton County, North Dakota.

APPROVAL OF CITY OF BISMARCK PLANNING AND ZONING COMMISSION

This subdivision of land as shown on this plat has been approved by the Planning and Zoning Commission of the City of Bismarck, North Dakota, on the _____ day of _____, 20____, in accordance with the laws of the State of North Dakota and ordinances of the City of Bismarck.

Michael Schwartz - Chair _____ date _____

Attest: Ben Ehrenth - Secretary _____ date _____

APPROVAL OF THE CITY OF BISMARCK 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 this plat. This plat has been approved by the master plan of the City of Bismarck, North Dakota, has accepted the dedication of all rights of way and public easements shown thereon and does hereby vacate any previous platting within the boundary of this plat.

The foregoing action of the Board of City Commission of Bismarck, North Dakota, was approved the _____ day of _____, 20____.

Michael T. Schmitz - President _____ date _____

Attest: Jason Tomanek - City Administrator _____ date _____

APPROVAL OF THE BURLEIGH COUNTY BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Burleigh County, North Dakota, has accepted the dedication of all rights of way as shown on this plat.

The foregoing action of the Board of County Commission of Burleigh County, North Dakota, was approved the _____ day of _____, 20____.

Brian Bitner - Commission Chairman _____ date _____

Attest: Mark Szlonskowski - County Auditor/Treasurer _____ date _____

APPROVAL OF THE CITY OF BISMARCK CITY ENGINEER

I, Gabriel J. Schell, City Engineer of the City of Bismarck, North Dakota, hereby approve this plat.

Gabriel J. Schell, P.E. - City Engineer _____ date _____

LEGAL DESCRIPTION

A tract of land being located in the East Half of the East Half of the Southwest Quarter (E1/2E1/2SW1/4) of Section 16, Township 139 North, Range 79 West of the Fifth Principal Meridian, Burleigh County, North Dakota, being more particularly described as follows:

BEGINNING at the south quarter corner of said Section 16, thence on the south line of said E1/2E1/2SW1/4, N89°35'46"W a distance of 664.72 feet to the southwest corner of said E1/2E1/2SW1/4; thence on the west line of said E1/2E1/2SW1/4, N00°35'05"E a distance of 2635.35 feet to the northwest corner of said E1/2E1/2SW1/4; thence on the north line of said E1/2E1/2SW1/4, S89°37'19"E a distance of 664.72 feet to the northeast corner of said E1/2E1/2SW1/4; thence on the east line of said E1/2E1/2SW1/4, S00°35'05"W a distance of 2635.35 feet to the POINT OF BEGINNING.

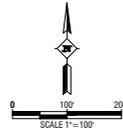
Said tract of land contains 40.21 acres more or less and may be subject to any previous easements, agreements, conveyances and surveys.

PLAT DESCRIPTION

Lot 1, Block 1 of Central Outpost Subdivision, located in East Half of the East Half of the Southwest (E1/2E1/2SW1/4) Section 16, Township 139 North, Range 79 West of the Fifth Principal Meridian, Burleigh County, North Dakota.

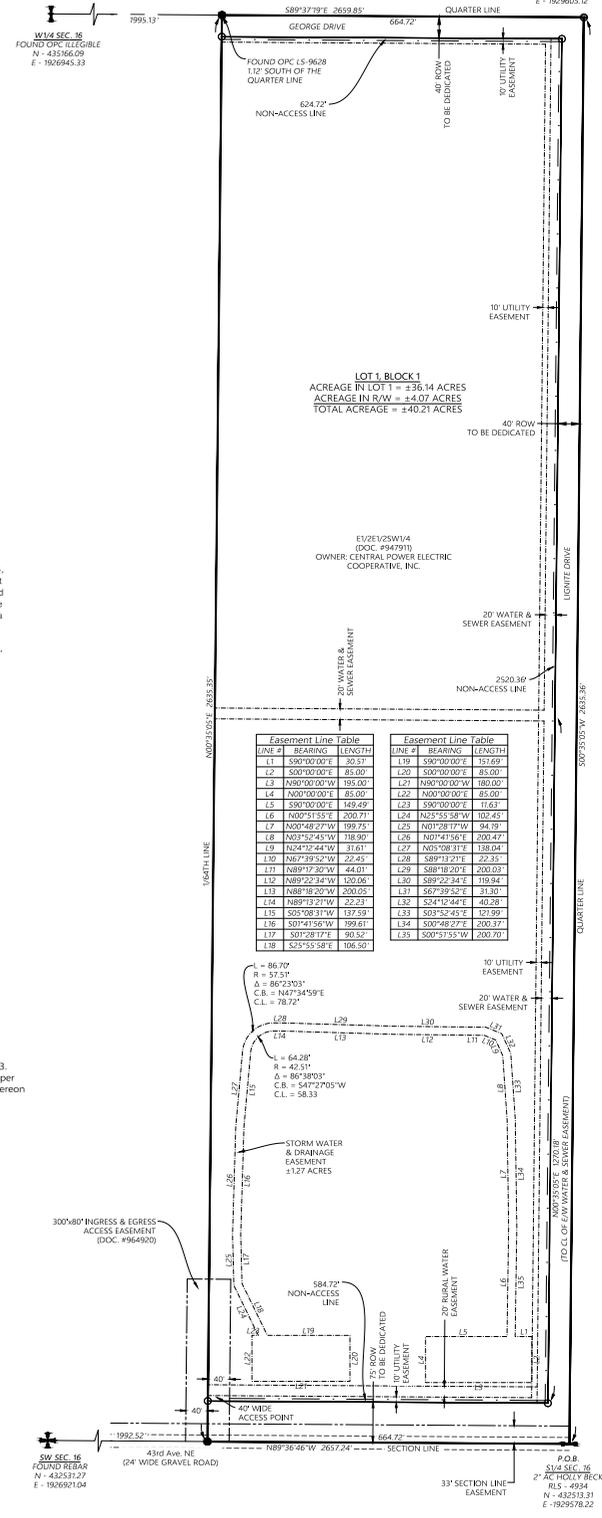
RURAL WATER NOTE

A water service agreement between the City of Bismarck and South Central Regional Water District allows the provision of rural water service to Central Outpost Subdivision for a period of five (5) years from the date of the filing of the plat, and thereafter the City, at its discretion, may give a one (1) year notice of the City's intent to offer service to Central Outpost Subdivision and for South Central Regional Water District to end service.



SURVEYOR'S NOTES

- The basis of bearing is based on North Dakota State Plane Coordinate System, South Zone - NAD83. The distances reported hereon are in reference to the international foot definition and are at ground per the NAD83 combination factor for Burleigh County (1/4"=1,000.65221). The measurements shown hereon have been determined by RTK methods using the "Trimble NOW VRS" network. The vertical datum is NAVD88.
- The date of the field survey occurred on June 27, 2023.
- This survey does not represent a complete title search.
- The existing zoning is agricultural Proposed Planned Unit Development (PUD).



Interstate Engineering
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www.interstateeng.com

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16	139	79

BISMARCK, NORTH DAKOTA

OWNER(S): CENTRAL POWER ELECTRIC COOPERATIVE
FOR: CENTRAL POWER ELECTRIC COOPERATIVE
PURPOSE: CENTRAL OUTPOST SUBDIVISION

Drawn By: B.H.H. Surveyed By: E.W. Project No: CB22-00-129.01
Checked By: MLW Designed By: B.H.H. Date: 1/23/2024

1 OF 1
SHEET NO.

**RESOLUTION OF
GIBBS TOWNSHIP**

WHEREAS, The Board of Supervisors of Gibbs Township have been advised of a request submitted to Bismarck's Planning and Zoning Commission within the geographic boundaries of this township.

WHEREAS, Central Power Electric Cooperative, Inc is requesting approval of a zoning map amendment from the A – Agricultural zoning district to the PUD – Planned Unit Development zoning district and a major subdivision plat for Central Outpost Subdivision.

WHEREAS, Gibbs Township wishes to make a recommendation to the Planning and Zoning Commission regarding this request and has the right, under Section 14-01-02 of the Bismarck Code of Ordinances, to appoint a representative to participate as a voting member of the Planning and Zoning Commission in any action related to this issue.

NOW, THEREFORE, BE IT RESOLVED by Board of Township Supervisors of Gibbs Township, Burleigh County, North Dakota, takes a position regarding the above-referenced request for the zoning map amendment and subdivision to:

Support

Support with Conditions:

Oppose for Reasons:

Adopted this 12 day of April.

CERTIFICATE

IN WITNESS WHEREOF, I have hereunto set my hand, this this 11 day of April.



Signature

Richard Sander

Printed Name
Township Supervisor
Gibbs Township
Bismarck, North Dakota