



Community Development Department

DATE: March 3, 2020

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Part of Blocks 1-6, Silver Ranch First Addition First Replat – Annexation

REQUEST

Investcore, Inc. is requesting the annexation of parts of Blocks 1-6, Silver Ranch First Addition First Replat. The request would allow the development of 75 additional lots for single and two-family residences.

The property is located in northeast Bismarck, along the south side of 43rd Avenue NE east of 52nd Street NE.

Please place this item on the March 10, 2020 City Commission meeting agenda and the March 24, 2020 City Commission meeting agenda.

BACKGROUND INFORMATION

The Planning & Zoning Commission considered this request on February 26, 2020.

Upon consideration, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the annexation of parts of Blocks 1-6, Silver Ranch First Addition First Replat, more specifically described as Lots 24-33, Block 1; Lots 1-4 and 15-44, Block 2; Lots 1-2 and 9-12, Block 3; Lot 1, Block 4; Lots 1-3, Block 5, Lots 1-21, Block 6, Silver Ranch First Addition First Replat and all of the adjacent 43rd Avenue NE right-of-way.

RECOMMENDED CITY COMMISSION ACTION

March 10th meeting of the Board of City Commissioners – consider the annexation as outlined in Ordinance 6411 call for a public hearing on this item for the March 24th meeting of the Board of City Commissioners.

March 24th meeting of the Board of City Commissioners - hold a public hearing on the annexation as outlined in Ordinance 6411 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

Daniel Nairn, AICP | Planner, 355-1854 or dnairn@bismarcknd.gov

ORDINANCE NO. 6411

<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, 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, 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, North Dakota, as follows:

Lots 24-33, Block 1; Lots 1-4 and 15-44, Block 2; Lots 1-2 and 9-12, Block 3; Lot 1, Block 4; Lots 1-3, Block 5; Lots 1-21, Block 6, and all adjacent right-of-way, all within Silver Ranch First Addition First Replat, and the North half of the adjacent 43rd Avenue NE right-of-way, more precisely described as the East 471.61 feet of the West 2,194.70 feet of the South 75 feet of the SW ¼ of Section 18, T139N-R79W/Gibbs Township, included in Document# 845385.

The above described tract of land contains 19.34 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, North Dakota.



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

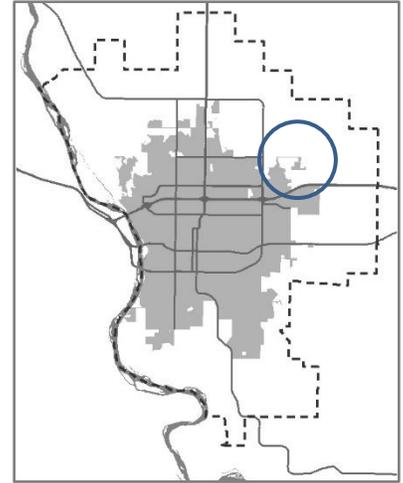
February 26, 2020

Application for: Annexation

TRAKiT Project ID: ANN2020-001

Project Summary

Title:	Silver Ranch First Addition First Replat, Parts of Blocks 1 – 6
Status:	Planning & Zoning Commission – Final Consideration
Owner(s):	Investcore, Inc.
Project Contact:	Landon Niemiller, Swenson, Hagen & Co.
Location:	Northeast of Bismarck, on the south side of 43 rd Avenue NE
Project Size:	19.34 Acres
Request:	Annex platted property for the development of single and two-family residences



Site Information

Existing Conditions		Proposed Conditions	
Number of Lots:	75 lots in 5 blocks	Number of Lots:	75 lots in 5 blocks
Land Use:	Undeveloped	Land Use:	Single and Two-Family Residences
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:	R5 – Residential R10 – Residential	Zoning:	R5 – Residential R10 – Residential
Uses Allowed:	R5 – Single-family residential R10 – Single and two-family residential	Uses Allowed:	R5 – Single-family residential R10 – Single and two-family residential
Max Density Allowed:	R5 – 5 units / acre R10 – 10 units / acre	Max Density Allowed:	R5 – 5 units / acre R10 – 10 units / acre

Property History

Zoned:	06/2018	Platted:	06/2018	Annexed:	N/A
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Staff Analysis

Investcore, Inc. is requesting approval of the annexation of 75 lots in five blocks of Silver Ranch First Addition

First Replat for the development of single and two-family residences.

(continued)

The Development Agreement with the initial Silver Ranch First Addition plat stipulated that the entirety of this plat would be annexed by the developer by November 2023. This provides a certain level of assurance to the City that funds would be available to assist with the costs of improvements necessary to serve the development. The proposed annexation represents the third annexation of this initially platted area.

To align with previously annexed areas, the entirety of the 43rd Avenue NE right-of-way is included in the proposed annexation, including the north half which is granted as an easement and is owned by Silver Ranch 18, LLLP.

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 parts of Blocks 1-6, Silver Ranch First Addition First Replat, more specifically described as Lots 24-33, Block 1; Lots 1-4 and 15-44, Block 2; Lots 1-2 and 9-12, Block 3; Lot 1, Block 4; Lots 1-3, Block 5, Lots 1-21, Block 6, Silver Ranch First Addition First Replat and the 43rd Avenue NE right of way between the boundary between Lots 33 and 34, Block 1, Silver Ranch First Addition First Replat and the boundary between Lots 23 and 24, Block 1, Silver Ranch First Addition First Replat, more precisely described as the East 471.61 feet of the West 2,194.70 feet of the South 75 feet of the SW ¼ of Section 18, T139N-R79W/Gibbs Township, included in Document# 845385.

Attachments

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

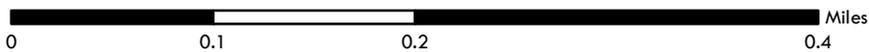
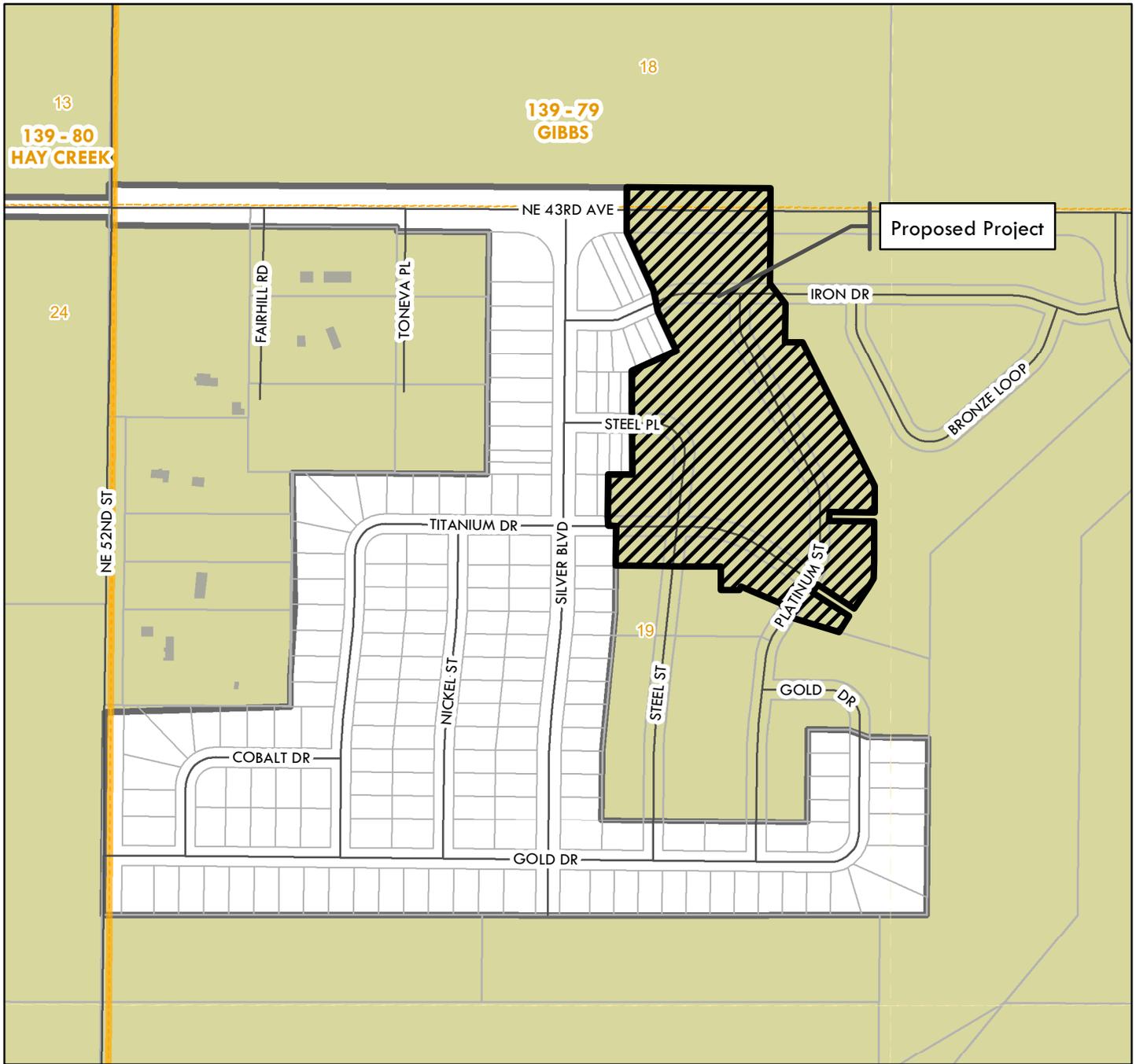
Staff report prepared by: Daniel Nairn, AICP, Planner
701-355-1854 | dnairn@bismarcknd.gov



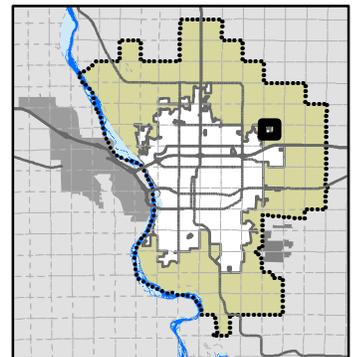
Location Map

Parts of Blocks 1-6, Silver Ranch First Addition First Replat

ANNX2020-001



Section, township, and range indicated in orange



City of Bismarck
 Community Development Department
 Planning Division
 January 30, 2020 (HLB)

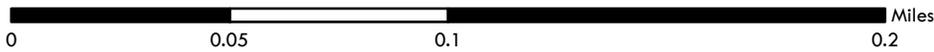
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Aerial Map

Parts of Blocks 1-6 Silver Ranch First Addition First Replat

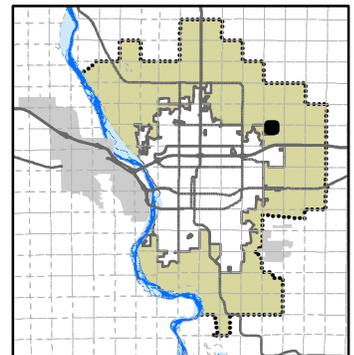
ANNX2020-001



 City Limits
  Bismarck ETA Jurisdiction

Aerial Imagery from 2018

City of Bismarck
 Community Development Department
 Planning Division
 February 19, 2020



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Zoning and Plan Reference Map

ANNX2020-001

Parts of Blocks 1-6 Silver Ranch First Addition First Replat

-  Project Area - No Change Proposed
-  Zoning or Plan Change Proposed

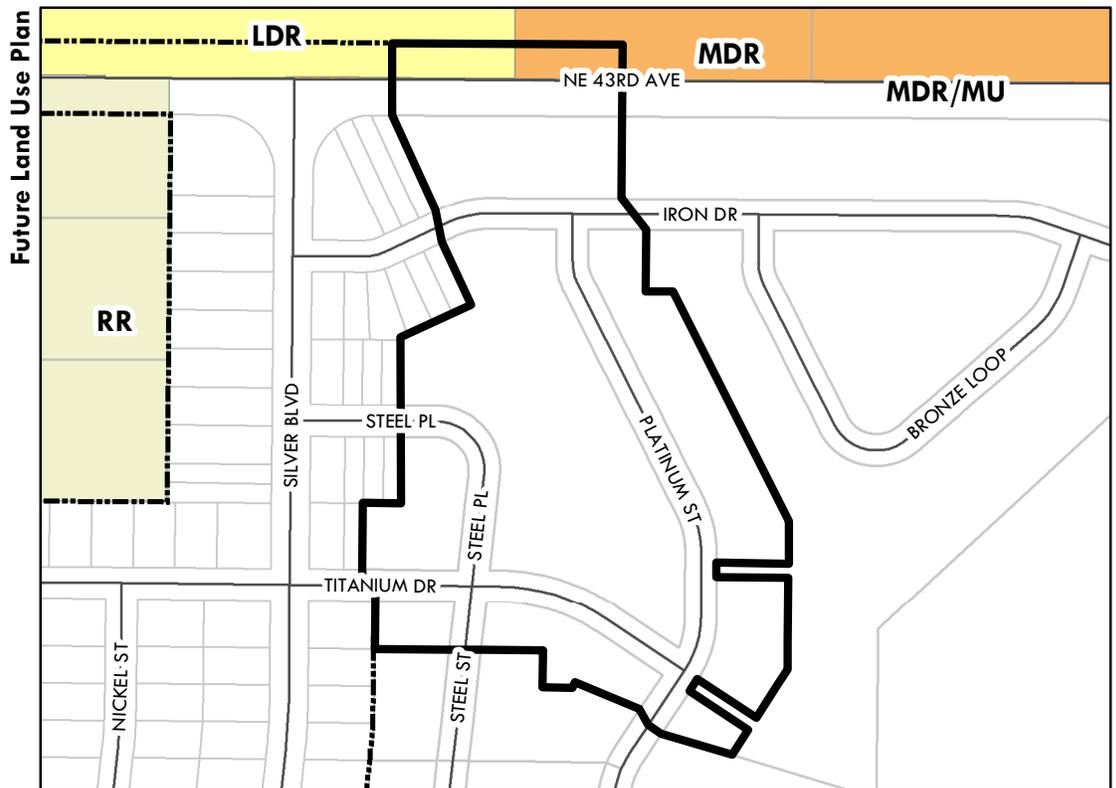
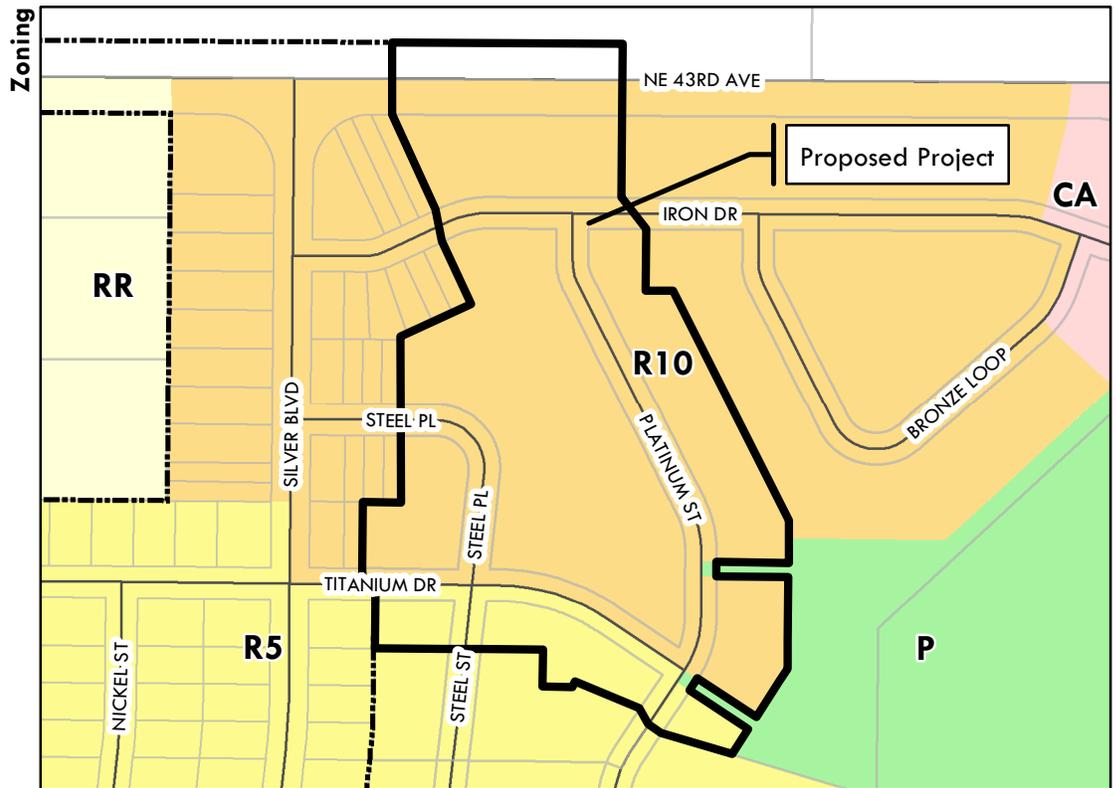
Zoning Districts

- A** Agriculture
- RR** Rural Residential
- R5** Residential
- RMH** Manufactured Home Residential
- R10** Residential
- RM** Residential Multifamily (Offices)
- 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

Diagonal lines indicate special condition

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



City Limits

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Planning Division
February 19, 2020