



Community Development Department

DATE: February 27, 2024

FROM: Ben Ehreth, Community Development Director

ITEM: Street name change for Burr Oak Loop

REQUEST:

Request of the City of Bismarck for a street name change for Burr Oak Loop, where staff recommends approval.

BACKGROUND INFORMATION:

The City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) propose to change the name of “Bur Oak Loop” to “Burr Oak Loop” between 80th Street Southeast and Red Oak Drive to provide consistency within the City’s records. No property addresses would be changed by this action.

The properties addressed off this street use Burr Oak Loop rather than the underlying plat’s Bur Oak Loop. The proposed change would only update the underlying plat to reflect the street name currently used by the properties adjacent to this street.

The attached staff report contains a complete review of the request according to the standards of the comprehensive plan, city ordinances, and other relevant laws.

RECOMMENDED CITY COMMISSION ACTION:

Based on the findings contained in the staff report, staff recommends approval of the street name change of “Bur Oak Loop” to “Burr Oak Loop” between Red Oak Drive and 80th Street Southeast within Pine Meadows Subdivision.

STAFF CONTACT INFORMATION:

Lauren Oster, Planner, 701-355-1846, laoster@bismarcknd.gov

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

ATTACHMENTS:

1. PLMD2024-002_022724

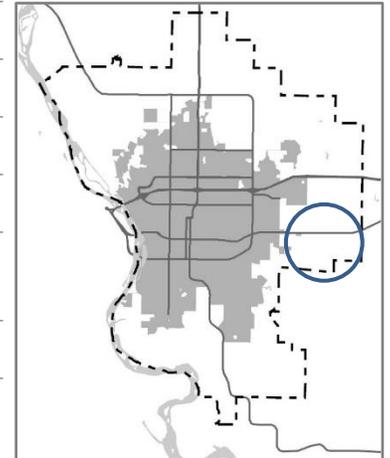
STAFF REPORT

Application for: **Street Name Change**

Project ID: **PLMD2024-002**

Project Summary

| | |
|------------------------------|--|
| <i>Title:</i> | Pine Meadows Subdivision – Burr Oak Loop |
| <i>Status:</i> | City Commission - Final Consideration |
| <i>Property Owner(s):</i> | Multiple Owners |
| <i>Project Contact:</i> | Lauren Oster, Planner |
| <i>Project Location:</i> | East of Bismarck, south of Highway 10 and east of 80th Street Southeast |
| <i>Project Size:</i> | 2,140 linear feet, more or less |
| <i>Applicant Request:</i> | Change the street name of Bur Oak Loop to Burr Oak Loop to provide consistency within the City's records |
| <i>Staff Recommendation:</i> | Approve |



Project Narrative

In order maintain street name consistency, the City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) propose to change the name of “Bur Oak Loop” to “Burr Oak Loop” between Red Oak Drive and 80th Street Southeast within Pine Meadows Subdivision.

The proposed street name change would not change any of the current 13 properties addressed off this street. This proposed change would only update the underlying plat to reflect the street name currently used by these properties.

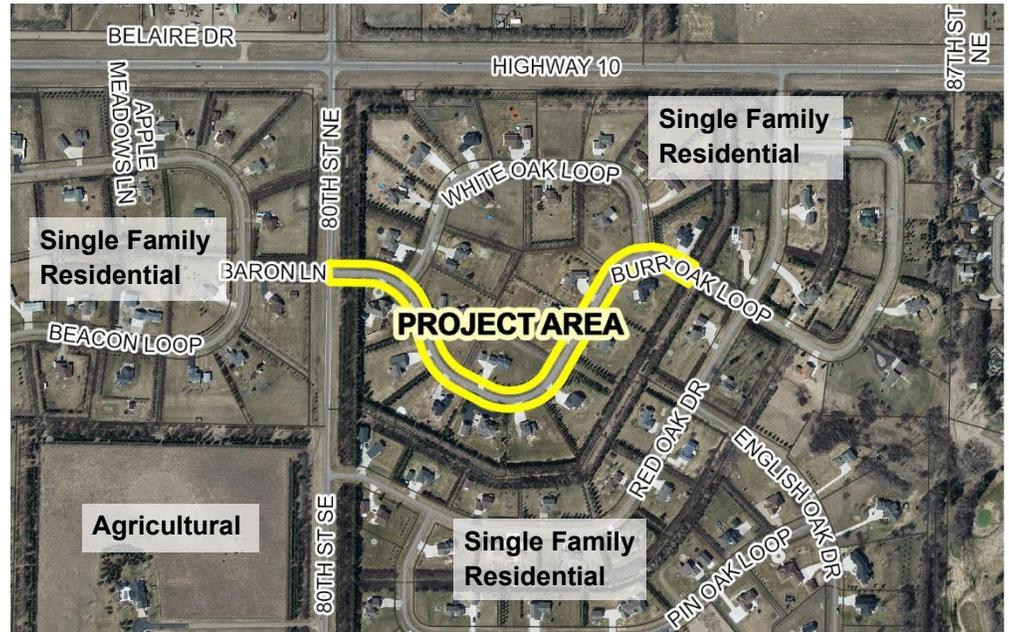
Public Engagement

Seventeen letters were mailed to property owners adjacent to the segments of the street proposed to be changed on February 14, 2024.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Community Development Activities map.

Project Context

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



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.

The street name shown on the plat of record is confusing, in error, or is otherwise inconsistent with other street names within the City of Bismarck or surrounding areas (Section 14-09-12)

Yes. East Ridge First Subdivision recorded “Burr Oak Loop” in 1996. However, Pine Meadows, recorded in 2005, named the street “Bur Oak Loop” instead, thereby creating an inconsistency in the names used to describe this street.

As such, a street name change is needed to correct this error and provide name consistency to all segments of this street.

A change to the proposed street name would alleviate said confusion or inconsistency to some degree and improve public navigation and travel (Section 14-09-12)

Yes. The proposed change would create continuity between the adjacent subdivisions and improve public navigation and travel. It would alleviate any confusion caused by the different names of the street segments.

The street name change would improve emergency response in the area ([Goal T5-a](#))

Yes. The proposed street name change is supported by the Central Dakota Communications Center (CENCOM) as a means for improving communications between emergency dispatchers and responders.

Proper administrative procedures related to the request are being followed (Section 14-09-12)

Yes. City staff have initiated the proposed street name change in consultation with Central Dakota Communications Center (CENCOM). All owners of property along the street being considered for a change have been notified of the intent to change the street name, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed street name change ([Goal S10-a](#))

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

Staff Recommendation

Based on the above findings, staff recommends approval of the street name change from “Bur Oak Loop” to “Burr Oak Loop” between 80th Street Southeast and Red Oak Drive within Pine Meadows Subdivision.

Attachments

1. Draft Resolution
2. Excerpt from Plat

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

**RESOLUTION OF
THE BISMARCK BOARD OF CITY COMMISSIONERS
STREET NAME CHANGE
IN PINE MEADOWS SUBDIVISION (PLMD2024-002)**

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota deems it necessary to change the street name of “Bur Oak Loop” to avoid confusion for emergency responders and the traveling public.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that the street name change of property described as:

All of “Bur Oak Loop” adjacent to Lots 1-8, Block 1, Lots 1 and 5-8, Block 2, and Lots 1 and 10, Block 3, Pine Meadows Subdivision in the City of Bismarck, Burleigh County, North Dakota.

to be hereafter known as “Burr Oak Loop” is in all things allowed and granted.

BE IT FURTHER RESOLVED that the City Administrator be and is hereby authorized to file this resolution for record in the office of the County Recorder, Burleigh County, North Dakota.

Adopted this 27th day of February, 2024

CERTIFICATE

I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified 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 this February 27, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota, this 27th day of February, 2024.

Jason Tomanek
City Administrator
Bismarck, North Dakota

PINE MEADOWS SUBDIVISION

PART OF THE NORTHWEST 1/4 OF SECTION 4, T. 138 N., R. 79 W.

BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 138 NORTH RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA THAT LIES WEST OF EAST RIDGE SUBDIVISION, NORTH OF EASTRIDGE SECOND SUBDIVISION AND SOUTH OF BURLEIGH COUNTY HIGHWAY 10, ALSO DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SECTION 4, A DISTANCE OF 1600.01 FEET FROM THE NORTHWEST CORNER OF SECTION 4; THENCE NORTH 89 DEGREES 22 MINUTES 56 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF BURLEIGH COUNTY HIGHWAY 10, A DISTANCE OF 1663.99 FEET TO THE NORTHWEST CORNER OF EAST RIDGE FIRST SUBDIVISION; THENCE SOUTH 03 DEGREES 00 MINUTES 19 SECONDS EAST, ALONG THE BOUNDARY OF EAST RIDGE FIRST SUBDIVISION, A DISTANCE OF 548.31 FEET; THENCE SOUTH 28 DEGREES 32 MINUTES 48 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 224.89 FEET; THENCE SOUTH 18 DEGREES 54 MINUTES 36 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 81.37 FEET; THENCE SOUTH 29 DEGREES 28 MINUTES 20 SECONDS WEST, ALONG THE BOUNDARY OF EAST RIDGE FIRST SUBDIVISION AND THE BOUNDARY OF EAST RIDGE SECOND SUBDIVISION, A DISTANCE OF 524.78 FEET; THENCE SOUTH 85 DEGREES 11 MINUTES 57 SECONDS WEST, CONTINUING ALONG THE BOUNDARY OF EAST RIDGE SECOND SUBDIVISION, A DISTANCE OF 646.73 FEET; THENCE NORTH 64 DEGREES 48 MINUTES 24 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 137.29 FEET TO THE EAST LINE OF APPLE MEADOWS FIRST SUBDIVISION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1362.62 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 52.64 ACRES, MORE OR LESS.

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE 15TH DAY OF JULY, 2005, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

David Patience CHAIRMAN
Kevin J. Glatt SECRETARY

APPROVAL OF 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 THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY WAIVE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 14 DAY OF JULY, 2005.

W. C. Wocken ATTEST
 W. C. WOCKEN - CITY ADMINISTRATOR

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

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

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 14 DAY OF JULY, 2005.

Kevin J. Glatt ATTEST
 KEVIN J. GLATT - COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON APRIL 15, 2005, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STATE OF NORTH DAKOTA) SS
 COUNTY OF BURLEIGH) TERRY BALTZER
 909 BASIN AVENUE P.O. BOX 1135
 BISMARCK, NORTH DAKOTA 58504
 TERRY BALTZER SURVEYOR
 N.D. REGISTRATION NO. 3595

ON THIS 17TH DAY OF JULY, 2005, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

David Patience ATTEST
 DAVID PATIENCE, NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES AUGUST 24, 2010

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "PINE MEADOWS SUBDIVISION", BISMARCK, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

Melvin J. Bullinger ATTEST
 MELVIN J. BULLINGER, CITY ENGINEER
 7/24/2005

OWNER'S CERTIFICATE & DEDICATION

KNOW TO ALL MEN BY THESE PRESENTS THAT EARL T. TORGERSON AND MONTANA DAKOTA UTILITIES CO. BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "PINE MEADOWS SUBDIVISION", BISMARCK, NORTH DAKOTA, AND DO SO DEDICATE STREETS AS SHOWN HEREON, INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY, SANITARY SEWER, STORM SEWER & STORM WATER EASEMENTS.

THEY FURTHERMORE DEDICATE UNTO THE COUNTY OF BURLEIGH "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THEREFOR FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE, AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

Earl T. Torgerson ATTEST
 EARL T. TORGERSON
 520 WEST DIVISION
 BISMARCK, NORTH DAKOTA 58501
 OWNER OF LOTS 1-8 BLOCK 1
 LOTS 1-8 BLOCK 2 & LOTS 1-10 BLOCK 3

ON THIS 20TH DAY OF JULY, 2005, BEFORE ME PERSONALLY APPEARED EARL T. TORGERSON KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

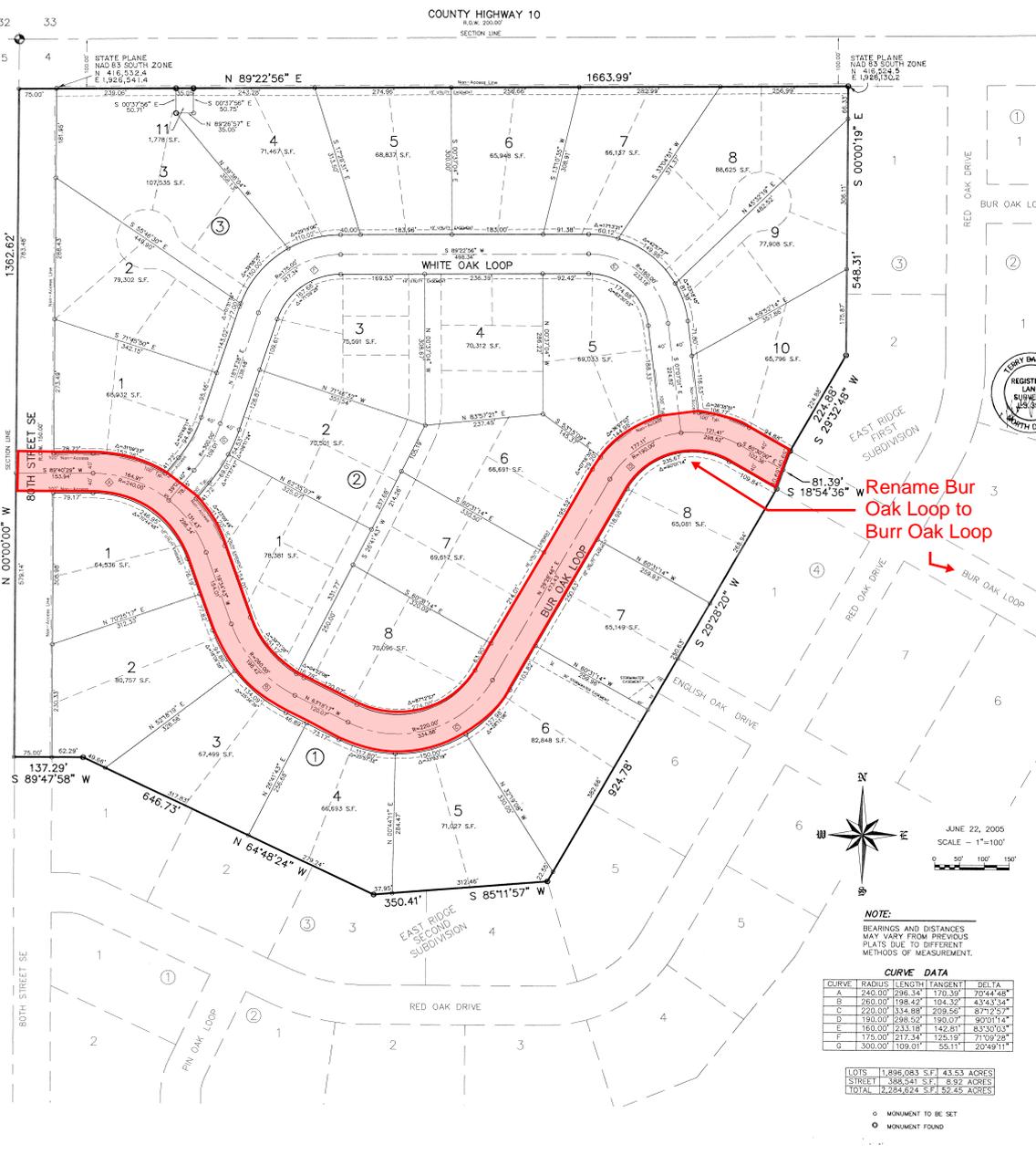
David Patience ATTEST
 DAVID PATIENCE, NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES AUGUST 24, 2010

STATE OF NORTH DAKOTA) SS
 COUNTY OF BURLEIGH) MONTANA DAKOTA UTILITIES CO.
 OWNER OF LOTS 1-8 BLOCK 3
 OWNER OF LOTS 1-10 BLOCK 3

ON THIS 20TH DAY OF JULY, 2005, BEFORE ME PERSONALLY APPEARED *Andrea L. Stemberg* KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

Andrea L. Stemberg ATTEST
 ANDREA L. STEMBERG, NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES

SWENSON, HAGEN & COMPANY P.C.
 909 Basin Avenue P.O. Box 1135
 Bismarck, North Dakota 58504
 (701) 251-1135
 www.swhcp.com



CURVE DATA

| CURVE | RADIUS | LENGTH | TANGENT | DELTA |
|-------|---------|---------|---------|-----------|
| A | 240.00' | 296.34' | 170.00' | 72°44'48" |
| B | 260.00' | 198.42' | 104.32' | 43°43'34" |
| C | 220.00' | 134.88' | 209.56' | 87°12'57" |
| D | 180.00' | 298.52' | 190.07' | 90°03'14" |
| E | 160.00' | 223.18' | 142.81' | 83°30'03" |
| F | 120.00' | 212.34' | 125.19' | 73°30'28" |
| G | 300.00' | 109.01' | 55.11' | 20°49'11" |

LOTS

| | | |
|--------|----------------|-------------|
| 1 | 1,896.083 S.F. | 43.53 ACRES |
| STREET | 1,398.541 S.F. | 3.32 ACRES |
| TOTAL | 2,294.624 S.F. | 52.45 ACRES |

- MONUMENT TO BE SET
- MONUMENT FOUND

NOTE:
 BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.