



Community Development Department

DATE: February 27, 2024

FROM: Ben Ehreth, Community Development Director

ITEM: Street name change for Harvest Lane.

REQUEST:

Request of the City of Bismarck for a street name change for Harvest Lane, where staff recommends approval.

BACKGROUND INFORMATION:

The City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) proposes to change the name of “Harvest Lane” to “Weiss Avenue” between State Street and North 14th Street to provide consistency between the City’s records and the navigational signs and tools used by the public.

Harvest Lane connects to Weiss Avenue to the west across State Street. In 2023, as a result of construction on State Street, street signs were updated, and the Harvest Lane street sign was changed to Weiss Avenue. Changing the street name would reflect this update and provide consistency between the City’s records and the navigational signs and tools used by the public.

No properties are addressed off Harvest Lane, which limits its potential value as an individual street name. Changing the name to Weiss Avenue will still provide navigational value to this area and allow Harvest Lane to be fully utilized elsewhere in the city.

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 “Harvest Lane” to “Weiss Avenue” between State Street and North 14th Street within Wachters North Addition.

STAFF CONTACT INFORMATION:

Lauren Oster, Planner, 701-355-1846, laoster@bismarcknd.gov
Daniel Nairn, Planning Manager, 701-355-1854, dnairn@bismarcknd.gov

ATTACHMENTS:

1. PLMD2024-001_022724

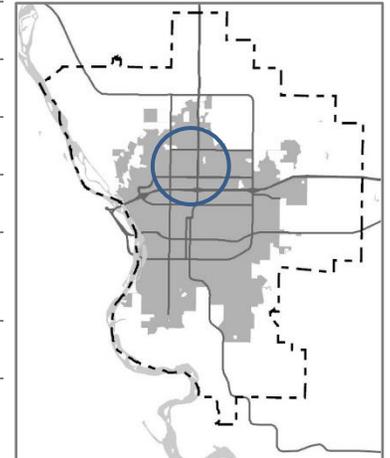
STAFF REPORT

Application for: **Street Name Change**

Project ID: **PLMD2024-001**

Project Summary

<i>Title:</i>	Harvest Lane to Weiss Ave
<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>	In north central Bismarck, north of East Century Avenue and east of State Street
<i>Project Size:</i>	500 linear feet, more or less
<i>Applicant Request:</i>	Change the street name of Harvest Lane to Weiss Avenue
<i>Staff Recommendation:</i>	Approve



Project Narrative

The City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) propose to change the name of "Harvest Lane" to "Weiss Avenue" between State Street and North 14th Street within Wachtors North Addition.

The proposed street name change would not impact any properties on either side of the street since no properties are addressed from this street.

Public Engagement

Four 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. The section of Harvest Lane was originally dedicated as an access easement within Wachers North Addition in 1988. However, the changes in development goals over the years prompted a dedication for right-of-way purposes in place of the easement in 1997. This change was highlighted on the Schweitzer Addition plat in 2004, naming this right-of-way Harvest Lane.

Harvest Lane connects to Weiss Avenue to the west across State Street. In 2023, as result of construction to State Street, street signs were updated. The Harvest Lane street sign was changed to Weiss Avenue. Renaming Harvest Lane to Weiss Avenue would reflect this change

and provide consistency between the City’s records and the navigational signs and tools used by the public.

No properties are addressed off Harvest Lane which limits its potential value as an individual street name. Changing the name to Weiss Avenue will still provide navigational value to this area and allow Harvest Lane to be fully utilized elsewhere in the city.

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 with Weiss Avenue to the west of State Street. 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 “Harvest Lane” to “Weiss Avenue” between State Street and North 14th Street within Wachters North Addition.

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 WACHERS NORTH SUBDIVISION (PLMD2024-001)**

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota deems it necessary to change the street name of “Harvest Lane” 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 “Harvest Lane” adjacent to Lot 1 less the South 40’ & less the East 25’, Block 1; Tract A of Tract 1 of Lot 2 less the South 5.11’ of Tract A, Block 1; Tract 2 of Lot 2, Block 1; Lot 5 less West 55’ of North 290’ Taken for Street Right-of-way, Block 1, Wachters North Addition (including a portion of Lot 5, Block 1, Pebble Creek 6th Addition which is not adjacent to the street) and in the City of Bismarck, Burleigh County, North Dakota.

to be hereafter known as “Weiss Avenue” 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

WACHTER'S NORTH ADDITION

PART OF SECTION 22, T. 139 N., R. 80 W.

BISMARCK, NORTH DAKOTA

DESCRIPTION

ALL THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 22, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN BURLINGHAM COUNTY, NORTH DAKOTA THAT LIES WITHIN THE FOLLOWING DESCRIBED TRACTS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 83, SAID POINT BEING LOCATED NORTH 0 DEGREES 17 MINUTES 19 SECONDS EAST ALONG THE WEST SECTION LINE A DISTANCE OF 182.31 FEET AND NORTH 89 DEGREES 55 MINUTES 55 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 182.31 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 55 SECONDS EAST, CONTINUING ALONG SAID NORTH LINE A DISTANCE OF 1133.31 FEET; THENCE SOUTH 0 DEGREES 15 MINUTES 33 SECONDS WEST, ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 80.91 FEET TO THE EASTERN EXTENSION OF THE NORTH LINE OF CENTURY EAST ADDITION, BISMARCK, NORTH DAKOTA; THENCE NORTH 89 DEGREES 55 MINUTES 55 SECONDS WEST, ALONG SAID NORTH LINE AND ITS EXTENSION, A DISTANCE OF 1004.86 FEET TO THE CENTERLINE OF FOURTEENTH STREET S; THENCE SOUTH 89 DEGREES 55 MINUTES 55 SECONDS WEST, ALONG THE NORTH LINE OF SAID SUBDIVISION, BISMARCK, NORTH DAKOTA, AND ITS WESTERLY EXTENSION, A DISTANCE OF 2081.2 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 83; THENCE NORTH 0 DEGREES 08 MINUTES 41 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 642.66 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 49 SECONDS EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 80.91 FEET; THENCE NORTH 0 DEGREES 15 MINUTES 33 SECONDS EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 347.46 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 26.81 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

HARLEY SWENSON, A REGISTERED PROFESSIONAL ENGINEER AND 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 MAY 6, 1988, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SWENSON, HAGEN AND COMPANY
CONSULTING ENGINEERS
909 BASIN AVENUE - P.O. BOX 1135
BISMARCK, NORTH DAKOTA 58502

HARLEY SWENSON
REGISTERED PROFESSIONAL
ENGINEER AND LAND SURVEYOR
N.D. REGISTRATION NO. 951



STATE OF NORTH DAKOTA

COUNTY OF BURLINGHAM

ON THIS 21 DAY OF JULY, 1988, BEFORE ME PERSONALLY APPEARED HARLEY SWENSON, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID PATIENCE - NOTARY PUBLIC
BURLINGHAM COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES: 7-24-92



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 AND HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK. THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 21 DAY OF JULY, 1988.

ATTEST:
Grant Bergquist - CITY AUDITOR

APPROVAL OF CITY ENGINEER

RAYMOND J. JUNDT, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "WACHTER'S NORTH ADDITION" AS SHOWN ON THE ANNEXED PLAT.

RAYMOND J. JUNDT, CITY ENGINEER



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 23 DAY OF JULY, 1988, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK, AND REGULATIONS ADOPTED BY 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 BLACKSTAIN - CHAIRMAN

W.C. WOODEN - SECRETARY

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WACHTER REAL ESTATE TRUST, A NORTH DAKOTA CORPORATION AND EVANGEL TEMPLE OF BISMARCK, NORTH DAKOTA, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN ON THE ANNEXED PLAT HAS CAUSED THAT PORTION DESCRIBED HEREON AND SHOWN ON THE ANNEXED PLAT TO BE SURVEYED AND PLATTED AS "WACHTER'S NORTH ADDITION".

THEY ALSO DECREE AND EASEMENTS, TO RUN WITH THE LAND, FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

THEY FURTHERMORE GRANT ACCESS EASEMENTS FOR ALL LAND OWNING PARTIES, THEIR HEIRS AND ASSIGNS, OVER THE TRACTS SO DESIGNATED ON THE PLAT, SAID EASEMENTS TO INCLUDE THE FULL AND FREE RIGHT FOR SAID PARTIES, THEIR TENANTS, VISITORS AND LICENSEES, IN COMMON WITH ALL OTHERS HAVING LINE RIGHT AT ALL TIMES HEREAFTER FOR ALL PURPOSES CONNECTED WITH THE USE OF SAID PARTIES, TO PASS AND REPASS ALONG SAID EASEMENT AND TO HOLD SAID EASEMENT TO SAID PARTIES, THEIR HEIRS AND ASSIGNS APPURTENANT TO THE LAND OF SAID PARTIES. IT ALSO DECREEES SAID ACCESS EASEMENT TO LAND FOR THE USE OF ANY GOVERNMENTAL, SUBDIVISION, ITS OFFICERS AND EMPLOYEES FOR UTILITIES AND ANY OTHER GOVERNMENTAL USE OR USES IT DEEMS NECESSARY OR ADVISABLE, PROVIDED THE CITY SHALL NOT BE RESPONSIBLE IN ANY WAY TO FURNISH ANY CITY SERVICES IF SUCH ACCESS EASEMENTS ARE NOT PROPERLY MAINTAINED OR ARE OBSTRUCTED BY THE OWNERS OF PROPERTY IN THE SUBDIVISION.

WACHTER REAL ESTATE TRUST, OWNERS OF ALL OF "WACHTER'S NORTH ADDITION" EXCEPT LOT 5 BLOCK 1
Paul C. Wächter
PAUL C. WACHTER, TRUSTEE
LANCE A. WACHTER, TRUSTEE

EVANGEL TEMPLE
REV. TED HEASTON, PRESIDENT
OWNER OF LOT 5 BLOCK 1
Rev. Ted Heaston

STATE OF NORTH DAKOTA

COUNTY OF BURLINGHAM

ON THIS 21 DAY OF APRIL, 1988, BEFORE ME PERSONALLY APPEARED PAUL C. WACHTER AND LANCE A. WACHTER KNOWN TO ME TO BE THE TRUSTEES OF WACHTER REAL ESTATE TRUST THAT IS DESCRIBED IN AND THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SAID INSTRUMENT EXECUTED THE SAME.

DAVID PATIENCE - NOTARY PUBLIC
BURLINGHAM COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES: 7-24-92

STATE OF NORTH DAKOTA

COUNTY OF BURLINGHAM

ON THIS 21 DAY OF APRIL, 1988, BEFORE ME PERSONALLY APPEARED REV. TED HEASTON, PRESIDENT OF EVANGEL TEMPLE, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID PATIENCE - NOTARY PUBLIC
BURLINGHAM COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES: 7-24-92

