



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, June 12, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Jo Marie Kadrmas
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Jo Marie Kadrmas
Commissioner Val Decker

ABSENT

Commissioner Aaron Johansen
Commissioner Troy Bosch

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business as presented.

Motion made by Commissioner Decker, Seconded by Commissioner Haugen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

2. MINUTES

A. MAY 8TH, 2024 MINUTES

Motion to approve minutes as presented.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

3. REGULAR AGENDA:

A. FINAL MAJOR PLAT (FLP-012-2024) - *Presented by City Engineer/Community Development Director, Josh Skluzacek*

To consider a Final Plat for Energy Center 6th Addition Subdivision, the Replat of a portion of Lot 1, Block 1 Energy Center 3rd Addition, located in the SE $\frac{1}{4}$ of Section 1, Township 139 North, Range 96 West, located in the City of Dickinson. The site consists of +/- 44.11 acres.

Mr. Skluzacek presents the final plat request. There is five lots and a right of way dedication on this plat. This will give access to the new National Guard Readiness Center. The preliminary plat was heard at the April PZ meeting and recommended for approval. There will be a few changes to the Development Agreement. One is in 2024 the City is looking at actively looking for a DOJ grant for infrastructure – which we intend to include the infrastructure included in this dedicated right of way. It creates access and also a looping watermain system for their facility. If the City is not successful in 2024 with the grant, they will apply in 2025 and renegotiate where the plat stands and that right of way. Staff recommends approval. Mr. Fridrich asks if they need this road to be put in for access. Mr. Skluzacek states they are utilizing a secondary access off of Energy Drive.

Andrew Schrank, Highlands Engineering who is representing the applicant is present. He is here for any questions. He states there have been no changes since the preliminary plat.

Chairman Fridrich opens the public hearing. There being no comments the hearing is closed.

Motion to approve made by Commissioner Haugen, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

B. FINAL MAJOR PLAT (FLP-013-2024) - *Presented by City Engineer/Community Development Director, Josh Skluzacek*

To consider a Final Plat for Southfork Acres 2nd Subdivision located in the SE $\frac{1}{4}$ of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The property is currently legally described as Southfork Acres Subdivision Lot 1B Block 2. The site consists of +/- 51.11 acres.

Mr. Skluzacek presents the final plat request. This was heard and approved previously by the PZ commission. No changes have been made on the plat since that time.

Mr. Schrank is present, representing the applicant. He states there is a one change on the plat – an addition of an east to west water easement/SW Water line. Mr. Fridrich asks about paving the ROW on the access roads. Mr. Shrank says the motion was to follow county policy. Mr. Skluzacek recollects that we discussed paving it up to the ROW line. It is discussed to add it into the DA. Mr. Schrank wants to clarify what is in the county policy. He has seen some other new developments that have not paved their approaches.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion to include paving the ROW verbiage added the DA

Motion to approve made by Commissioner Schwab, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

C. FINAL MAJOR PLAT (FLP-014-2024) – *Presented by City Engineer/Community Development Director, Josh Skluzacek*

To consider a Final Plat for The DSU Athletic Complex 2nd Addition Subdivision Being a Replat of Lot 1, Block 1 DSU Athletic Complex Addition and a Parcel of Land in the W ½ of Section 4, Township 139 North, Range 96 West located on the City of Dickinson. The site consists of +/- 58.57 acres.

Mr. Skluzacek presents the final plat. This will combine the 1st DSU Athletic complex with the unplatted land to the south. (include ROW dedication). This was heard and approved at a prior PZ meeting. He states traffic circulation is something they are looking at on State Avenue. There will be some changes to design as the rodeo grounds prepare for construction. He also adds that there is a known stormwater concern in the area so we have asked the applicant to look at this holistically and provide a stormwater report. Staff recommends approval.

Mr. Schrank is representing the applicant. He states no changes were made to the plat. They are in agreeance with the conditions. They will be submitted with the building application. He wants to make sure those won't hold up recording of the plat. He adds that site work would be done with the building permit. Mr. Skluzacek agrees with that. They have gone through the stormwater calculations. It is subject to staff review and concur with their findings.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion to approve made by Commissioner Kadrmas, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas,

Commissioner Decker

D. REZONE (REZ-005-2024) - *Presented by: City/County Planner, Steve Josephson*

To consider a Zoning Map Amendment from Agricultural (AG) to Rural Residential (RR) for a property located in the SW 1/4 of Section 30, Township 140 North, Range 96 West located in the City of Dickinson's ETZ. The site consists of +/-20 acres.

Mr. Josephson presents the rezone request. He says there is a companion plat application that will also be heard today. He states it is consistent with the comprehensive plan. He states it is similar to the Southfork Acres plat. Staff recommends approval subject to findings in the staff report.

Mr. Schwab asks about the 50' street on one side and the private road easement on the other. Mr. Skluzacek clarifies what the transportation masterplan shows. If a future road is built as shown on the plan, this private drive would be as far away as possible would be best to avoid intersection concerns.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made by Commissioner Franchuk, Seconded by Commissioner Decker.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

E. PRELIMINARY MAJOR PLAT (PLP-005-2024) - *Presented by: City Engineer/Community Development Director, Josh Skluzacek*

To consider a Preliminary Plat for the Wood Acres Subdivision located in the SW 1/4 of Section 30, Township 140 North, Range 96 West located in the City of Dickinson's ETZ. The site consists of +/- 20 acres.

Mr. Skluzacek presents the preliminary plat. The applicant intends to subdivide into three lots for residential purposes. There is a collector road to the north side of this property and a minor arterial to the east. There is a written statement provided by applicant requesting ROW dedication be vacated back to owner after ten-year period of time if the city does not construct the roadways on this plat. We are working on comp plan and transport plan updates. Our recommendation is we go forward with a 25 year period of time. If we have not constructed any infrastructure the owners could do a ROW vacation. It would not be automatic they would have to follow the vacation process. Staff recommends approval. Mr. Josephson says the century code and city's municipal code lay out procedure for vacating ROW.

Bob Procive, Interstate Engineering, is representing the applicant. He believes the applicant would be open to the 25-year plan but he likes Chairman Fridrich's idea that if the transportation plan shows something different the city would be open to vacating sooner. He would like some verbaige on the plat that whoever owns this they may pursue with vacating the row. Mr. Fridrich says they can always come back to the PZ and negotiate - we can't look that far into the future. Once the new plans have been

fully adopted, they could come back to amend. Ms. Wenko says to address this on the plat is to provide for the ROW and make it so the city would have the ROW at 25 years but no greater than, with language for the applicant to come back and based on the board's discretion, could reapply to have it reduced. We could also add language in there that the city would have the ability, absent any other decision, that that ROW would be dedicated for 25 years. Mr. Procive asks if the N/S ROW could be reduced to 33'. Mr. Skluzacek agrees and that it should be on the face of the plat.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Ms. Decker motions to recommend approval with the exceptions of what was laid out regarding the vacation ROW.

Motion made by Commissioner Decker, Seconded by Vice Chairman Bullinger.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

Mr. Fridrich speaks on the accident on watertower hill this past week. He has had some calls from residents. Mr. Skluzacek will have conversations with PD and see what we can do. Possibly a beacon flashing light.

Mr. Stevenson speaks on a Vision West Conference being held on the 19th.

6. WORK SESSION

7. ADJOURNMENT

Motion made by Commissioner Schwab, Seconded by Commissioner Haugen.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Kadrmas, Commissioner Decker