



SPECIAL PLANNING AND ZONING MEETING (RESCHEDULED FROM NOV 12TH) MINUTES

**Monday, November 24, 2025 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601**

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Zach Keller

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

Mathew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

Commissioner Dean Franchuk

Commissioner Aaron Johansen

Commissioner Richard Haugen

Commissioner Mike Schwab

Commissioner Val Decker

Commissioner Zach Keller

Chairman Jason Fridrich (absent for first item)

Vice Chairman Scott Bullinger

ABSENT

Commissioner Mathew Rothstein

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Vice Chair Bullinger will lead the meeting in Chairman Fridrich's absence for the first item of the meeting.

2. MINUTES

3. REGULAR AGENDA

A. FINAL MINOR PLAT (FLP-010-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the DN Wanner Subdivision, being a portion of land located in the W ½ of the SE ¼ of Section 22, Township 139 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 40.00 acres.

City Planner, Natalie Birchak presents the minor plat request. She states the reason for this minor plat is to split into two lots to gift a portion to the applicant's grandson. Staff has not received any public comments and recommends approval.

Curtis Freeman, KLJ, representing the applicant is present. There is an access easement already there with the original subdivision and they are adding a little bit on the north end to access the property. They are also adding a utility easement.

Vice Chair Bullinger opens the public hearing. There being no comment the hearing is closed.

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

Voting Yea: Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller, Commissioner Bullinger.

B. REZONING (REZ-008-2025) - Presented by City Planner Natalie Birchak

To consider an amendment to Ordinance No. 1592 to permit additional commercial uses in the Planned Unit Development (PUD) established in all of Block 10, all of Block 11, and Lots 1 & 2 of Block 4 of the Hilliard and Manning Addition Subdivision, and all of Block 14 and all of Block 15 of the Hilliard Third Addition, located in the NW ¼ of Section 3, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 4.69 acres.

Chairman Fridrich is now present.

Ms. Birchak presents the PUD amendment. The City Community Development Staff is coming forward with this PUD Amendment to allow for the continued operation of restaurant and small-scale retail services as well as to clarify maintenance responsibilities for the parking spaces along 7th Street W. There was some confusion on who maintains the parking spots on 7th St W – this clarifies it will be the responsibility of the City of Dickinson. Item 20 on the PUD states: *Parking spaces to the south of the property located within the 7th St W right-of-way shall remain public parking and shall be maintained by the City of Dickinson. Maintenance includes snow removal, pavement repairs and the striping of parking spaces.* There has been no public comment and staff recommends approval.

Andres Mejia, the owner of the building, expresses concern with Item #20 of the PUD amendment. He states that for the past five years they have been maintaining those parking spaces because they were told the spaces were theirs. He notes the City has

not performed snow removal or painting in that area. His concern is safety and customer experience, particularly the need for timely snow removal. He says he is willing to continue handling snow removal but would like a formal agreement allowing them to use those spaces.

Chairman Fridrich notes a concern with daycare clients arriving at 7:30 a.m., and the City not having those spaces cleared in time. City Engineer Skluzacek states he spoke with Public Works Director Praus, and if the applicant wants to do snow removal on that street, they may do so. He explains that the larger issue they were trying to address involved the former one-way street configuration from when the building was St. Joseph's Hospital. The parking stalls had been angled the wrong way, creating a safety hazard, and the City reoriented them earlier this summer.

Mr. Skluzacek also states that signage is the City's responsibility, and the owner cannot install their own signs. Mr. Mejia raises concerns about people parking overnight and also has concerns related to 8th Street W. Ms. Birchak clarifies that overnight parking would be permitted, but as with any city street, it is limited to 48 hours.

Chairman Fridrich asks about the parking signs on the street. Ms. Birchak states the signs on the east side were installed by the property owner (and have since been removed), while the signs on the west side have been in place since the hospital era.

Mr. Skluzacek recommends holding a meeting with the applicant at his facility to develop an arrangement regarding signage and snow removal, potentially through an MOU.

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

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

Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Keller

C. REZONING (REZ-009-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from General Commercial (GC) to General Industrial (GI) for the west 292.78 feet of the south 95.62 feet of Lot 1A of Block 1 of the Energy Center First Subdivision, located in the W ½ of Section 1 and the N ½ of the NW ¼ of Section 12, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.64 acres.

Ms. Birchak presents the rezone request. She states the purpose of this rezone is to allow the applicant to subdivide the property and combine the south portion of Lot 1A with the property directly to the south. Currently the south portion is split between General Commercial and General Industrial zoning. This rezone would make it consistent with GI. City staff has not received any public comments and recommends approval contingent upon approval of FLP-011-2025 (next item).

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

Motion to approve made by Commissioner Johansen, Seconded by Commissioner Decker.

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

D. FINAL MINOR PLAT (FLP-011-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the Diamond First Addition Subdivision, being a replat of Lots 1A and 4 in Block 1 of the Energy Center 1st Subdivision, located in the W $\frac{1}{2}$ of Section 1 and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 12, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 5.93 acres.

Ms. Birchak presents the minor plat request. She states the reason for the plat is to combine lots the lots. Staff has not received any public comments and recommend approval contingent upon approval of REZ-009-2025 (previous item).

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

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

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

E. FINAL MINOR PLAT (FLP-012-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the 23rd Street Addition Subdivision, being a replat of Lots 26-31, the east 38.23 feet of Lot 32, the east 38.23 feet of Lot 35, and Lots 36-41 in Block 5 of the Replat of Lots 5-11, Block 1, and all of Block 5 of the Country Oaks Estates Second Addition, located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.88 acres.

Ms. Birchak presents the minor plat request. She states the purpose of this plat is to combine lots to provide additional parking spaces that can be utilized for all three of the existing buildings. The City has been working with the applicants to get the easements vacated. Staff has not received any public comments and recommends approval.

Andrew Schrank, Highlands Engineering, representing the applicant is present. He states they did find a recorded resolution that has already vacated those easements. He gives a history on parking constraints, and how ABLE would like to obtain more parking spaces for their business. They will be coming to the Board of Adjustment to get a variance for a landscape buffer also.

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

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

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

F. REZONING (REZ-010-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from High Density Residential (R-3) to General Commercial (GC) for Lots 1-5 of Block 2 of the Sax First Subdivision, located in the NW ¼ of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.97 acres.

Ms. Birchak presents the rezone request. She states the purpose of the rezone is to allow for the combination of lots to expand auto sales use. Staff recommends approval contingent to the conditions listed on the staff report. The conditions are as follows:

1. Approval of REZ-010-2025 is contingent on the approval of FLP-013-2025;
2. A note shall be included on the plat that the property shall not be eligible for an administrative lot modification; and
3. The current property owner shall not utilize 20th Street West and/or the platted 1st Avenue West for additional access points to the property.

Chairman Fridrich asks about the one lot zoned R-2. Ms. Birchak states it will not be changed or affected. Commissioner Haugen asks about access; access will be to the north, and the applicant can continue using the existing access points they already have. The City is requesting that no additional access points be added. They will need to drive on their own property to reach these lots. Because they are not contributing to the paving of 1st Avenue, they cannot use it as access if it is paved in the future. The intended use of the lots is for storing inventory.

Fridrich asks why they cannot have access from 20th Street. Skluzacek notes they already have two approaches on 20th Street, which they can continue to use. However, the applicant has stated they do not want to build out 1st Ave E, and therefore they cannot be granted access to a roadway that does not exist. Discussion on access ensues.

Andrew Schrank, representing the applicant, explains the plan for the plat. They are requesting removal of the two conditions. He believes this should be addressed as an ordinance change rather than being applied to this specific site. He adds that access is a concern for the future. He notes that there is an agreement between the current owner and Sax Motors, and that agreement is reflected in the purchase price. He also speaks about the SID and related obligations, noting that Sax paid for three-fourths of the costs to install 20th Street.

Commissioners Haugen and Fridrich express that they do not see why access to 20th should be limited. Skluzacek explains that the concern is related to the proximity to the intersection and the unique geometry of that area. Schrank states that if an approach is added, it would function as a four-way intersection, and stop signs could be installed if needed.

There is discussion about future lot combinations needing to go through the platting process. This condition is less concerning for the applicant, but they question why it would uniquely apply to them. Ms. Birchak states the condition simply ensures the matter comes back to the board when that time arrives. She says this gives any potential residents in the area the opportunity to speak for or against any proposals, particularly if the surrounding area is developed residentially in the future.

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

***Motion made to only include the first two conditions and strike the third one.**

***Motion made by Commissioner Haugen, Seconded by Commissioner Johansen.**

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

G. FINAL MINOR PLAT (FLP-013-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Minor Subdivision Plat for the Sax Second Subdivision, being a replat of Lot 1 in Block 1 of the Sax First Subdivision, and Lots 1-5 of Block 2 of the Diamond Acres Subdivision, located in the NW ¼ of Section 34 of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 10.37 acres.

Ms. Birchak presents the plat request. Discussion on this item was mainly discussed during the previous rezone. Staff has not received any public comments and recommends approval with conditions.

Commissioner Schwab asks about vacating utility easements. Mr. Schrank says there is no plan to vacate at this time.

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

***Motion made to include only first two conditions and removing the third (see previous item for conditions).**

***Motion made by Commissioner Johansen, Seconded by Commissioner Decker.**

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

4. PUBLIC COMMENT

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion made by Commissioner Johansen, Seconded by Commissioner Schwab.

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/NPkhRArq7LU>