



## SPECIAL PLANNING AND ZONING MEETING MINUTES

Friday, August 11, 2023 at 7:10 AM  
City Hall – 38 1st Street West Dickinson, ND 58601

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### 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 Aaron Johansen

Commissioner Richard Haugen

Commissioner Mike Schwab

Commissioner Jo Marie Kadrmas

Commissioner Val Decker

##### **ABSENT**

Commissioner Troy Bosch

### **OPENING CEREMONIES: PLEDGE OF ALLEGIANCE**

#### **1. ORDER OF BUSINESS:**

Motion to approve the Order of Business.

**Motion made by Vice Chairman Bullinger, Seconded by Commissioner Decker.**

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

## 2. **MINUTES**

Motion to approve July 19<sup>th</sup>, 2023 minutes as presented.

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

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

## 3. **REGULAR AGENDA:**

### **A. FINAL PLAT (FLP-005-2023)** - Presented by: Josh Skluzacek

To consider a Preliminary Plat for Riverview Cottages 1st Addition being the Replat of Lots 20-24, Block 1 of the Replat of Riverview Addition located in the NE ¼ of Section 9, Township 139N, Range 96W located within the City of Dickinson. The site consists of +/- 1.11 acres.

City Engineer/Community Development Director Skluzacek presents the request and clarifies that this is the Final Plat for this item. It is written wrong in the description. We heard this at the June meeting and there was also a PUD to go along with this item. Since that has been approved at City Commission this item can move forward to Final Plat.

Andrew Shrank, Highlands Engineering is present for any questions. He states that not much has changed since the Preliminary Plat approval.

The public hearing is open. There being no public comment it is closed.

*I move the City of Dickinson Planning and Zoning Commission recommend Approval of FLP 005-2023 the Riverview Cottage 1st Addition Subdivision Plat, subject to the conditions above, as being compliant with the City of Dickinson Comprehensive Plan, as meeting all the requirements of the Dickinson Municipal Code, and also being in the interest of the public health, safety and welfare*

*(AND) the following additional requirements:*

**•The Final Plat shall become effective upon recordation of the companion PUD; and**

**•In addition to the conditions listed above the PUD shall also comply with all applicable City, County, State, and Federal regulations.**

**Motion made by Vice Chairman Bullinger, Seconded by Commissioner Decker.**

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

**B. FINAL PLAT (FLP-006-2023)** - Presented by: Josh Skluzacek

To consider a Final Plat for Riverview Cottages 2nd Addition being the Replat of Lots 15-20, Block 2 of the Replat of Fischer's Addition, located in the NE ¼ of Section 9, Township 139N, Range 96W located within the City of Dickinson. The site consists of +/- 0.97 acres.

Mr. Skluzacek presents the request. This is much like the item #1 that was heard at the June meeting. There are no concerns with this plat. It was also associated with that same PUD, and there have been no changes from the Preliminary Plat.

The public hearing is open. There are no comments.

*I move the City of Dickinson Planning and Zoning Commission recommend Approval of FLP 006-2023 the Riverview Cottage 2nd Addition, subject to the conditions above, as being compliant with the City of Dickinson Comprehensive Plan, as meeting all the requirements of the Dickinson Municipal Code, and also being in the interest of the public health, safety and welfare.*

*(AND) the following additional requirements:*

**•The Final Plat shall become effective upon recordation of the companion PUD; and**

**•In addition to the conditions listed above the PUD shall also comply with all applicable City, County, State, and Federal regulations.**

**Motion made by Vice Chairman Bullinger, Seconded by Commissioner Decker.**

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

**C. FINAL PLAT (FLP-007-2023)** Presented by: Josh Skluzacek

To consider a Preliminary Plat for The District Business Park First Addition being the Replat of Lot 4, Block 1 of the District Addition located in the NE ¼ of Section 32, Township 140N, Range 96W located within the City of Dickinson. The site consists of +/- 5.47 acres.

Mr. Skluzacek presents the item. This was also heard at the June meeting along with a PUD. There have only been a few changes from the Preliminary Plat. There is now a requirement to install sidewalk on the south side of 19th Street. There was discussion on the maintenance of 19th Street. The DA states the city has a minor level of control - there would be three notifications to the owner that the street is in need of work and then the city could do a SID if it is not done in twelve months. There is also a revision regarding permits and CO's being issued.

The public hearing is open. There being no comment the hearing is closed.

*I move the City of Dickinson Planning and Zoning Commission recommend Approval of FLP-007-2023 the District Business Park First Addition final plat petition as being*

*compliant with the City of Dickinson Comprehensive Plan, as meeting all the requirements of the Dickinson Municipal Code, and also being in the interest of the public health, safety and welfare.*

*(AND) the following additional requirements:*

- ***The developer shall extend the sidewalk eastward, across Lot 5, Block 1, The District Addition to enable pedestrian crossing across 19th Street W.***
- ***The Final Plat shall become effective upon recordation of the companion development agreement which is to be recorded by the Stark County Recorder's office; and***
- ***In addition to the conditions listed above the PUD shall also comply with all applicable City, County, State, and Federal regulations.***

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

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

**D. PRELIMINARY/FINAL PLAT (FLP-008-2023)** *Presented by: Matthew Galibert*

To consider a Preliminary/Final Plat for Tidal Wave Car Wash, a currently unplatted lot located in the NW ¼ of Section 34, Township 140N, Range 96W located within the City of Dickinson,. The site consists of +/- 1.32 acres.

City Planner, Matthew Galibert presents the request. The applicant would like to construct Tidal Wave Auto Spa Car Wash. Dakota Motors is currently at this location. There will be a sign displayed to warn drivers about the bike path on the north edge property. Mr. Fridrich has a question on the approaches. The approach is on 21st Street W. Mr. Fridrich asks about a traffic study and states there are lots of cars backed up in that area past that intersection frequently. He is concerned about being able to make a left hand turn out of there. Mr. Skluzacek states we could possibly consider a right in – right out only option for that approach. He states that we did request volume data and it did not warrant a traffic study. He also adds we ran into issues realigning that approach – there are multiple challenges in the area. We have not taken it to final design yet. He also adds this is unplatted and this is why it is being platted with this request.

Darcy Leeseberg is the applicant and is present on Teams. He has no concerns with the access/approaches.

The public hearing is open. There being no comment the public hearing is closed.

*I move the City of Dickinson Planning and Zoning Commission recommend Approval of FLP-009-2023 Tidal Wave Minor Plat subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare*

*(AND) the following additional requirements:*

- ***All structures, including fencing, must adhere to a maximum height of 32 inches above the established curb grade. This requirement explicitly encompasses the vision clearance zone, as outlined in Section 39.07.002 Setback Adjustments in the municipal code.***
- ***No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection, per same.***
- ***A sign shall be prominently displayed within the property boundaries, ensuring clear visibility to exiting drivers. The sign shall serve as a reminder to exercise caution and attentiveness towards cyclists and pedestrians crossing the approach to 21st Street W.***

**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 Kadrmas, Commissioner Decker

#### **4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA**

#### **5. ITEMS NOT ON AGENDA**

#### **6. WORK SESSION**

##### **A. UPDATE ON BARNDOMINIUMS - Presented by: Matthew Galibert**

Mr. Galibert presents an update regarding 'barndominiums'. In September they will provide a presentation with barndominium design and how they may influence the community, a summary of responses from other communities, and code aspects to consider.

#### **7. ADJOURNMENT**

Motion to adjourn.

**Motion made by Commissioner Decker, Seconded by Vice Chairman Bullinger.**

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