



PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, November 13, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. SEPTEMBER 11, 2024 MINUTES

3. REGULAR AGENDA:

A. FINAL MAJOR PLAT (FLP-018-2024) - *Presented by: City Planner, Natalie Birchak*

To consider a Final Major Plat for the West Ridge 4th Subdivision Addition Being the Replat of Lots 13-15, Block 6 of the Replat of the West Ridge 1st Addition, Lots 1 and 17-12 of Block 1, located in the SW ¼ of Section 31, Township 140 North, Range 96 West in the City of Dickinson. The site consists of +/- 1.51 acres.

B. FINAL MINOR PLAT (FLP-019-2024) - *Presented by: City Planner, Natalie Birchak*

To consider a Final Minor Plat for the Dvirnak 1st Subdivision, being a Replat of Lots 5A, 5B, & 6 in Block 3 of the County Oak Estates 2nd Addition, located in the SW ¼ of Section 28, Township 140N, Range 96W in the City of Dickinson. The site consists of +/- 0.72 acres.

C. SPECIAL USE PERMIT (SUP-006-2024) - *Presented by: City Planner, Natalie Birchak*

To consider a Special Use Permit for a kennel located at 10493 Highway 10 in the City of Dickinson's ETZ. The property is legally described as a tract in the SW¼ of Section 34, Township 140, Range 95. The site consists of +/- 2.5 acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA
5. ITEMS NOT ON AGENDA
6. WORK SESSION
 - A. KLJ PRESENTATION- COMP PLAN/TRANSPORTATION PLAN UPDATE
7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:
<https://www.dickinsongov.com/meetings>

This link will not be live until approximately 7:05 am on November 13, 2024.

Teams Meeting: <https://tinyurl.com/PZ-11-13-2024-Teams>

Teams Meeting ID: 239 165 032 270

Meeting Passcode: ptisLK

Teams Phone #: 1-701-506-0320

Phone Conference ID: 337 902 959#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.



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Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
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 Troy Bosch
Commissioner Val Decker

ABSENT

Commissioner Aaron Johansen
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business.

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

2. MINUTES

A. AUGUST 24TH, 2024 MINUTES

Motion to approve as presented.

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

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

3. REGULAR AGENDA:

A. FINAL MINOR PLAT (FLP-016-2024) - Presented by: City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Caden and Holly Tuhy Subdivision located in the SE ¼ of the SE ¼ of Section 14, Township 140 North, Range 97 West, located in the City of Dickinson's ETZ. The site consists of +/-5 acres.

City Planner Natalie Birchak presents the minor plat application. She explains they will be constructing a single family residence. It is zoned AG. Staff has not received any public comment and staff recommends approval.

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

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

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

B. SPECIAL USE PERMIT (SUP-002-2024) - Presented by City/County Planner, Steve Josephson

To consider a Special Use Permit for a heavy industry use to allow above-ground chemical storage at 4637 Villard Street West. The property is legally described as Lots 2 & 3 in the Replat of the Dickinson Industries Subdivision located in Section 7, Township 140 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 2.7 acres.

City/County Planner Steve Josephson presents the SUP application. He explains this item was heard at a previous meeting and approved but it was later noted there was an error in the publication of the legal ad so it is being heard again. Staff recommends approval.

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

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

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

C. FINAL MINOR PLAT (FLP-017-2024) - Presented by: City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Moore 1st Subdivision located in the SE ¼ of the SW ¼ of Section 6, Township 139 North, Range 95 West in the City of Dickinson’s ETZ. The site consists of +/- 5.22 acres.

Ms. Birchak presents the minor plat. She explains there will be a single family residence constructed. It is zoned AG. Staff has not received any public comment and recommends approval. This had been previously heard as a 2-acre lot with a recommendation from the commission to bring it back with a 5-acre lot.

Andrew Schrank, Highlands Engineering is representing the applicant. He explains the previous history of this property. This is a 5-acre lot so a FLUM or rezone will not be needed.

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

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

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

D. SPECIAL USE PERMIT (SUP-005-2024) - Presented by: City Planner, Natalie Birchak

To consider a Special Use Permit for a home occupation for small-scale commercial chocolate production at 860 20th Street West in the City of Dickinson. The property is legally described as Lots 7 & 8, Block 10 of the Prairie Hills 2nd Replat located in Section 33, Township 140 North, Range 96 West. The site consists of +/- 0.55 acres.

Ms. Birchak presents the SUP request. She explains this is zoned as R1. This permit will allow a small based home business. Staff has not received any public comment and does recommend approval with conditions lined out on the staff report.

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

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

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,

Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker

E. PRELIMINARY MAJOR PLAT (PLP-006-2024) - Presented by: City Planner, Natalie Birchak

To consider a Preliminary Major Plat for the West Ridge 4th Subdivision Addition Being the Replat of Lots 13-15, Block 6 of the Replat of the West Ridge 1st Addition, Block 1, Lots 1 and 17-12 located in the SW ¼ of SW ¼ of Section 31, Township 140 North, Range 96 West in the City of Dickinson. The site consists of +/- 1.51 acres.

Ms. Birchak presents the major plat request. She explains this will consist of seven townhome units on individual lots and two units located on one duplex lot. The individual townhome lots will be sold to the applicant and the duplex lots will be rented out. It is currently zoned R2. Staff has not received any public comment and recommends approval.

Andrew Schrank, Highlands Engineering is representing the applicant. He states the property lines match the existing utility services. That is why Lot 5 will contain two units and they will rent those units out.

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

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

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

F. REZONING (REZ-002-2024) - Presented by City/County Planner, Steve Josephson

To consider a Zoning Map amendment from General Industrial (GI) to Agriculture (AG) for a property located in the SW 1/4 of Section 11, Township 139 North, Range 96 West in the City of Dickinson’s ETZ. The site consists of +/- 27.83 acres.

Mr. Josephson presents the rezone request. He again explains that this item was heard at a previous meeting and approved but it was later noted there was an error in the publication of the legal ad so it is being heard again.

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

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

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

G. SPECIAL USE PERMIT (SUP-004-2024) - Presented by City/County Planner, Steve Josephson

To consider a Special Use Permit for convenience storage at 677 Livestock Lane in the City of Dickinson. The property is legally described as BN Lease Site # BF69076 located in Section 3, Township 139 North, Range 96 West. The site consists of +/- 4.22 acres.

Mr. Josephson presents the SUP request. He explains the background on this. It was originally approved in 2013 and the ownership has changed. They are changing the type of storage. They are proposign a change to the layout and will need a new SUP. Staff did find out they are doing outdoor storage of vehicles and it is not permitted. The applicant has been notified of that. This will not go to CC until they are compliant with the code. They also asked for a setback waiver in the previous SUP and they have requested the same. Staff recommends approval subject to the conditions.

The applicant is available on Teams. Jim Mccor ? He says it is the exact number of units that were approved. Non change to land. They have notified the tenants that were parked that they need to remove their vehicles. These will be modular units.

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

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

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

- 4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA
- 5. ITEMS NOT ON AGENDA
- 6. WORK SESSION
- 7. ADJOURNMENT

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

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



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [241437_Preapplication Meeting.pdf](#)

Type of Development **Major Subdivision Final Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **REPLAT OF LOTS 13-15, BLOCK 6 OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK 1, LOTS 1 & 17-21**

Date of Final Plat Approval at Planning & Zoning Commission **10-09-2024**

Name **Aaron Grinsteinner**

Company **Venture Homes, LLC**

Applicant Email **venturehomesnd.aaron@gmail.com**

Applicant Phone # **(701) 290-1298**

Applicant Representative (if applicable) **Andrew Schrank**

Applicant Representative Company **Highlands Engineering**

Applicant Representative Email schrank@highlandseng.com

Applicant Representative Phone # (701) 483-2444

Owner Name Venture Homes, LLC

Owner Address PO Box 1316, Dickinson, ND, 58602

Owner Email venturehomesnd.aaron@gmail.com

Owner Phone # (701) 290-1298

Is the owner present to Sign

Owner Signature Upload [241437_Owner Signature_Signed_2024-08-02.pdf](#)

Will this application require any other action to complete the development?

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)

A PARCEL OF LAND LOCATED IN LOTS THIRTEEN (13), FOURTEEN (14), AND FIFTEEN (15), BLOCK SIX (6) OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21 LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-ONE, TOWNSHIP ONE HUNDRED FORTY NORTH (T140N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT THIRTEEN (13) BEING A FOUND REBAR AND CAP LS-1225; THENCE S 69°12'10" E ALONG THE NORTH LINE OF SAID LOT THIRTEEN (13), A DISTANCE OF 139.93 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTH EAST CORNER OF SAID LOT THIRTEEN (13); THENCE S 74°34'45" E ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 133.19 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHEAST CORNER OF TRACT ONE (1) OF SAID REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21; THENCE S 74°35'36" E ALONG SAID NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 70.63 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHEAST CORNER OF SAID LOT FOURTEEN (14); THENCE S 46°59'22" E ALONG THE NORTH LINE OF SAID LOT FIFTEEN (15), A DISTANCE OF 40.39 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHEAST CORNER OF SAID LOT FIFTEEN (15); THENCE S 00°10'48" W ALONG THE EAST LINE OF SAID LOT FIFTEEN (15), A DISTANCE OF 137.48 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHEAST CORNER OF SAID LOT FIFTEEN (15); THENCE S 73°36'32" W ALONG THE SOUTH LINE OF SAID LOT FIFTEEN (15), A

DISTANCE OF 178.61 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT FIFTEEN (15) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°37'48" AN ARC LENGTH OF 67.32 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHWEST CORNER OF SAID LOT FIFTEEN (15) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°24'30" AN ARC LENGTH OF 105.74 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT FOURTEEN (14) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°46'46" AN ARC LENGTH OF 132.27 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT THIRTEEN (13); THENCE N 12°24'32"E ALONG THE WEST LINE OF SAID SECTION THIRTEEN (13), A DISTANCE OF 122.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.51 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

	1/4 Section	Township	Range
Description	SW1/4 Section 31	T140N	R96W

Property Address / General Project Location Property is generally located on the north side of 12th Street W approximately 0.12 miles north of West Ridge Drive.

Total Square Footage or Acreage of Subject Property 1.51 acres

Transmittal Letter (Explanation of Request & Proposed Operations) [241437_Transmittal-FINAL PLAT.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 1

Name of Final Plat West Ridge 4th Addition

Final Platted Lots 1 to 10 Lots

Final Platted Block(s) 1
Name of Preliminary Plat West Ridge 4th Addition

Preliminary Number Lots 1 to 10 Lots

Preliminary Number of Block(s) 1
0 existing - 9 proposed

Application Calc 350

Required Documentation Upload [241437_Closure Report.pdf](#)
[241437_West Ridge 4th Addition Plat_2024-08-01.pdf](#)

Deed for Property [241437_Deed.pdf](#)

Application Fees

Applicable Fees	350.00 USD
Total:	\$350.00
Transaction ID:	p8s7gbhv

Payment Information

First Name: Andrew
Last Name: Schrank
E-Mail: venturehomesnd.aaron@gmail.com

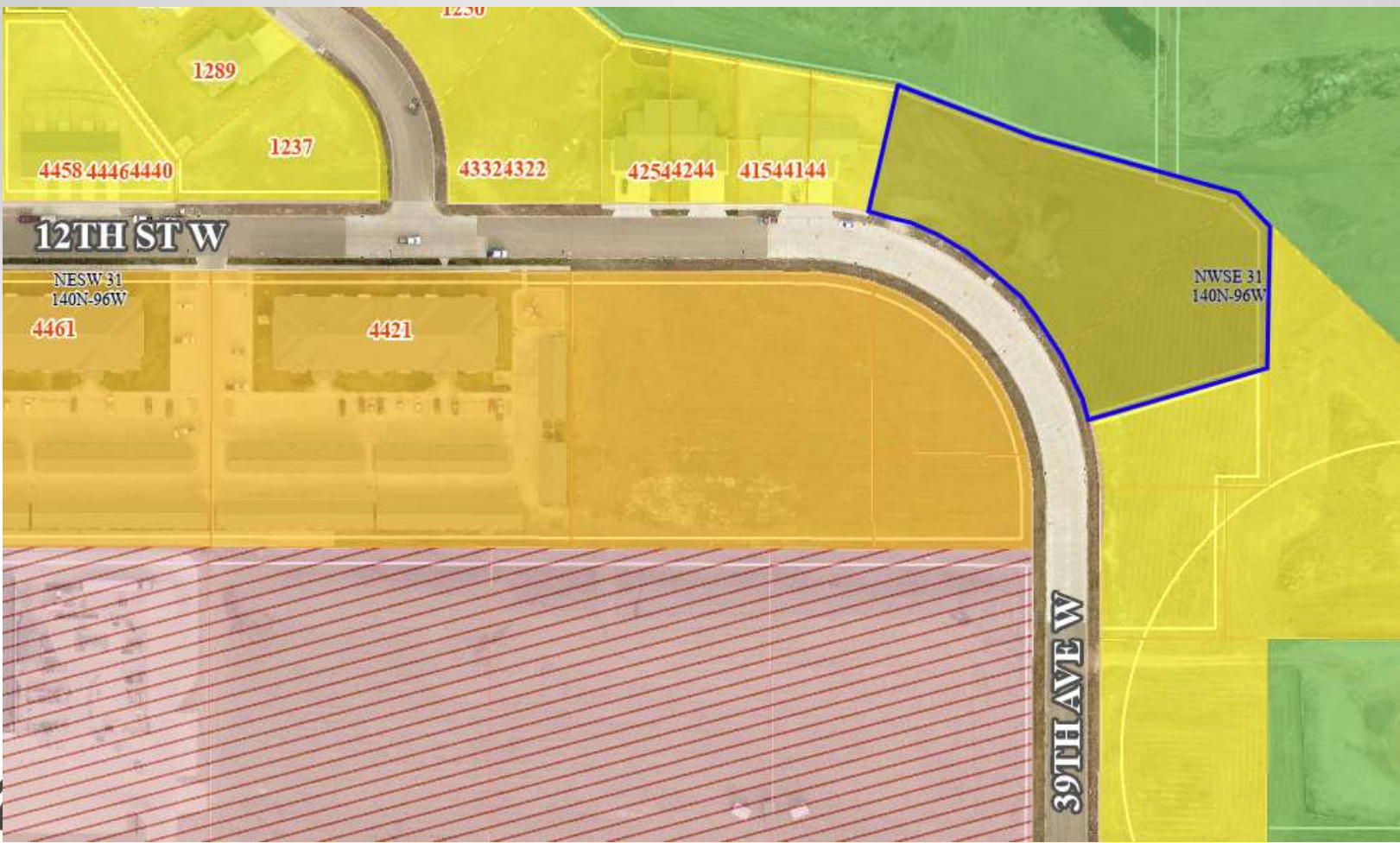
Applicant Signature



Date 09-16-2024

You can [edit this submission](#) and [view all your submissions](#) easily.

WEST RIDGE 4th ADDITION MAJOR SUBDIVISION (FLP-018-2024)





Transmittal Letter

To: Joshua Skluzacek – Community Development Director
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
Highlands Engineering
319 24th Street East
Dickinson, ND 58601
701.483.2444
schrank@highlandseng.com

Date: September 16, 2024

Re: Major Final Plat Application – West Ridge 4th Addition

Message: Enclosed you will find the following Major Final Plat application documents for the above referenced project being submitted for consideration:

- Pre-submittal Meeting Letter
- Written Statement of Project Purpose (included, below)
- Written Statement of Changes Since Preliminary Plat Approval (included, below)
- Warranty Deed for the Property
- Current Preliminary Plat Drawing with Aerial Image Showing Current Site and Surrounding Land Uses and Buildings
- Final Plat Drawing
- Subdivision Plat Closure Report

Project Purpose

This proposed final major plat application for West Ridge 4th Addition is intended to subdivide Lots 13-15, Block 6 of the Replat of West Ridge 1st Addition, Block 1, Lots 1 & 17-21 into eight (8) lots. This subdivision is located within the City's Corporate Limits. Since this will exceed four (4) lots, a major plat application is being submitted in accordance with the City Ordinance.

The applicant/owner, Venture Homes, LLC, intends to build three (3), 3-unit, multi-family homes within this property for a total of nine (9) proposed housing units. The proposed building configuration is shown by the enclosed preliminary plat drawing. The proposed subdivision of these lots will allow for each of the individual housing units to be sold off for individual ownership, with the exception of the proposed Lot 5 which will include 2 housing units.

This property is currently zoned Medium Density Residential (R2). The proposed subdivision layout and development plan meets all City ordinances to the best of our knowledge. Therefore, no change in zoning should be required to complete this application request.

Each of the eight (8) lots proposed as part of this subdivision has a separate water and sewer service already in place. These service lines are shown by the enclosed preliminary plat drawing. To prevent the additional cost of adding or revising these service lines, the proposed lot lines were drawn to work with these existing service lines. Since only eight water and sewer services are stubbed into this site and 9 housing units are proposed, one of the proposed lots (Lot 5) will include two housing units.

Each of these lots abuts the existing right-of-way of 12th Street W, which is a fully constructed urban roadway. This roadway will provide access to each of these proposed lots.

The applicant does own additional property across the street from this property being platted. The applicant does not intend to purchase additional surrounding property at this time. We have not informed neighboring properties of this request. This application is being submitted in accordance with local, state, and federal requirements to the best of our knowledge.

Changes since Preliminary Plat Approval

No changes have been made to the plat since the Preliminary Plat approval.

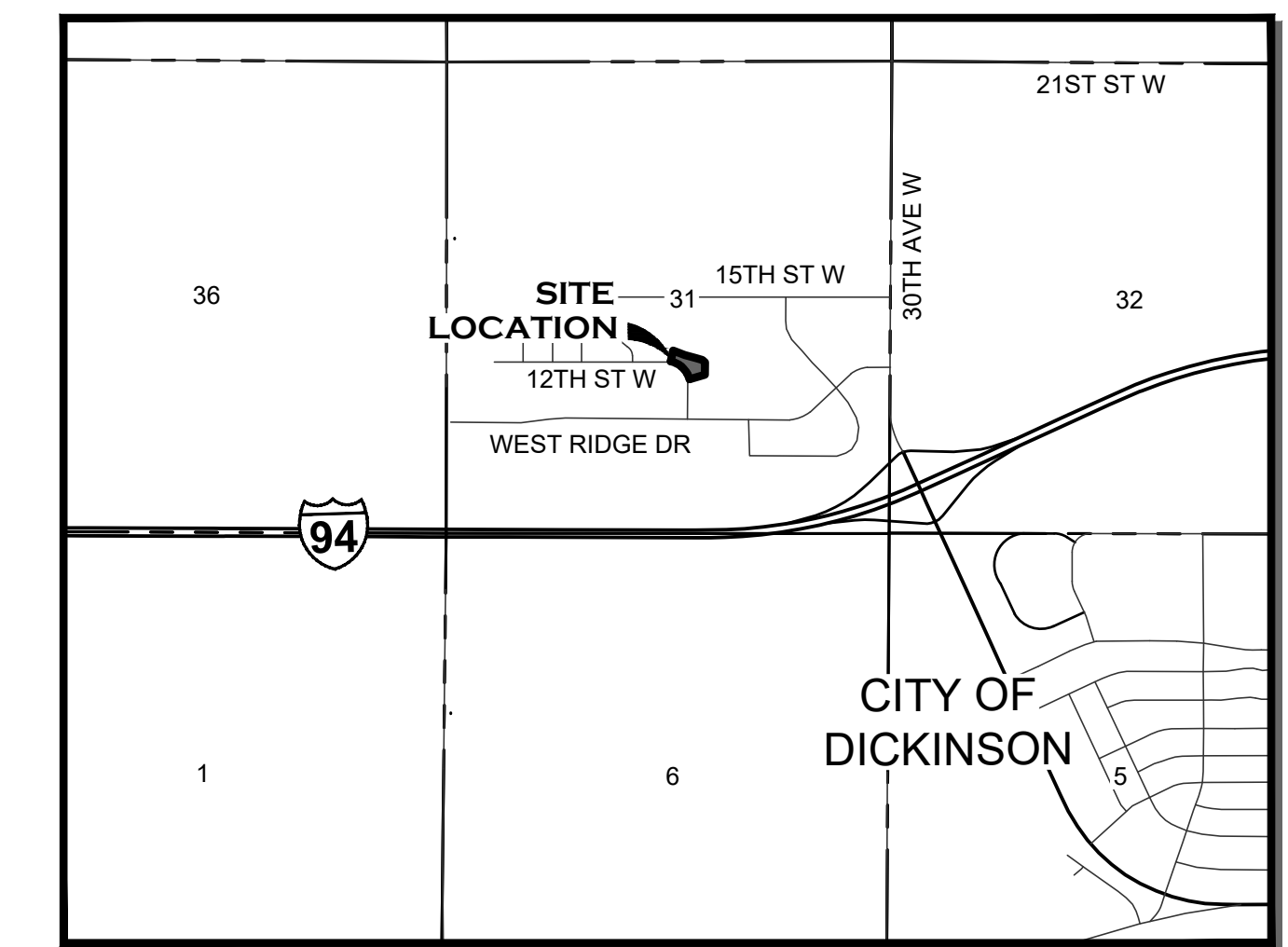
Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!



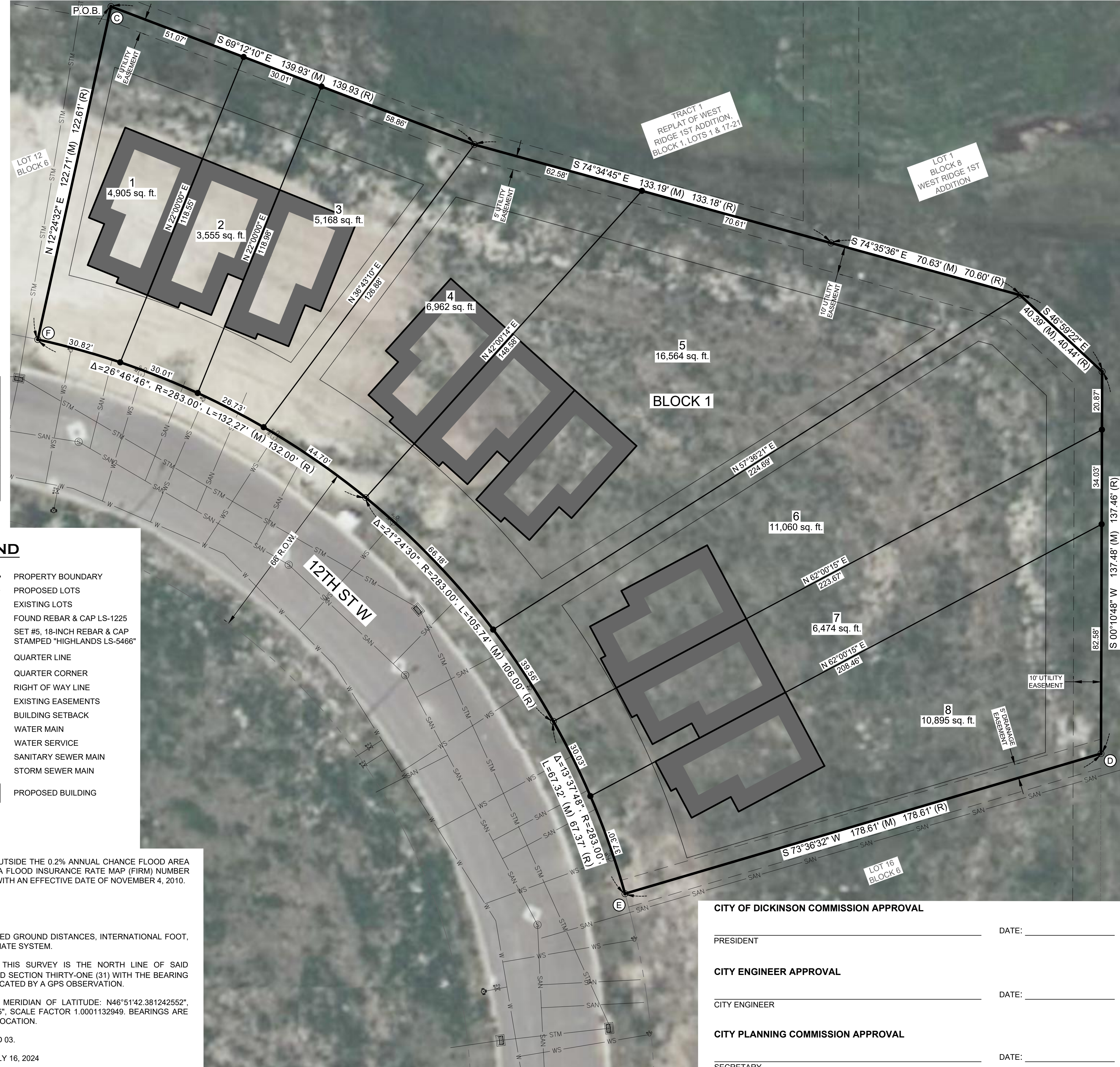
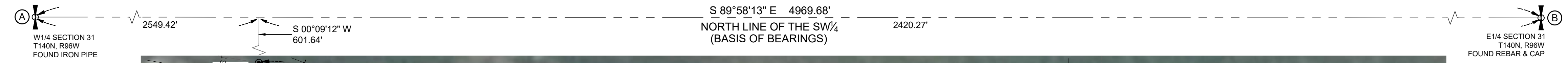
Andrew Schrank, PE, CFM
Highlands Engineering

WEST RIDGE 4TH ADDITION

BEING THE REPLAT OF LOTS 13-15, BLOCK 6 OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK 1, LOTS 1 & 17-21 LOCATED IN THE SW 1/4 SECTION 31, T140N, R96W, OF THE 5TH PRINCIPAL MERIDIAN CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



VICINITY MAP
1" = 2000'



BUILDING SETBACKS
FRONT YARD: 25-FEET
REAR YARD: 20-FEET
INTERIOR SIDE YARD: 6-FEET

STATE PLANE COORDINATES
NAD 83 (88), SOUTH ZONE
U.S. FOOT, GRID DISTANCE

POINT	NORTHING (FT)	EASTING (FT)
(A)	457,769.862	1,380,643.115
(B)	457,622.441	1,385,609.730
(C)	457,093.004	1,383,171.816
(D)	456,813.884	1,383,520.164
(E)	456,768.505	1,383,347.444
(F)	456,974.005	1,383,141.971

LEGEND

- PROPERTY BOUNDARY
- PROPOSED LOTS
- EXISTING LOTS
- FOUND REBAR & CAP LS-1225
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
- QUARTER LINE
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- BUILDING SETBACK
- WATER MAIN
- WATER SERVICE
- SANITARY SEWER MAIN
- STORM SEWER MAIN
- PROPOSED BUILDING

NOTES

- THIS SUBDIVISION IS LOCATED OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0189F, PANEL 189 OF 850, WITH AN EFFECTIVE DATE OF NOVEMBER 4, 2010.

SURVEY NOTES

- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) SAID SECTION THIRTY-ONE (31) WITH THE BEARING BEING S 89°58'13" E, THAT WAS LOCATED BY A GPS OBSERVATION.
- SURVEY DATA HAS A CENTRAL MERIDIAN OF LATITUDE: N46°51'42.381242552", LONGITUDE: W102°47'24.249867155", SCALE FACTOR 1.0001132949. BEARINGS ARE BASED ON TRUE NORTH AT THIS LOCATION.
- VERTICAL DATUM: NAVD 88, GEOID 03.
- DATE OF LATEST FIELD WORK: JULY 16, 2024

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN LOTS THIRTEEN (13), FOURTEEN (14), AND FIFTEEN (15), BLOCK SIX (6) OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21 LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTY-ONE, TOWNSHIP ONE HUNDRED FORTY NORTH (T140N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINS 1.51 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE WEST RIDGE 4TH ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING AT COUNTY OF _____, STATE OF _____

PROPRIETOR'S CERTIFICATE

I, AARON GRINSTEINER, AUTHORIZED REPRESENTATIVE OF VENTURE HOMES, LLC, RESIDING AT 4566 WEST RIDGE DRIVE, DICKINSON, ND 58601, THE OWNER AND PROPRIETOR OF PROPERTY LYING IN LOTS THIRTEEN (13), FOURTEEN (14), AND FIFTEEN (15), BLOCK SIX (6) OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21 LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTY-ONE, TOWNSHIP ONE HUNDRED FORTY NORTH (T140N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT I HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____
AARON GRINSTEINER - VENTURE HOMES, LLC

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AARON GRINSTEINER, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING AT COUNTY OF _____, STATE OF _____

CITY OF DICKINSON COMMISSION APPROVAL

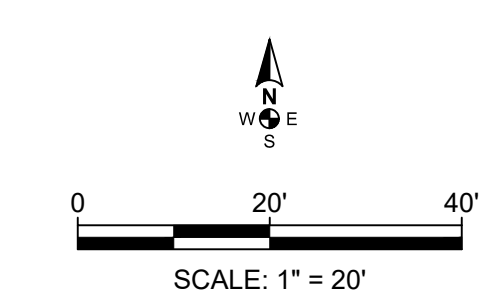
PRESIDENT _____ DATE: _____

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

SECRETARY _____ DATE: _____



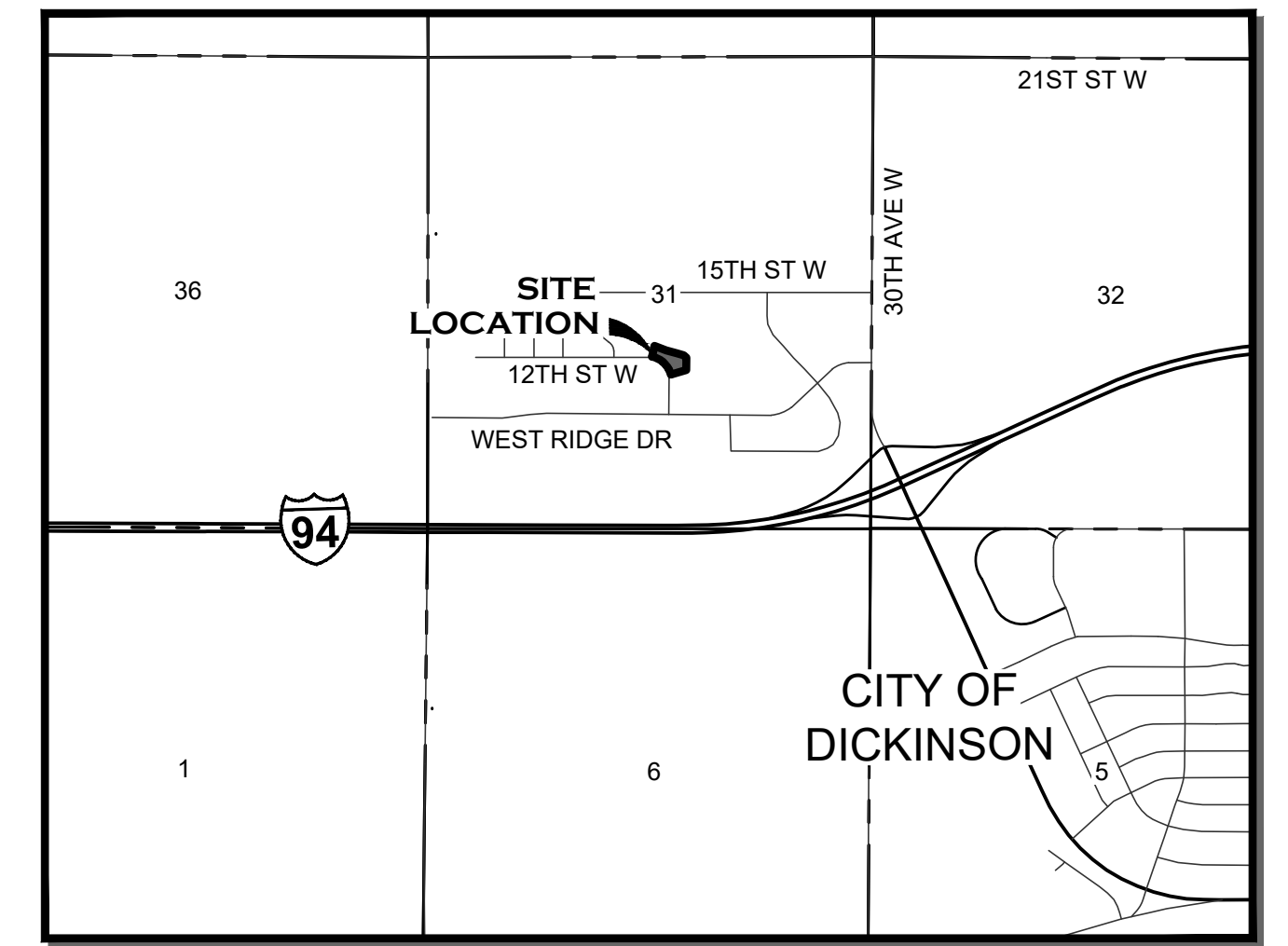
HIGHLANDS ENGINEERING

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 241437 SCALE: 1"=20'
DRAWN BY: AJA DATE: 08/01/24

WEST RIDGE 4TH ADDITION

BEING THE REPLAT OF LOTS 13-15, BLOCK 6 OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK 1, LOTS 1 & 17-21 LOCATED IN THE SW 1/4 SECTION 31, T140N, R96W, OF THE 5TH PRINCIPAL MERIDIAN CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



VICINITY MAP
1" = 2000'

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN LOTS THIRTEEN (13), FOURTEEN (14), AND FIFTEEN (15), BLOCK SIX (6) OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21 LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTY-ONE, TOWNSHIP ONE HUNDRED FORTY NORTH (T140N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT THIRTEEN (13) BEING A FOUND REBAR AND CAP LS-1225; THENCE S 69°12'10" E ALONG THE NORTH LINE OF SAID LOT THIRTEEN (13), A DISTANCE OF 139.93 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTH EAST CORNER OF SAID LOT THIRTEEN (13); THENCE S 74°34'45" E ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 133.19 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHEAST CORNER OF TRACT ONE (1) OF SAID REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21; THENCE S 74°35'36" E ALONG SAID NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 70.63 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHEAST CORNER OF SAID LOT FOURTEEN (14); THENCE S 46°59'22" E ALONG THE NORTH LINE OF SAID LOT FIFTEEN (15), A DISTANCE OF 40.39 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHEAST CORNER OF SAID LOT FIFTEEN (15); THENCE S 00°10'48" W ALONG THE EAST LINE OF SAID LOT FIFTEEN (15), A DISTANCE OF 137.48 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHEAST CORNER OF SAID LOT FIFTEEN (15); THENCE S 73°36'32" W ALONG THE SOUTH LINE OF SAID LOT FIFTEEN (15), A DISTANCE OF 178.61 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT FIFTEEN (15) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°37'48" AN ARC LENGTH OF 67.32 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHWEST CORNER OF SAID LOT FIFTEEN (15) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°24'30" AN ARC LENGTH OF 105.74 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT FOURTEEN (14) BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 283.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°46'46" AN ARC LENGTH OF 132.27 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE SOUTHWEST CORNER OF SAID LOT THIRTEEN (13); THENCE N 12°24'32" E ALONG THE WEST LINE OF SAID SECTION THIRTEEN (13), A DISTANCE OF 122.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.51 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE WEST RIDGE 4TH ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT COUNTY OF _____, STATE OF _____
MY COMMISSION EXPIRES: _____

PROPRIETOR'S CERTIFICATE

I, AARON GRINSTEINER, AUTHORIZED REPRESENTATIVE OF VENTURE HOMES, LLC, RESIDING AT 4566 WEST RIDGE DRIVE, DICKINSON, ND 58601, THE OWNER AND PROPRIETOR OF PROPERTY LYING IN LOTS THIRTEEN (13), FOURTEEN (14), AND FIFTEEN (15), BLOCK SIX (6) OF THE REPLAT OF WEST RIDGE 1ST ADDITION, BLOCK ONE (1), LOTS 1 AND 17-21 LOCATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTY-ONE, TOWNSHIP ONE HUNDRED FORTY NORTH (T140N), RANGE NINETY-SIX WEST (R96W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT I HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____
AARON GRINSTEINER - VENTURE HOMES, LLC

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AARON GRINSTEINER, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT COUNTY OF _____, STATE OF _____
MY COMMISSION EXPIRES: _____

CITY OF DICKINSON COMMISSION APPROVAL

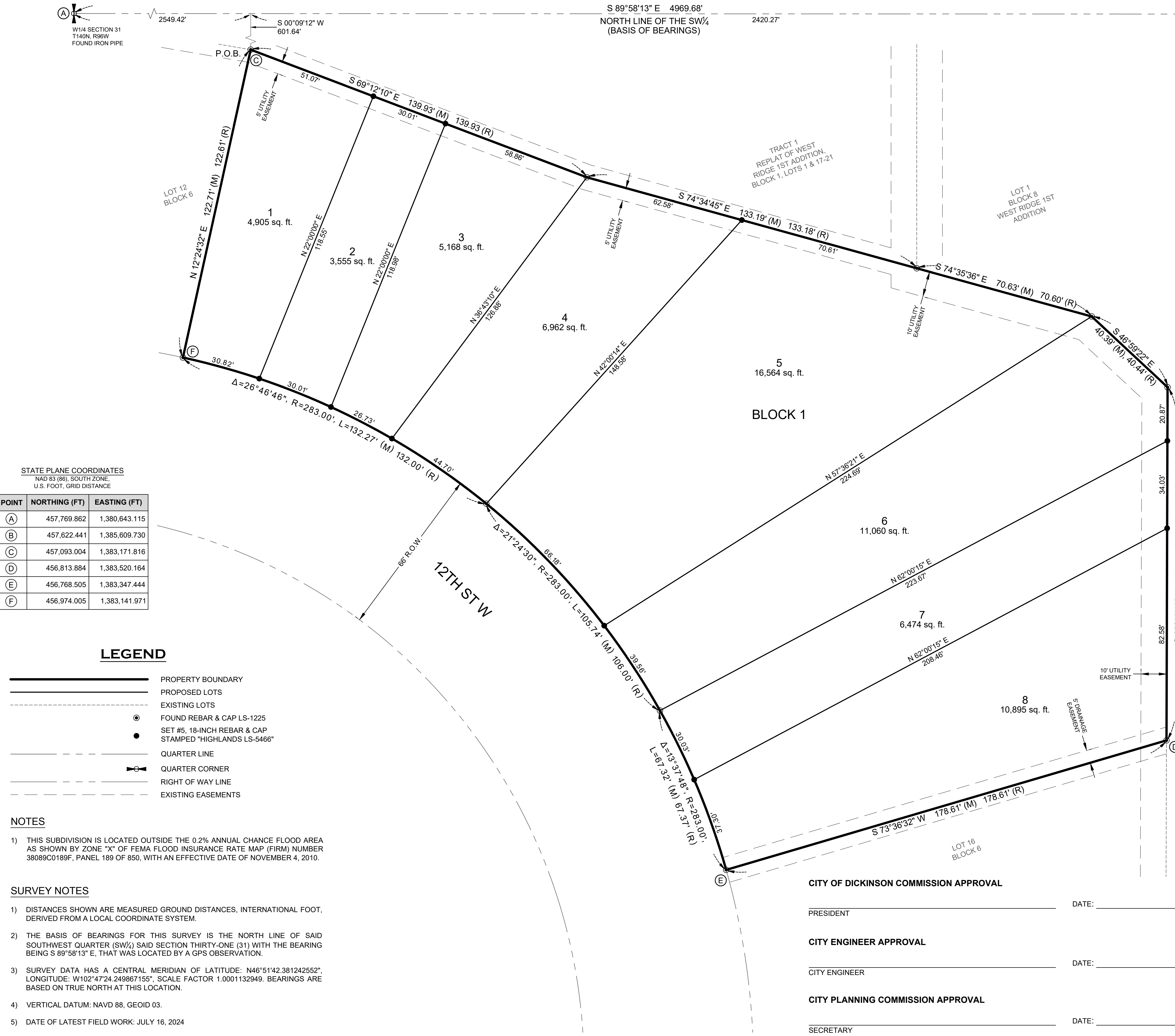
PRESIDENT _____ DATE: _____

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

SECRETARY _____ DATE: _____



STATE PLANE COORDINATES
NAD 83 (86), SOUTH ZONE,
U.S. FOOT, GRID DISTANCE

POINT	NORTHING (FT)	EASTING (FT)
(A)	457,769.862	1,380,643.115
(B)	457,622.441	1,385,609.730
(C)	457,093.004	1,383,171.816
(D)	456,813.884	1,383,520.164
(E)	456,768.505	1,383,347.444
(F)	456,974.005	1,383,141.971

LEGEND

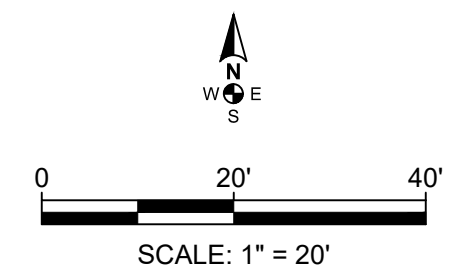
- PROPERTY BOUNDARY
- PROPOSED LOTS
- EXISTING LOTS
- FOUND REBAR & CAP LS-1225
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
- QUARTER LINE
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS

NOTES

1) THIS SUBDIVISION IS LOCATED OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AREA AS SHOWN BY ZONE "X" OF FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 38089C0189F, PANEL 189 OF 850, WITH AN EFFECTIVE DATE OF NOVEMBER 4, 2010.

SURVEY NOTES

- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) SAID SECTION THIRTY-ONE (31) WITH THE BEARING BEING S 89°58'13" E, THAT WAS LOCATED BY A GPS OBSERVATION.
- SURVEY DATA HAS A CENTRAL MERIDIAN OF LATITUDE: N46°51'42.381242552", LONGITUDE: W102°47'24.249867155", SCALE FACTOR 1.0001132949. BEARINGS ARE BASED ON TRUE NORTH AT THIS LOCATION.
- VERTICAL DATUM: NAVD 88, GEOID 03.
- DATE OF LATEST FIELD WORK: JULY 16, 2024



HIGHLANDS ENGINEERING
319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER: 241437	SCALE: 1"=20'
DRAWN BY: AJA	DATE: 08/01/24



West Ridge 4th Addition
Major Plat staff report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: November 6, 2024
Re: **FLP-018-2024 West Ridge 4th Addition Major Plat**

OWNER/APPLICANT

Aaron Grinsteinner/Venture Homes
 PO Box 1316
 Dickinson, ND, 58602
 Venturehomesnd.aaron@gmail.com
 (701) 290-1298

APPLICANT'S REPRESENTATIVE

Andrew Schrank/Highlands Engineering
 319 24th Street East
 Dickinson, ND 58601
 schrank@highlandseng.com
 (701) 483-2444

Public Hearing	November 13, 2024	Planning and Zoning Commission
Final Action	November 19, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting the approval of the West Ridge 4th Addition Subdivision being the Replat of Lots 13-15, Block 6 of the Replat of West Ridge 1st Addition, Block 1, Lots 1 & 17-21, located in the SW1/4 of Section 31, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. According to the applicant, the purpose of the proposed subdivision is to construct nine units, with seven townhomes on individual lots and two units on one duplex lot. The seven townhome units on individual lots will be sold to the occupants, and the duplex units will be rented out by the developer. The site is currently zoned Medium-Density Residential (R-2), and the proposed subdivision is +/- 1.51 acres.

Staff Recommendation: Staff recommends approval of the final major plat of the West Ridge 4th Addition Major Plat.

LOCATION

The property is located in the SW ¼ of Section 31, Township 140 North, Range 96 West in the City of Dickinson. There are single-family attached residences on the adjacent property to the west. The other adjacent lots, including the R-3 zoned property to the west on the other side of 12th Street West, is also currently undeveloped.

CURRENT ZONING	R-2
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.51
LOTS PROPOSED	8

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	P	Undeveloped
East	P	Undeveloped
South	R-2 & R-3	Undeveloped residential
West	R-2	Single-family attached residences

STAFF ANALYSIS

A major subdivision plat is defined in Municipal Code Section 34.030 as any subdivision that does NOT meet the following criteria:

- a. Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure;*
- b. Does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;*
- c. Does not violate any local, state or federally-adopted law, ordinance, regulation, plan or policy;*
- d. Consists of four lots or less (Ord No. 1545 § 1)*

This proposed subdivision consists of eight total lots, greater than the four lots permitted by a minor subdivision. Therefore, this project is defined as a major subdivision.

The proposed development matches the definition of a townhouse as defined in Section 39.03.004c as “The use of a site for three or more attached dwelling units, each occupied by one family and separated by vertical side walls extending from foundation through roof without openings. Each townhouse Community development unit must have at least two exposed exterior walls.”

A townhouse development requires 7,000 square foot lots for the first unit, with 3,000 additional square feet per additional unit. Three-unit townhouses, as proposed by the applicant, would require a total of 13,000 square feet per building, with each unit on a lot greater than or equal to 3,000 square feet. The proposed development meets these requirements.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: The Community Development staff recommends **approval** of this development project.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-018-2024 West Ridge 4th Addition Major Plat** 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 (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-018-2024 West Ridge 4th Addition Major Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: [Jotform](#)
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Thursday, October 3, 2024 10:47:52 AM
Attachments: [Preliminary Dvirnak Subdivision.pdf](#)
[Pre Application Meeting Minutes.pdf](#)
[Lots 4-6 Deeds.pdf](#)
[Transmittal Letter.pdf](#)
[6037810764321909367_signature_19.png](#)
[6037810764321909367_signature_23.png](#)



Unified Development Application

Have you met with Planning Staff regarding your application? Yes

Please upload the letter or counseling form you received following your pre-application meeting: [Pre Application Meeting Minutes.pdf](#)

Type of Development

Is this a Replat Yes

Subdivision Being Re-platted

Name

Applicant Email

Applicant Phone #

Applicant Representative (if applicable)

Applicant Representative Company

Applicant Representative Email

Applicant Representative Phone #

Owner Name

Owner Address 2233 Country Oak Dr, Dickinson, ND, 58601

Owner Email cleanright360@gmail.com

Owner Phone # (701) 580-2919

Is the owner present to Sign Yes

Signature 

Will this application require any other action to complete the development? No

	1/4 Section	Township	Range
Description	sw1/4 28	140	96

Property Address / General Project Location 2233 Country Oak Drive Lots 5A, 5B & 6 Block 3 Country Oaks Estate 2nd Subdivision

Total Square Footage or Acreage of Subject Property 31358sf

Transmittal Letter (Explanation of Request & Proposed Operations) [Transmittal Letter.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat Dvirnak First Subdivision

Number Lots 1 to 10 Lots

Number of Block(s) 1

2

Application Calc 500

Required Documentation Upload [Preliminary Dvirnak Subdivision.pdf](#)

Deed for Property [Lots 4-6 Deeds.pdf](#)

Application Fees Applicable Fees 500.00 USD

Total: \$500.00

Transaction ID: fwnj5g91

Payment Information

First Name: Northern Plains

Last Name: Engineering

E-Mail: cleanright360@gmail.com

Applicant Signature

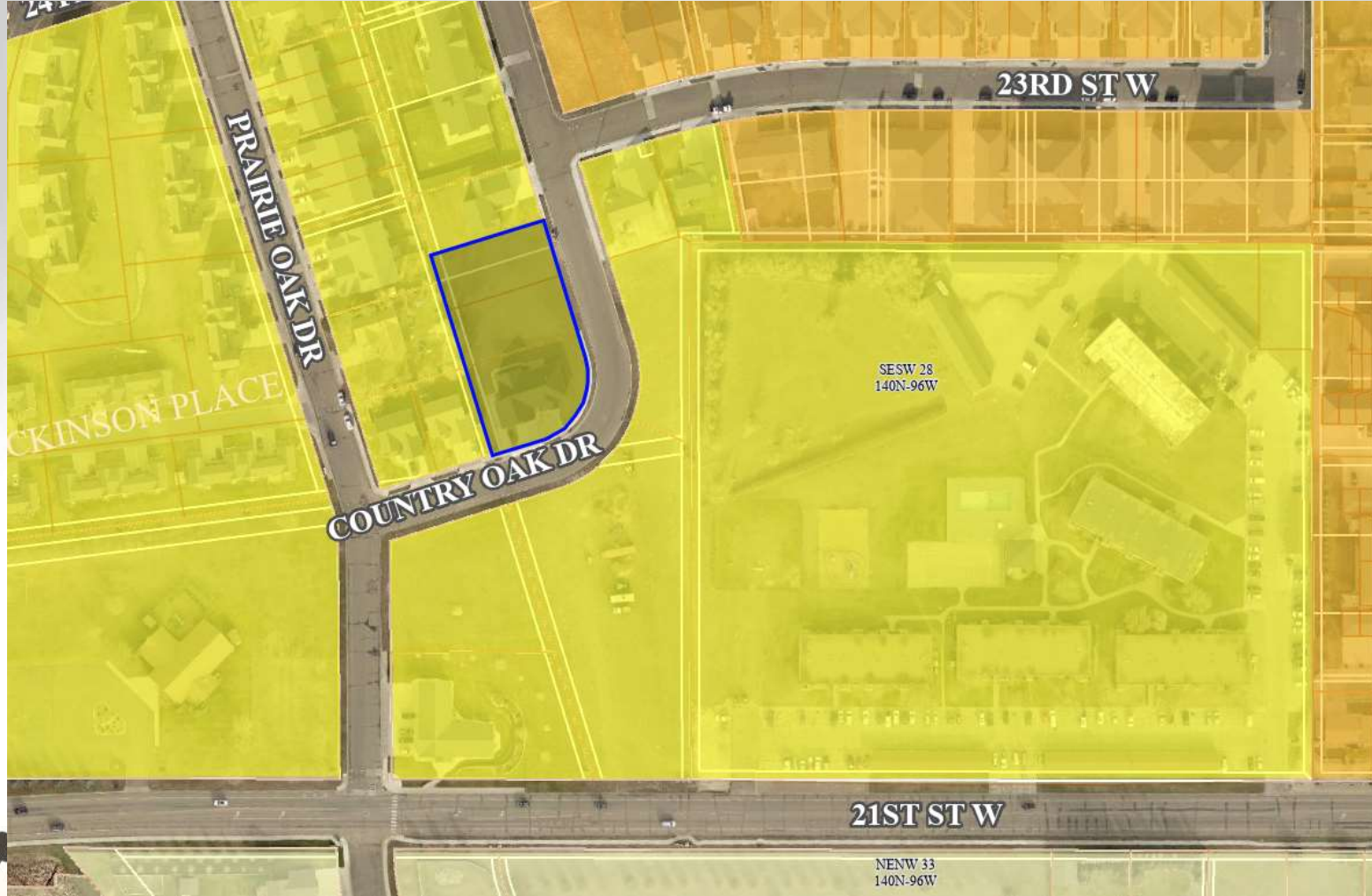


Date 10-03-2024

You can [edit this submission](#) and [view all your submissions](#) easily.

DVIRNAK MINOR SUBDIVISION (FLP-019-2024)

Section 3. Item B.



Transmittal Letter

The purpose of this replot is for the addition of a detached garage.

In the Country Oaks Estates Second Addition. We would like to separate 58 ft of LOT 5B BLOCK 3 and add that portion to LOT 6 BLOCK 3.

After removing 56 ft from LOT 5B BLOCK 3 the remaining 10 ft would be added to LOT 5A.

Respectfully, Dwight and Gaye Dvirnak 9-23-2024

DVIRNAK FIRST SUBDIVISION

BEING THE REPLAT OF LOTS 5A, 5B & 6 BLOCK 3, COUNTRY OAKS ESTATES SECOND ADDITION,
 LOCATED WITHIN THE SW1/4 OF SECTION 28, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN,
 CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

SURVEYOR'S CERTIFICATE

I, JEREMY WOOD, REGISTERED LAND SURVEYOR, NORTH DAKOTA REGISTRATION NUMBER ND-5651, DO HEREBY CERTIFY THAT THE PLATTED LOTS AS SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS THEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

 JEREMY WOOD, LS-5651

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE SAME PERSON(S) DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME:

 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC SIGNATURE

PROPRIETOR'S CERTIFICATE

WE, MARQUIS PROPERTY & DEVELOPMENT, RESIDING AT _____ OWNERS AND PROPRIETORS OF LOT 5A & 5B BLOCK 3, COUNTRY OAKS ESTATES SECOND ADDITION, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, AS SHOWN AND DESCRIBE HEREON, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON, AND DO HEREBY DEDICATE AND/OR RESERVE ALL EASEMENTS AND RIGHTS OF WAY AS SHOWN.

MARQUIS PROPERTY & DEVELOPMENT

IN WITNESS THEREOF, WE HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE SAME PERSON(S) DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME:

 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC SIGNATURE

PROPRIETOR'S CERTIFICATE

WE, DWIGHT & GAYE DVIRNAK, RESIDING AT _____ OWNERS AND PROPRIETORS OF LOT 6 BLOCK 3, COUNTRY OAKS ESTATES SECOND ADDITION, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, AS SHOWN AND DESCRIBE HEREON, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON, AND DO HEREBY DEDICATE AND/OR RESERVE ALL EASEMENTS AND RIGHTS OF WAY AS SHOWN.

DWIGHT & GAYE DVIRNAK

IN WITNESS THEREOF, WE HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____

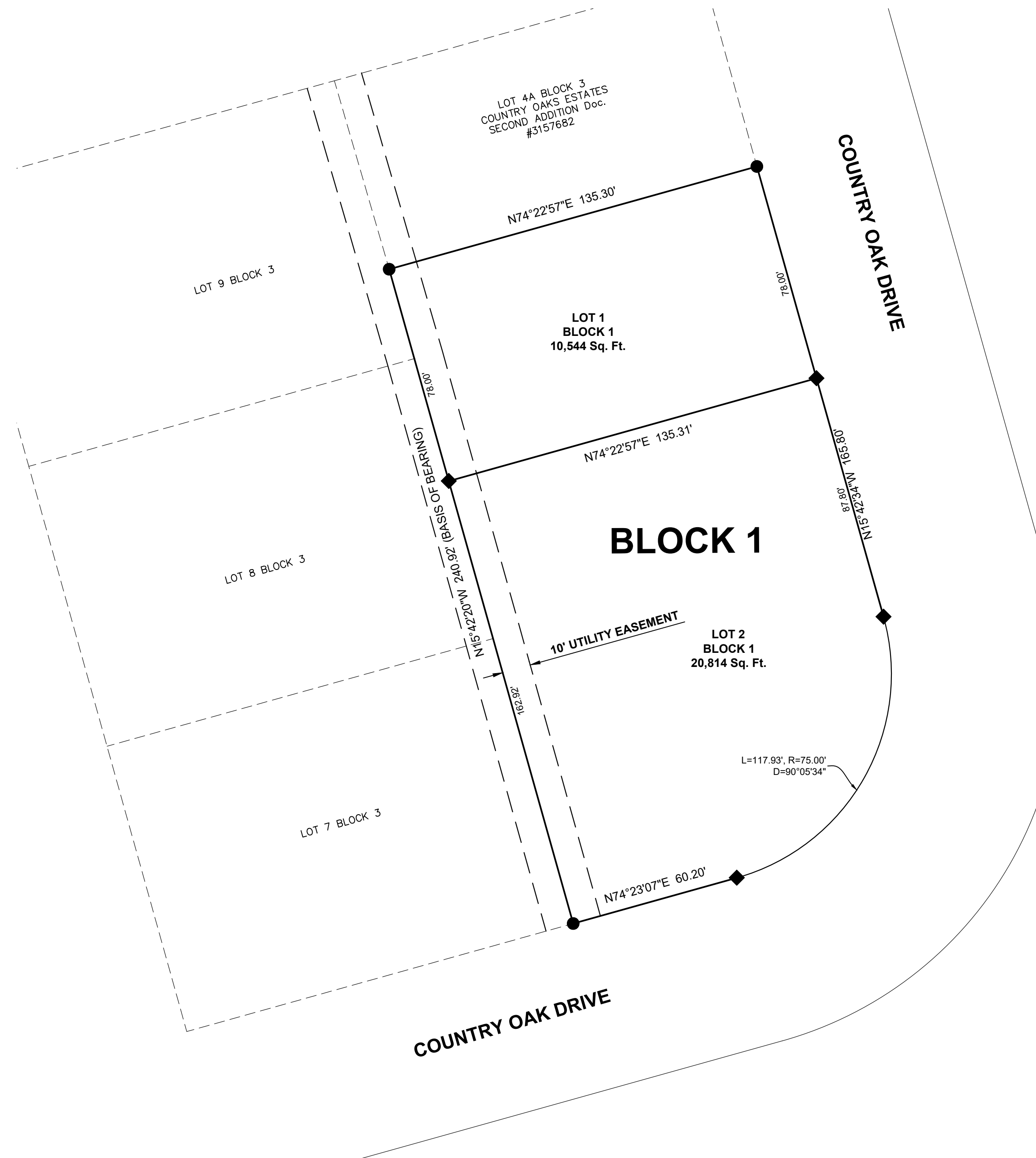
STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE SAME PERSON(S) DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME:

 MY COMMISSION EXPIRES: _____

NOTARY PUBLIC SIGNATURE



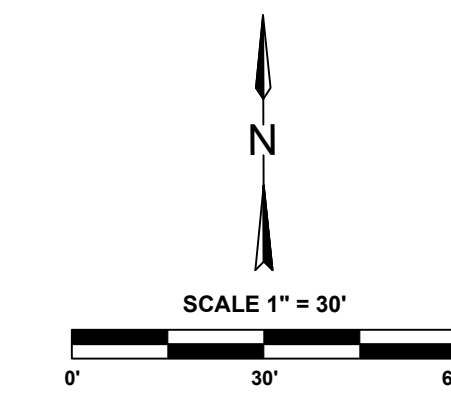
BOUNDARY DESCRIPTION

A TRACT OF LAND LYING WITHIN THE SW1/4 OF SECTION 28, TOWNSHIP 140 NORTH RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DICKINSON, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 6, 5B & 5A BLOCK 3, COUNTRY OAKS ESTATES SECOND ADDITION WHICH IS A TRACT OF LAND LYING IN LOTS 4, 5 AND 6, BLOCK 3 OF COUNTRY OAKS ESTATES SECOND ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 31,358 SQ. FT., MORE OR LESS AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

SURVEY NOTES:

- DISTANCES SHOWN ARE GROUND DISTANCES, INTERNATIONAL FEET, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- THIS SURVEY IS BASED UPON A RETRACEMENT OF THAT IRREGULAR PLAT AS RECORDED UNDER DOCUMENT NUMBER 3157682 RECORDS OF STARK COUNTY.
- THIS SURVEY DOES NOT PURPORT TO SHOW THE EXISTENCE OF ALL EASEMENTS OR OTHER ENCUMBRANCES RECORDED OR UNRECORDED, THAT MAY AFFECT THIS PROPERTY.
- THIS SUBDIVISION IS LOCATED OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AREA AS SHOWN ON FEMA FLOOD INSURANCE MAP (FIRM) AS SHOWN ON MAP NUMBER 38089C0191E, PANEL 191 OF 850 EFFECTIVE NOVEMBER 4, 2010.



LEGEND

- FOUND REBAR & CAP "NPE LS-5651"
- ◆ SET REBAR & CAP "NPE LS-5651"

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

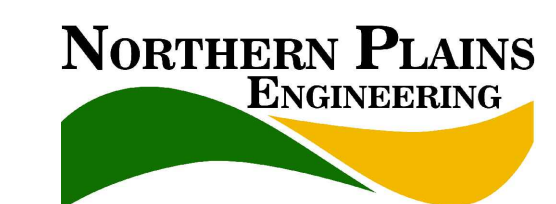
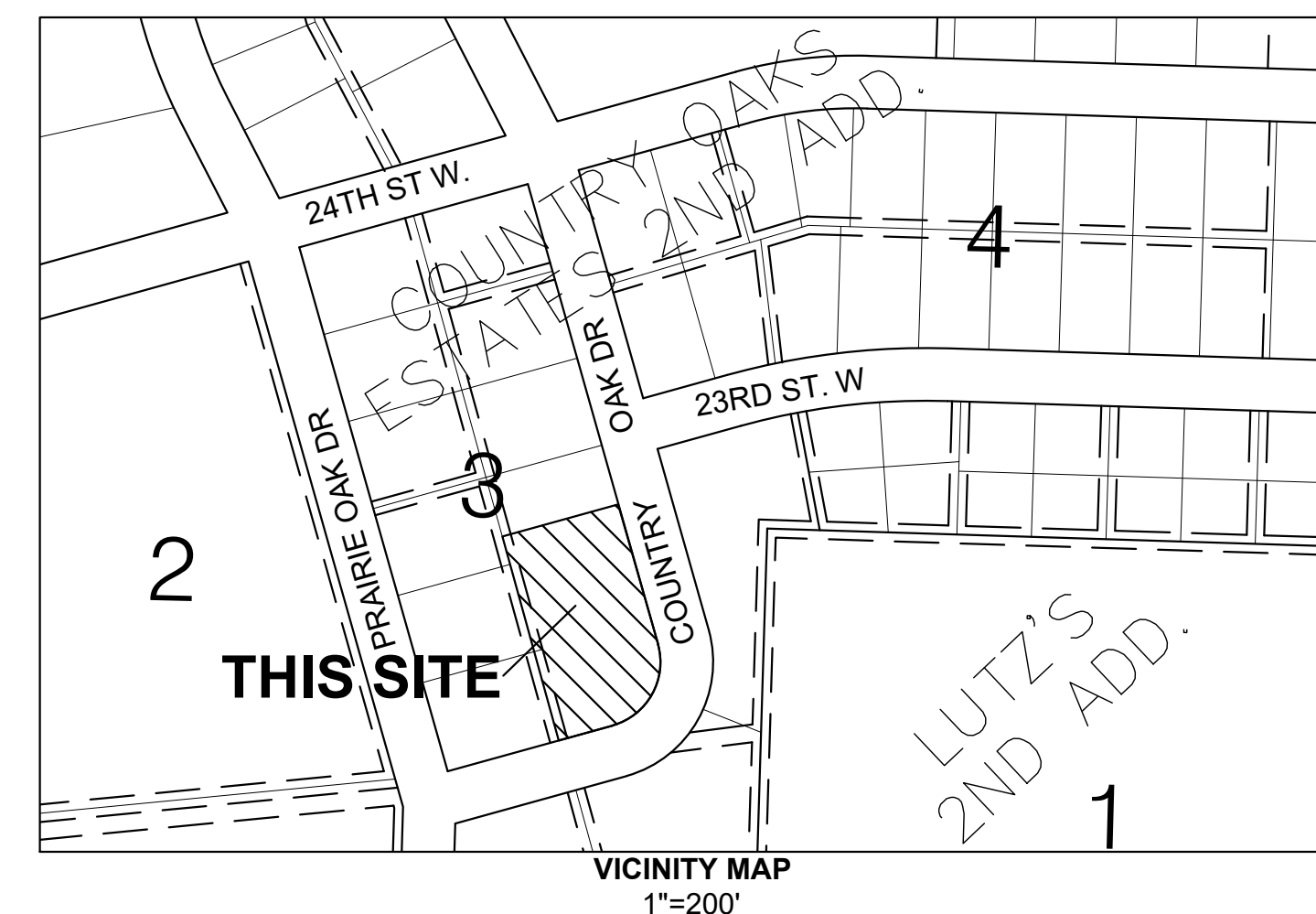
PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____



PROJECT NO. 240316
 SHEET 1 OF 1



Dvirnak FINAL MINOR PLAT STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: November 6, 2024
Re: **FLP-019-2024 Dvirnak Final Minor Plat**

OWNER/APPLICANT

Dwight Dvirnak/Gaye Dvirnak
 2233 Country Oak Drive
 Dickinson, ND 58601
 Cleanright360@gmail.com
 (701) 580-2919

APPLICANT’S REPRESENTATIVE

Northern Plains Engineering/Jeremy Wood
 441 23rd Street West
 Dickinson, ND 58601
 jwood@nplainseng.com
 (701) 483-1858

Public Hearing	November 13, 2024	Planning and Zoning Commission
Final Action	November 19, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Dvirnak Subdivision, being a replat of Lots 5A, 5B, and 6 in Block 3 of the Country Oaks Estates Second Addition, located within the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, in the City of Dickinson, Stark County, North Dakota. According to the applicant, the purpose of the proposed subdivision is to divide Lot 5B and combine the south 58 feet with Lot 6 to construct a detached garage. The lot is currently zoned Medium-Density Residential (R-2), and the proposed subdivision is +/- 0.72 acres.

Staff Recommendation: Staff recommends approval of the Dvirnak Subdivision.

LOCATION

The property is a replat of Lots 5A, 5B, and 6 in Block 3 of the Country Oaks Estates Second Addition, located within the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, in the City of Dickinson, Stark County, North Dakota. This subdivision

contains the existing residence at 2233 Country Oaks Drive as well as two currently-undeveloped lots.

CURRENT ZONING	R-2
FUTURE LAND USE MAP DESIGNATION	Residential
GROSS SITE ACREAGE	+/- 0.72
LOTS PROPOSED	2

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-2	Single-family residence
East	R-2 & R-3	Single-family residence; Townhouses
South	R-2	Undeveloped; Multi-family residence
West	R-2	Single-family residence; Duplex

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

Lots 5A and 5B were previously created through an administrative lot modification. As such, the reconfiguration of the lots requires City Commission approval of a minor subdivision plat, as stated in Section 34. of the City of Dickinson’s Municipal Code.

According to Section 34.030 of the Municipal Code, a minor subdivision shall meet the following criteria:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure; and
- Does not land-lock or otherwise impair convenient ingress and egress to or from the rear side of the subject tract or any adjacent property; and
- Does not violate any local, state, or federally-adopted law, ordinance, regulation, plan or policy; and
- Consists of four lots or less.

Staff finds the proposed Dvirnak Subdivision meets those criteria.

According to Section 39.04 of the Municipal Code, the minimum R-2 lot size is 7,000 square feet. Both of the proposed lots meet that requirement and therefore would be legally conforming.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: The Community Development staff recommends **approval** of this development project.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-019-2024 Dvirnak Final Minor Plat** 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 (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-019-2024 Dvirnak Final Minor Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: [Jotform](#)
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Tuesday, October 15, 2024 12:02:06 PM
Attachments: [Plum Creek Canines Pre-Application Letter \(1\).pdf](#)
[Plum Creek Canine SUP Application.pdf](#)
[Deed and Purchase Agreement.pdf](#)
[PCC Site Map Plan.png](#)
[6048242906115302286_signature_19.png](#)
[6048242906115302286_signature_23.png](#)



Unified Development Application

Have you met with Planning Staff regarding your application? Yes

Please upload the letter or counseling form you received following your pre-application meeting: [Plum Creek Canines Pre-Application Letter \(1\).pdf](#)

Type of Development

Name

Company

Applicant Email

Applicant Phone #

Owner Name

Owner Address

Owner Email

Owner Phone #

Is the owner present to Sign Yes

Signature

Will this application require any other action to complete the development?

No

	1/4 Section	Township	Range
Description	34	140-95	SW ¹ / ₄ of the SW ¹ / ₄

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	N/A	N/A	N/A

Property Address / General Project Location

10493 ND 10

Total Square Footage or Acreage of Subject Property

2.5 acres

Existing Future Land Use Map Category

Rural Residential

Existing Zoning

RR - Rural Residential

Existing Use

Residential Single Family

Overlay District Description

N/A

Special Use Permit for the following Use:

Dog kennel

Site Exhibit - Not Less than 1" = 20' Scale

[PCC Site Map Plan.png](#)

Transmittal Letter (Explanation of Request & Proposed Operations)

[Plum Creek Canine SUP Application.pdf](#)

Rezone Calc Multiplier

0

Minor Platting Multiplier

0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property [Deed and Purchase Agreement.pdf](#)

Application Fees Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: nxw00pq8

Payment Information

First Name: Neveah

Last Name: Baranko

E-Mail plumcreek.canines@gmail.com

Applicant Signature



Date 10-15-2024

You can [edit this submission](#) and [view all your submissions](#) easily.

Neveah Baranko - Plum Creek Canines

644 4th St W

Dickinson ND 58601

plumcreek.canines@gmail.com

701-290-8715

October 14, 2024

To whom it may concern,

I hope this letter finds you well. I am writing to formally apply for a special use permit for overnight boarding, dog day services, and training, at **10493 ND10, Dickinson**. It is my sincere belief that this venture will serve the needs of pet owners and community members. By offering convenient dog care and training services, we aim to alleviate challenges faced by individuals and families in the community in accessing these vital services.

At Plum Creek Canines, our mission is to provide a safe, structured, and enriching environment for dogs. Unlike typical dog care services, Plum Creek Canines will operate using a structured schedule that rotates dogs through outdoor exercise, one-on-one interaction, kennel rest times, and enrichment. This results in calm, quiet, and overall better mannered dogs. We understand the importance of adhering to city regulations and guidelines, which is why we are seeking approval for a special use permit.

All dogs will be required to have up-to-date vaccines including rabies, distemper, and parvo. Females in heat will not be allowed to attend. Plum Creek Canines will house a maximum of 35 dogs at a time.

In order to have optimum security, we will take multiple measures. Cameras will be installed in all ranges of the interior and exterior of the facility. When dogs are not being actively supervised, they will be in secure indoor kennels. Plum Creek Canines will operate using a double-barrier system. This entails using gating/fencing, closed doors, and leashes. When owners drop off dogs, they will be required to wait in their cars, and I will go out to personally bring the dog in the facility on leash. Similarly, during pick up times, I will personally take the dog out to their vehicle on leash.

Before being admitted into care, each dog will require an in-depth questionnaire to address any behavioral and health concerns. Play and exercise groups will include a maximum of 5 dogs of compatible temperaments to prevent excess barking.

An accepted purchase offer has been placed on the above named property with a closing purchase date of November 15th, assuming the approval of the Special Use Permit. Please see attached documents related to this property (Deed and Purchase Agreement).

Plum Creek Canines will be operated out of the two existing buildings/shops. One building is 30x53 (1590 sq feet) and the other building is 40x24 (960 sq feet). An indoor play/exercise area and spacious indoor kennels will be provided for dogs. A fenced outdoor area will also be provided for supervised play/exercise. Both buildings have electricity and

access to private well water, as are heated and cooled. The property also has a private septic system. Fire extinguishers and smoke detectors will be placed in both buildings. There are no plans to add additional structures to the property. Please see attached map of area to be approved along with property details.

Spot cleaning will be conducted daily as needed to keep the facility free of accumulating hair, dirt, and other such messes. Dog waste will be picked up daily, bagged, and disposed of. This has been approved by MGM Rural Sanitation.

Customers will have access to the building using a one way loop through the property. Parking is available on and adjacent to this loop.

Insurance will be continued through KennelPro.

The adjacent property owners have been contacted about the proposed special use permit application with no concerns being voiced as of the day of submitting the application.

Plum Creek Canines' goal is to promote responsible pet ownership, enhance the bond between humans and their pets, and contribute to a happier, healthier community overall. We are committed to ensuring that our business operations comply with all zoning ordinances and regulations set forth by the city. We recognize the importance of being good neighbors and will take all necessary measures to minimize any potential impact on surrounding properties.

I respectfully request that our application for a special use permit favorably. I am available to provide any additional information or answer any questions you may have regarding our proposal. Thank you for your time and attention to this matter.

Sincerely,

Neveah Baranko

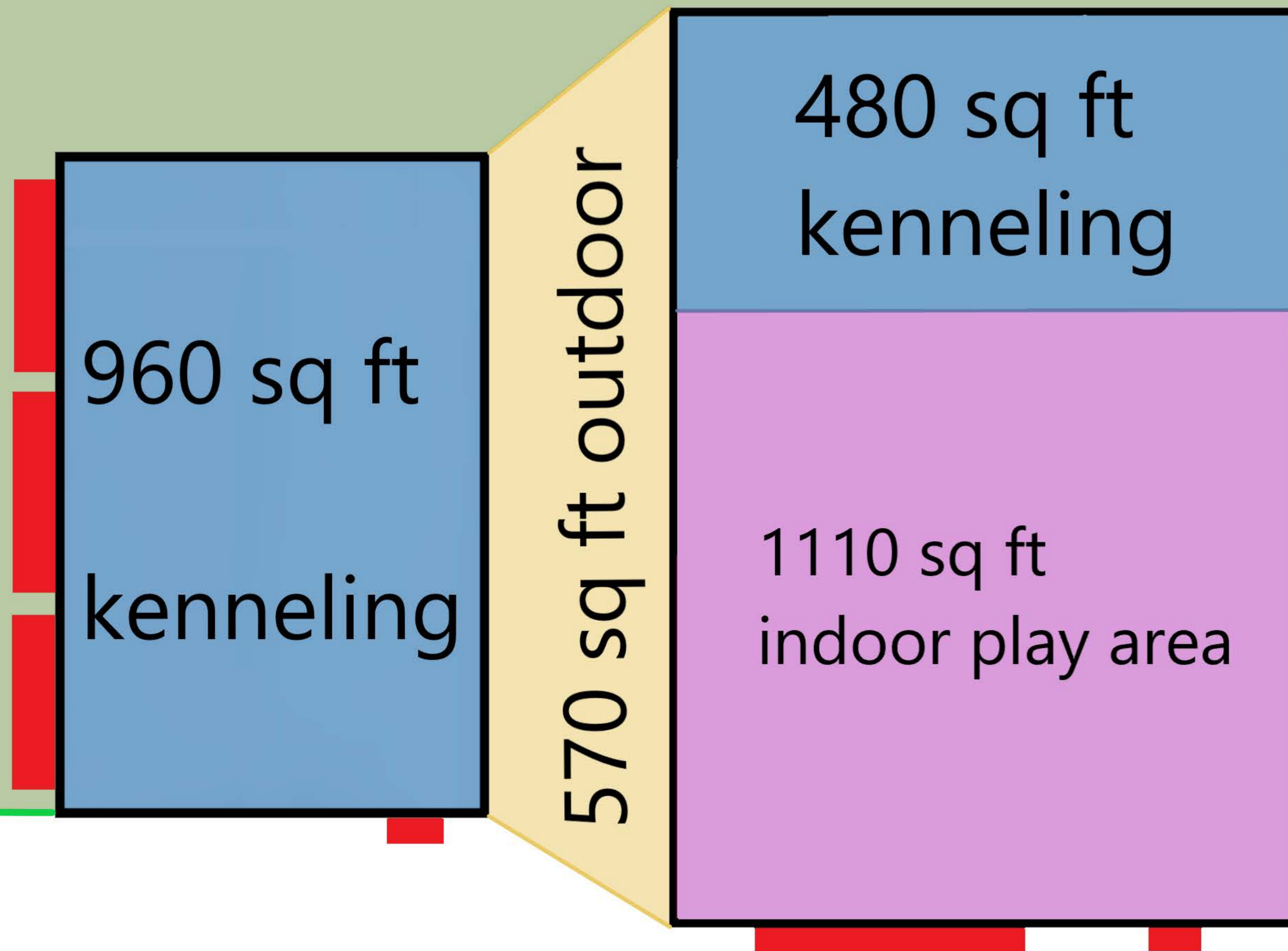


Blue: Parking
Red: Kennel buildings
Yellow: Outdoor run
Green: Future outdoor run space

2 tracts in SW4 34-140-95
306.75 x 177.5 (1.25 acres) and
306.75 x 162.5 plus 15 x 306.75
(1.25 acres). Total of 2.5 acres.



Red: Parking
Blue: Indoor play/kenneling
Yellow: Outdoor run
Green: Future outdoor runs





BED N BISCUIT RANCH
8700 80TH ST NE, BISMARCK, ND 58503
701-415-0494
www.BedNBiscuitRanch.com

Section 3. Item C.

November 3, 2024

Subject: Letter of Support for Neveah Baranko

To whom this may concern,

My name is Lila Teunissen, and I am the co-owner of Bed N Biscuit Ranch and Bed N Biscuit 2 located in Bismarck, ND. Bed N Biscuit Ranch offers dog and cat boarding, grooming, and dog daycare and training. Bed N Biscuit 2 offers dog and cat boarding and dog daycare as well as an underwater treadmill for dogs. We opened Bed N Biscuit Ranch in 2018 because there was such a shortage of quality boarding locations in the area. Since we opened in 2018, we realized there is also a huge shortage of dog boarding and training facilities in the Dickinson and Williston area. We have a significant number of clients that come from the Dickinson/Williston area because the couple of boarding facilities in the area are usually full. Ms. Neveah Baranko's proposed boarding and training facility will help to fill a serious need in the Dickinson area.

The location that she has selected is pretty far east of town with few residents nearby. An in-home dog daycare is already operating across the street, and I presume hasn't had many if any complaints (Home Away Pet Boarding). It is a smaller operation but is the same service as Ms. Baranko's and has been allowed to operate.

Ms. Baranko's facility will not have outdoor runs, which greatly reduces the noise impact on the local neighbors. Bed N Biscuit 2 has no outdoor runs, is located in town, and we have many neighbors that are surprised that our building is a kennel because an all-indoor facility has minimal noise that can be heard outside the building. Dogs tend to be fairly quiet during group plays outside because they are busy chasing each other, smelling things, and burning off energy. There are occasional play barks, but these are short in duration and there is no incessant nuisance barking while dogs are outside. Ms. Baranko plans to have supervised plays outside, like our operations, and should therefore have a minimal noise impact on the area.

Ms. Baranko has been doing a great deal of research to ensure the location, building design, and operations are appropriate for the area and create a minimal impact on surrounding neighbors. Additionally, she will be filling a significant void in dog boarding services in the Dickinson area. I sincerely hope that you support her business and allow her to provide a much-needed service for your local pet parents.

I am happy to answer any specific questions that you may have at the number below.

Sincerely,

Lila Teunissen

Co-owner/lead trainer

Bed N Biscuit Ranch

Bed N Biscuit 2

701-425-7289 (personal Cell)

missi.baranko@gmail.com

From: Neveah Baranko <neveah.baranko@gmail.com>
Sent: Tuesday, November 5, 2024 10:10 AM
To: Missi.Baranko@gmail.com
Subject: Fwd: Neighborhood Doggy Daycare
Attachments: Outlook-v50h0ymd.png

----- Forwarded message -----

From: **JoDee Foss** <jodee@jodeefoss.com>
Date: Mon, Nov 4, 2024, 2:20 PM
Subject: Neighborhood Doggy Daycare
To: neveah.baranko@gmail.com <neveah.baranko@gmail.com>

RE: City of Dickinson, permitting for doggy daycare/boarding

Hello!

I am JoDee Foss, I live right across the street from the current location of Plum Creek Paws, off 4th Street W. and 7th Ave West in Dickinson.

I work out of my home and have my windows and doors open more often than not. I am outside frequently, with my grandchildren. Keeping my neighborhood safe and peaceful is important to me. When I learned that I was going to have a dog business right across the street, I took a deep breath knowing that this could either go really good or potentially bad.

The result of this business to my neighborhood was nothing short of awesome! There has been no negative impact to my neighborhood. I am incredibly impressed by the responsible nature of Plum Creek's business operation. One would never know that there is a doggy daycare/training facility in the garage of this property. I have never heard barking dogs, whining, nor have I seen a mess of any kind, nor have there been any strange unwanted smells. What I have witnessed as a close neighbor whose view is this garage facility is nothing short of strong responsible pet ownership. Neveah demonstrates how pet owners should be. She exhibits control of the dogs when they are outside of the facility. Always on a leash, and all messes are immediately cleaned up. The peacefulness and safety of my neighborhood was in no way changed with having Neveah and her business in operation. As a matter of fact, a person wouldn't even know the business was there!

As a matter of fact, our community needs more of this education and care for local pets. Neveah is limited with what she can do for us in this location. I support Neveah in growing her business as our community desperately needs her expertise and dedication to parenting of our furry friends!! I stand up against any negative concerns in acquiring Neveah and Plum Creed Paws to any neighborhood! She is a wonderful addition to our community and I encourage her growth and acceptance!

Please let me know if I can be of further assistance.

In good faith,
JoDee Foss
[417 7th Ave W](#)
[Dickinson, ND 58601](#)



JoDee Foss, Broker
(c) 701.260.2405
(o) 701.483.4836
jodee@jodeefoss.com
Office: [1674 15th St W, Suite B](#)
[Dickinson, ND 58601](#)



Neveah has been taking care of bleu and Roxie for since she first opened up her business. She always lets me know how the dogs are with her, takes pictures of them. Keeps me updated on how they are if they are in daycare. She takes time to focus on their behavior and what needs attention. She's very compassionate and has patience with them. She's very nurturing! They absolutely love her!

Scott & Kathy Olin
757 14th Street East
Dickinson, ND 58601

October 31, 2024

City of Dickinson
Planning and Zoning Commission
38 1st Street West
Dickinson, ND 58601

Members of the Planning and Zoning Commission:

We are writing in support of Neveah Baranko, and her business, Plum Creek Canines.

Neveah has worked with our dogs in a training capacity, as well as providing dog daycare, check-ins, and dog walking while we have been out of town several times in the past months. The services and care furnished have been exemplary and above our expectations. We feel our pets have received professional and outstanding care and have developed a very positive bond with Neveah.

We know there is a shortage of quality boarding and dog care facilities in this area, and will continue to use Plum Creek Canines, where our dogs are watched over, exercised, fed and treated very well. This is a critical service for dog owners and appreciate the reasonable cost and peace of mind we have while using Neveah's services.

Scott Olin 701-290-6979

Kathy Olin 701-59-2577

missi.baranko@gmail.com

From: Jared Goldade <jmgoldade87@gmail.com>
Sent: Wednesday, October 23, 2024 12:08 PM
To: missi.baranko@gmail.com
Subject: Fwd: Letter for buyer

----- Forwarded message -----

From: **Jared Goldade** <jmgoldade87@gmail.com>
Date: Tue, Oct 22, 2024 at 8:24 PM
Subject: Letter for buyer
To: Rebecca Thorpe <wpbecky@ndsupernet.com>

I, Jared Goldade personal representative of Edward Goldade Jr estate recommend allowing the new owners to run a dog boarding business out of the residence of 10493 hwy 10 Dickinson ND.

Thank you Jared Goldade.

November 2, 2024

Attention: Dickinson, ND Planning and Zoning Committee

RE: Special Use Permit SUP-006-2024

Here are some issues we have at this point:

First, I see this as having a direct negative impact on our quality of life. I've never been near or at a kennel that did not have barking dogs. All the time-never stopping-barking. All I envision is barking when we sleep with our windows open, or barking when we have the house opened up and sit in our home to watch TV or visit with guests, or barking when we sit on our back deck and try to eat dinner. Studies have shown that loud noise has a strong correlation with declining property values. All it takes is one careless neighbor to cause this effect in a neighborhood.

Second, I see no way that this will have anything other than a negative impact on our property value. I would not buy this property if it already had a dog kennel within close proximity. I built a house in the country because it'd be quiet and peaceful, which it is right now. But I fear that will end if granted a variance or rezoning. Dog kennels can affect the price of property, the breed of their dog can drive down the price of a home and drive away prospective buyers.

The undersigned are not in favor of this special use permit for a kennel located at 10493 Hwy 10 in the city of Dickinson ETZ located in a rural residential zoned area to house up to 35 dogs.

Questions: Would the business have a fencing ordinance, what about insurance requirements-- insurance to cover anything that may happen to any ones property or destruction that there animals may cause. What about waste? How do they plan to dispose of that? And the smell? Who enforces the ordinance for this project? What happens with this if they decide to sell in the future?

John P. Schneider
NAME

phone 701 290-5915
11-02-2024
DATE

addresses 2 Properties
18496 Hwy 10 + 3596 108th ave SW
address

Flora C. Bantz
NAME

11-02-2024
DATE

10499 Hwy 10 Dickinson ND

Willie Krutz
NAME

11-02-2024
DATE

10499 Hwy 10 Dickinson ND

Kimberly McGrawey
NAME

11-02-24
DATE

10499 Hwy 10 Dickinson, ND

Tony Koppinger
NAME

11-02-24
DATE

10462 Hwy 10 Dickinson

Bonnie Wan
NAME

11-02-24
DATE

10468 Hwy 10 Dickinson

Julie Jahner
NAME

11-2-24
DATE

10474 Hwy 10 Dickinson

Kim Jahner
name

11-3-24

10474 Hwy 10 Dickinson

BRAN Toeger
name

11-6-24
date

10481 Highway 10 Dickinson



PLUM CREEK CANINES SUP STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: November 6, 2024
Re: **SUP-006-2024 Plum Creek Canines Special Use Permit**

OWNER

Edward Goldade/Jared Goldade
 10493 Highway 10
 Dickinson, ND 58601
 Jmgoldade87@gmail.com

APPLICANT

Neveah Baranko
 644 4th Street West
 Dickinson, ND 58601
 plumcreek.canines@gmail.com
 (701) 290-8715

Public Hearing	November 13, 2024	Planning and Zoning Commission
Final Action	November 19, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting the approval of a Special Use Permit (SUP) for a kennel at 10493 ND Highway 10, in the City of Dickinson's Extra-Territorial Zone. In addition to overnight boarding, the applicant will also provide pet training and pet day care. The lot is currently zoned Rural Residential (RR), and the proposed subdivision is +/- 2.5 acres.

Staff Recommendation: Staff recommends approval of the Plum Creek Canines SUP subject to conditions.

LOCATION

The property is legally described as a 1.25 acre tract of land located in the SW¼ of Section 34, Township 140 North, Range 95 West, of the 5th Principal Meridian, in the City of Dickinson's ETZ, Stark County, North Dakota. The property address is 10493 ND Highway 10.

CURRENT ZONING	RR
FUTURE LAND USE MAP DESIGNATION	Residential
GROSS SITE ACREAGE	+/- 2.5
LOTS PROPOSED	1

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agriculture
East	AG & RR	Agriculture; Single-family residence
South	RR	Single-family residence
West	RR & AG	Single-family residence; Agriculture

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

The transmittal letter submitted by the applicant indicates that a maximum of 35 dogs would be in their care at any given time. Dogs will be boarded in two detached accessory structures, adding up to a site area of approximately 2,550 square feet.

According to Municipal Code Section 39.03.007, a kennel is described as *“boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities; pet motels, or dog training centers.”* The business operations as described by the applicant match this description and are subject to any kennel regulations outlined in the Municipal Code.

The applicant has submitted a site plan establishing the areas where business operations will take place. Kenneling will take place inside the two pre-existing accessory structures behind the primary residence: one being 960 square feet, and the other being 1,590 square feet. Only 480 square feet of the second structure will be dedicated to kenneling, as the other 1,110 square feet will contain an indoor play area. These accessory structures are located over 100 feet from the lot lines of the adjacent properties.

A 570 square foot outdoor run will be utilized in the space between the structures when the weather allows it. This area is blocked from view of the properties to the East, West, and South of the property.

According to Table 9-1: Minimum Off-Street Parking Requirement in Section 39.09.003, kennels require a number of parking spaces equal to or greater than 1 space per employee and one stall per 5,000 square feet of site area. The applicant has indicated that, while she will initially be the sole employee, she plans to one day expand to have up to four additional employees. This means the required number of parking spaces would be six. The included site plan has six planned parking spots, which meets this requirement.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has gotten comments from two nearby homeowners since the application's advertisement. One homeowner was concerned by the number of dogs being boarded at once, and the other was concerned about the effect that a kennel could have on his property's sale value.

Staff Recommendation: The Community Development staff recommends **approval** of this Special Use Permit with the following conditions:

- Operation of the kennel shall be as described in this staff report as well as in the material found in Attachment A;
- No more than 35 dogs shall be boarded at one time;
- The business shall not employ more than five (5) employees at a given time, including the applicant;
- The SUP approval shall expire with any change in ownership of the business or property. All subsequent owners of the property shall be required to reapply for SUP approval; and
- Operation of the Pet Day Care Center shall comply with all applicable City, County, State and Federal regulations.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-006-2024 Plum Creek Canines Special Use Permit** 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 (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **SUP-006-2024 Plum Creek Canines Special Use Permit** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

Direction

COMPREHENSIVE PLAN



2050

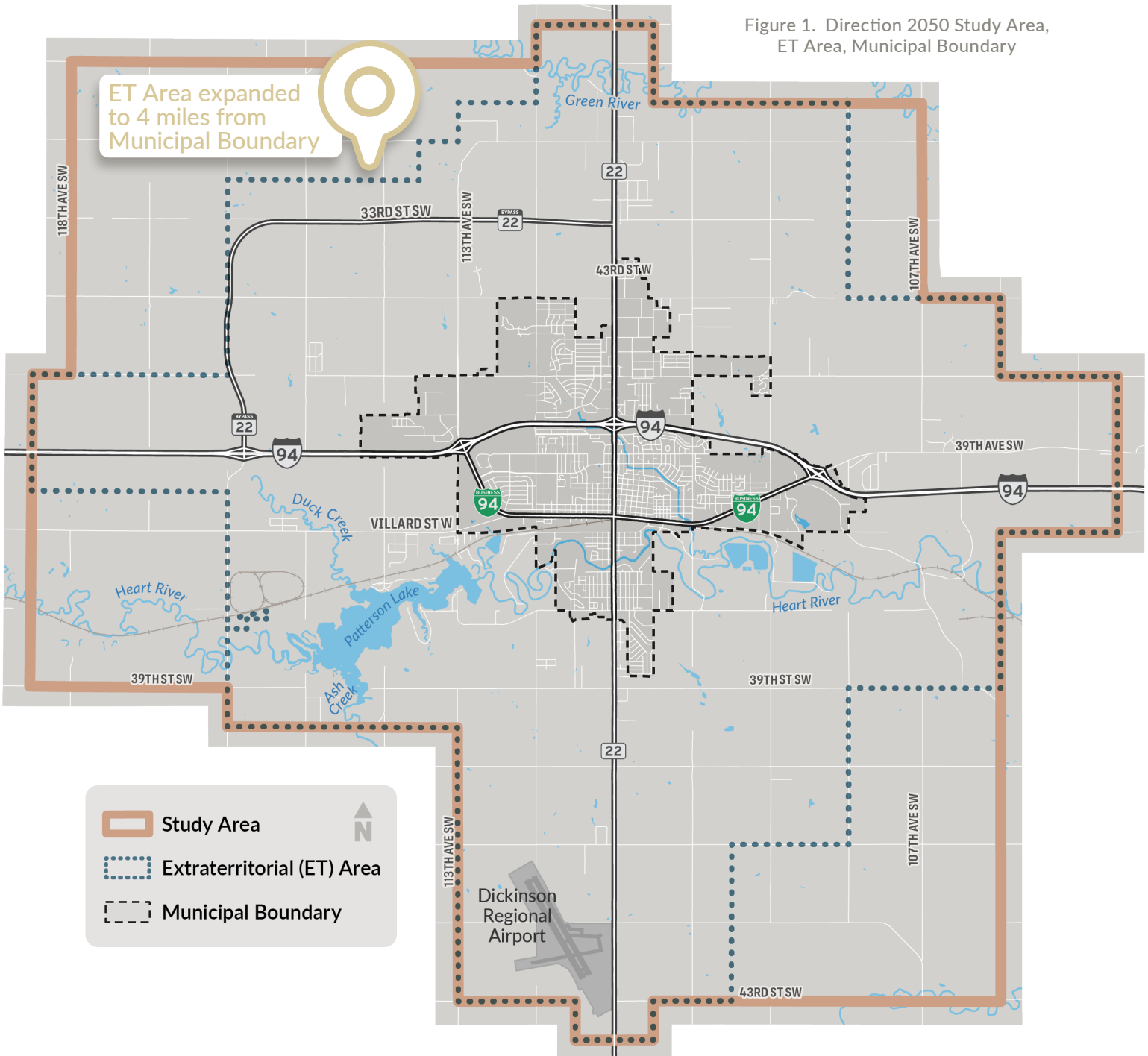


Summary

SEPT
2024

Study Area Map

Figure 1. Direction 2050 Study Area, ET Area, Municipal Boundary

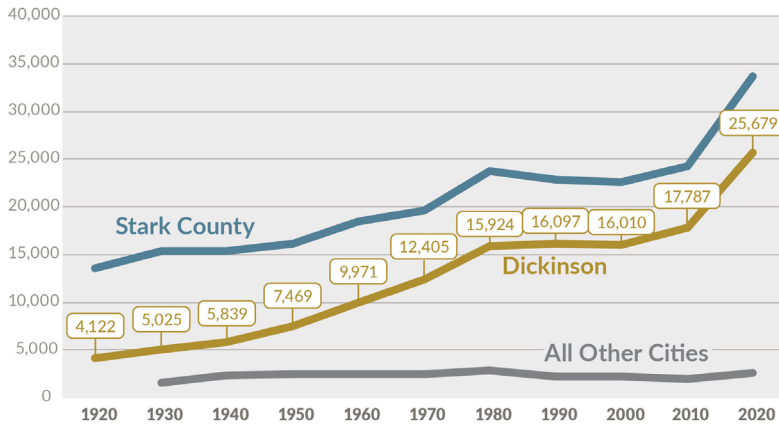


Existing Conditions

Table 1. Dickinson Decennial Population Change 1930–2020

YEAR	POPULATION	GROWTH/DECADE	AVERAGE ANNUAL GROWTH
1930	5,025		
1940	5,839	16.2%	1.6%
1950	7,469	27.9%	2.8%
1960	9,971	33.5%	3.3%
1970	12,405	24.4%	2.4%
1980	15,924	28.4%	2.8%
1990	16,097	1.1%	0.1%
2000	16,010	-0.5%	-0.1%
2010	17,787	11.1%	1.1%
2020	25,679	44.4%	4.4%

Figure 2. Historical Population Trends, 1920–2020



Existing conditions evaluation consists of...

Parcel Development

- Parcel Inventory
- Existing Land Use
- Existing Zoning

Existing Housing Profile

- Housing Values
- Neighborhoods and Growth Patterns

Key Community Facilities

- Parks
- Schools
- Public & Community Facilities

Existing Municipal Infrastructure System

- Existing Water & Sanitary Sewer Infrastructure
- Transportation System GIS Database
- Existing Road Jurisdiction
- Functional Classification

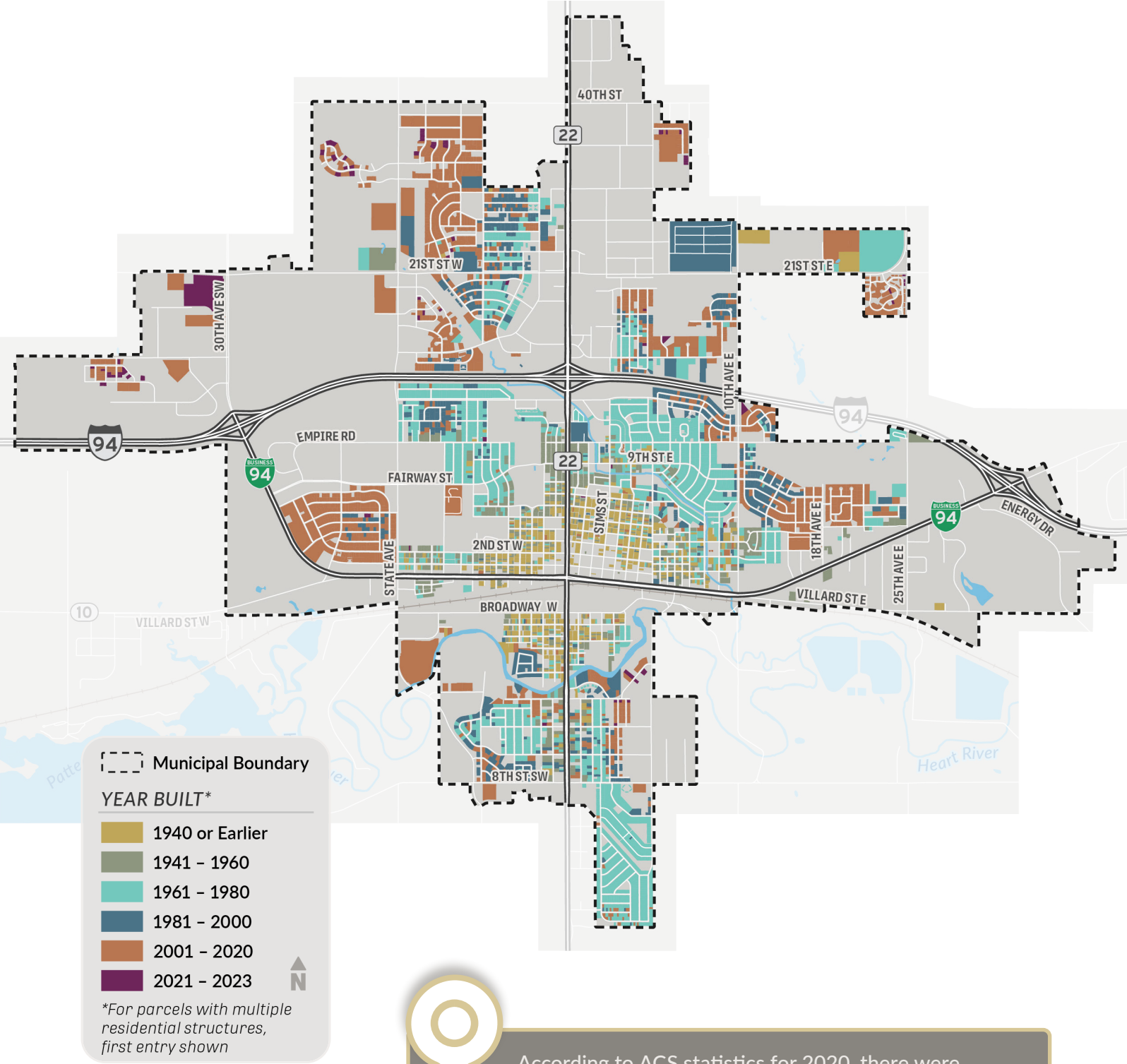
Pavement Conditions

- NDDOT International Roughness Index (IRI)
- City (PCI)
- Bridges/Structures

Multi-modal Transportation Systems

- Pedestrian & Bicycle Systems
- Existing Trail Systems
- Master Trail Plan
- Dickinson Public Transit
- Air
- Passenger Rail
- Freight
- Existing Level of Service (LOS)
- Existing Traffic Operation & Safety
- Intelligent Transportation Systems (ITS)

Figure 4. Residential Parcels by Year Built



According to ACS statistics for 2020, there were 10,544 occupied housing units in Dickinson, with 58% of Dickinson residents as homeowners. The average home value is \$250,600. For rental properties, monthly rent had an average of \$988.

Figure 5. Residential Parcels by Type

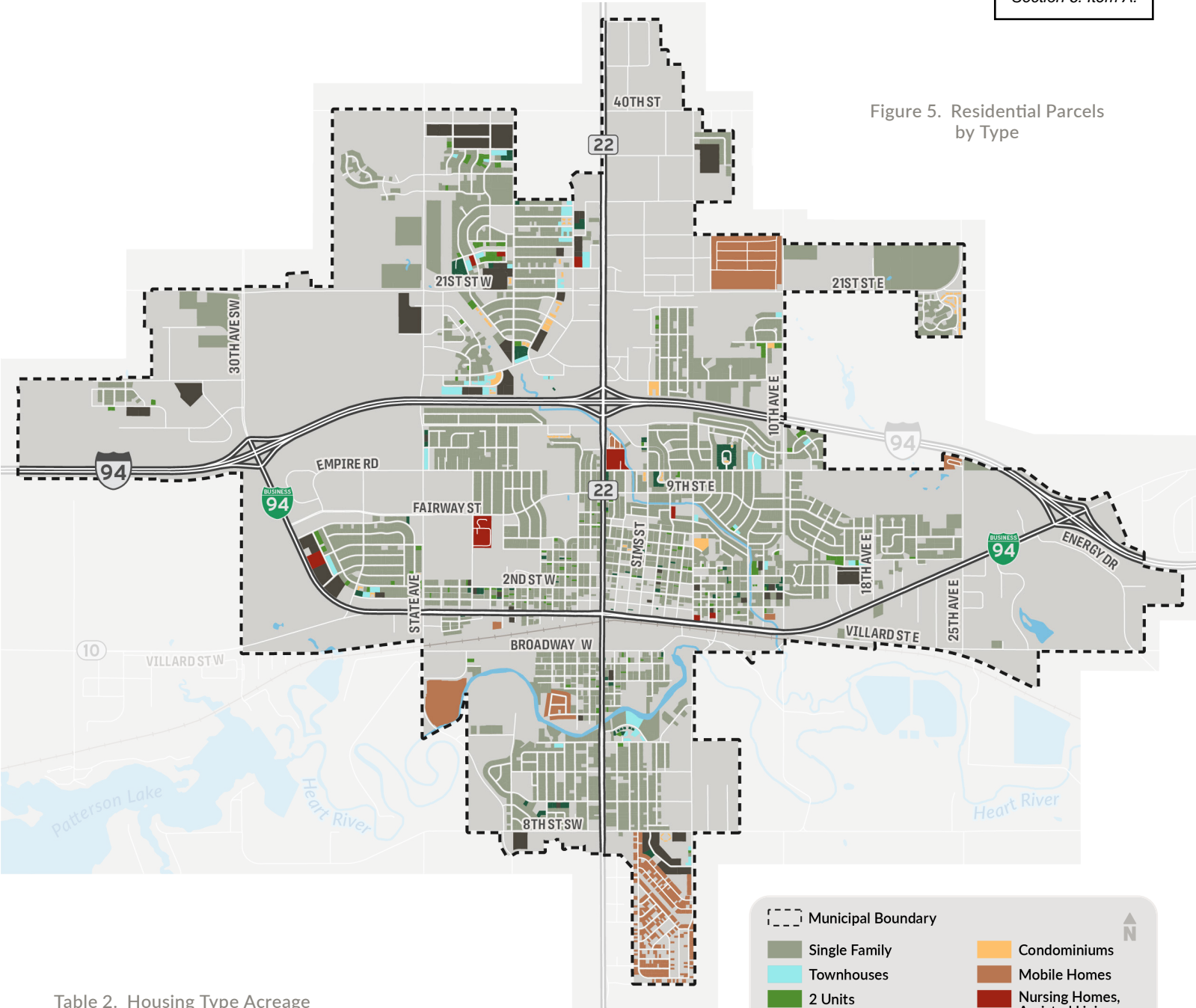


Table 2. Housing Type Acreage

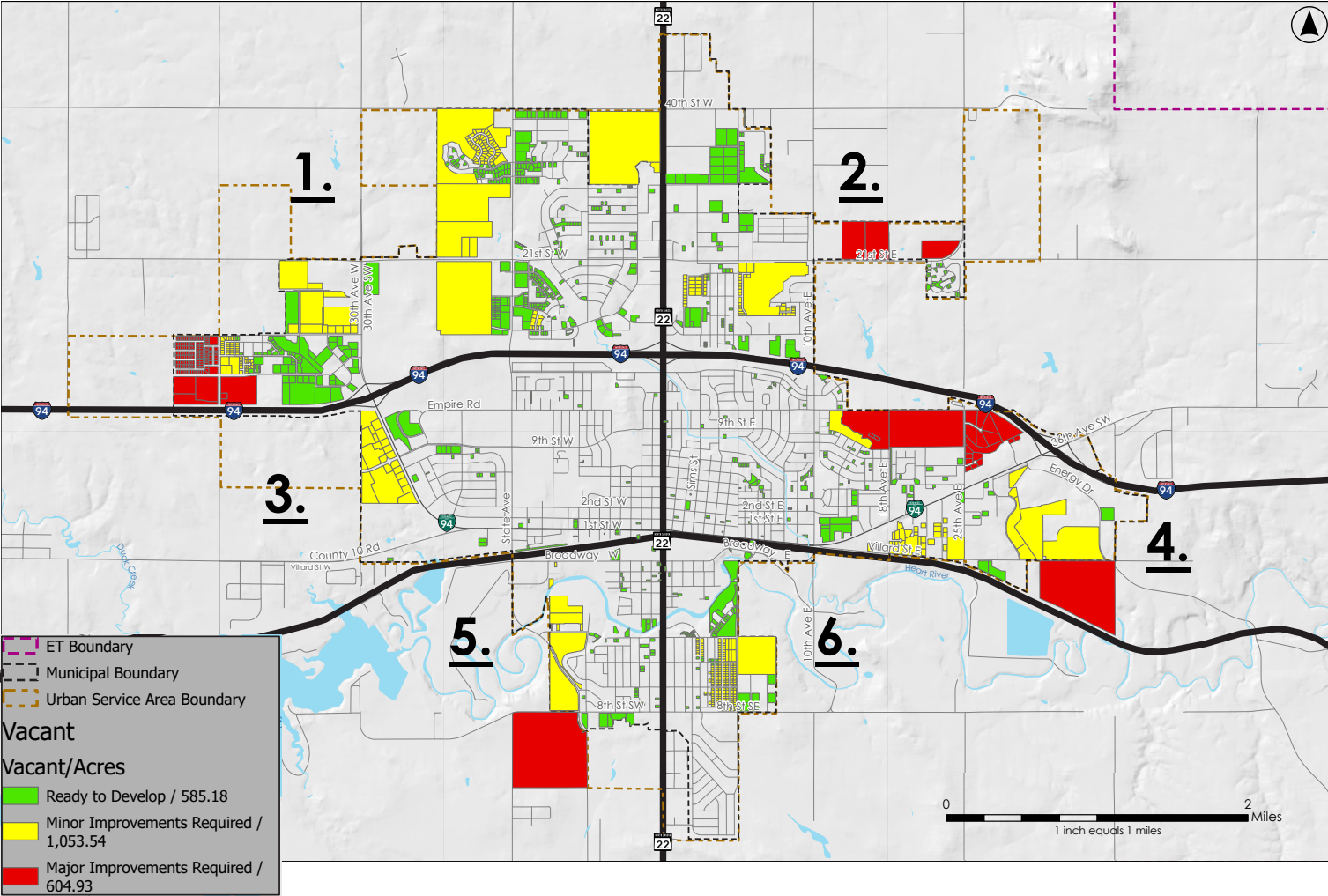
HOUSING TYPE	TOTAL ACRES	DESCRIPTION
Single Family	1,617.4	Single Family includes a few rural residential parcels with significant acreage.
Townhouses	41.6	Townhomes are one townhome per parcel.
2 Units	40.6	Duplexes, 2-unit conversions.
3-10 Unit Apartments	38.9	Some apartment sizes were estimated. Some apartments had number of units listed, these apartments were used to calculate an average unit per sq ft. This number was applied to apartments which had no units listed.
More than 10 Unit Apartments	163.6	
Condominiums	17.0	Condominiums are one condo per parcel, excludes common areas (yard).
Mobile Homes	178.7	Some mobile home parks had individual parcels while others did not.
Nursing Homes, etc.	28.3	Quasi-institutional in some cases.
Grand Total	2,126.1	

Municipal Boundary

- Single Family
- Condominiums
- Townhouses
- Mobile Homes
- 2 Units
- Nursing Homes, Assisted Living Apartments, Independent Living Apartments
- 3 - 10 Unit Apartments
- More than 10 Unit Apartments*

**Some apartment sizes estimated based on building area size*

Figure 6. Vacant Land Availability



Green: In general, the property is shovel ready with minor improvements potentially required such as:

- Service lines for water and sewer
- Roadways are constructed

Yellow: Relatively minor improvements required with the following conditions:

- Less than ¼ mile from existing infrastructure

- Minor collector roadway improvements
- Water distribution and sewer collection system improvements
- No major adjacent infrastructure requires upgrades/improvements

Red: Relatively major improvements required with the following conditions:

- More than ¼ mile from existing infrastructure

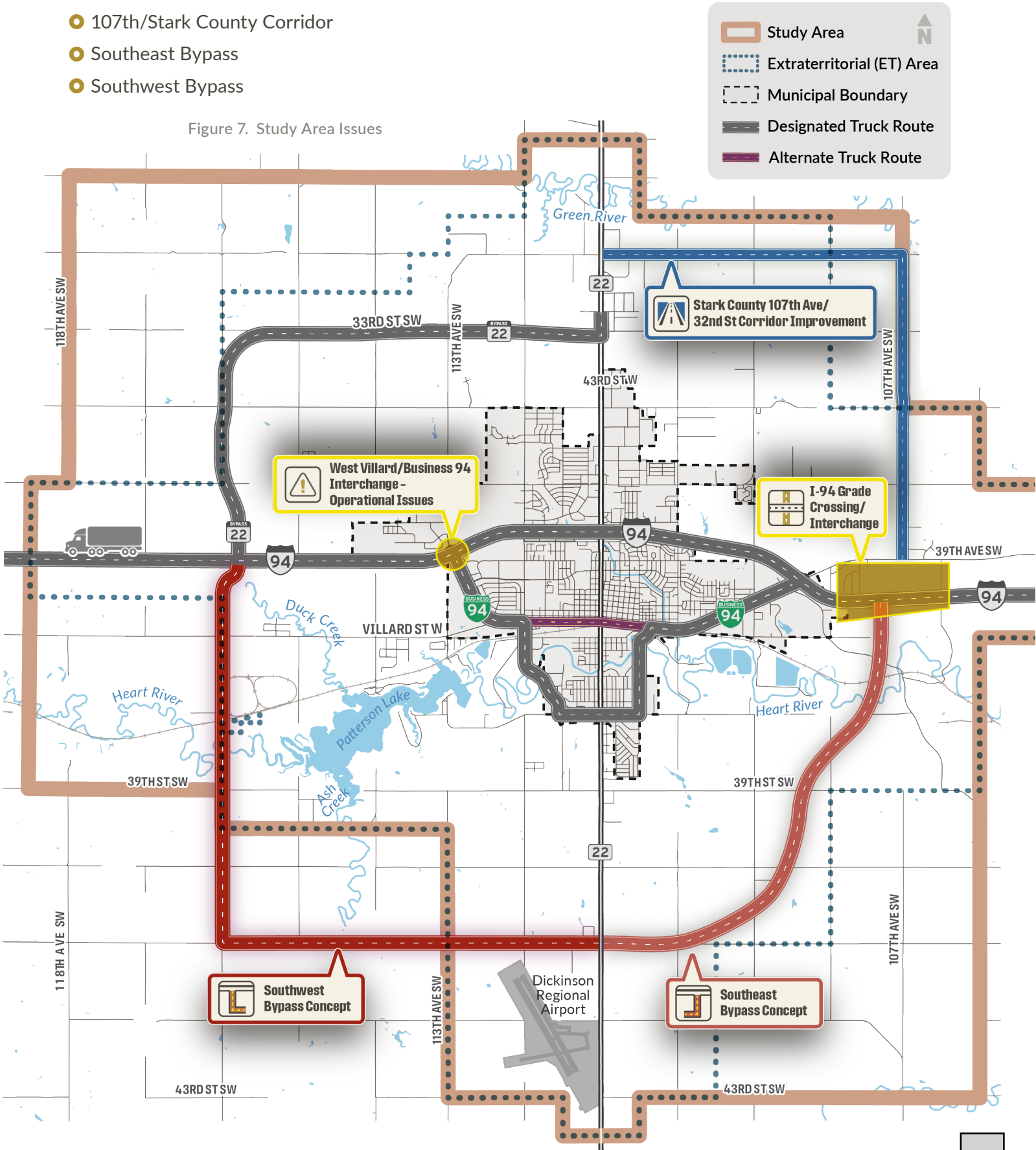
- Major collector roadway improvements
- Arterial roads roadway improvements
- Trunk sewers/trunk line water distribution mains required
- Major components/major upgrades to existing facilities required (lift stations/upsized or existing sewers/booster stations/water towers/upsized existing water lines)

A series of **regionally focused transportation issues** were developed as needing further evaluation as part of Direction 2050.

Area-wide Issues & Needs

- 107th/Stark County Corridor
- Southeast Bypass
- Southwest Bypass

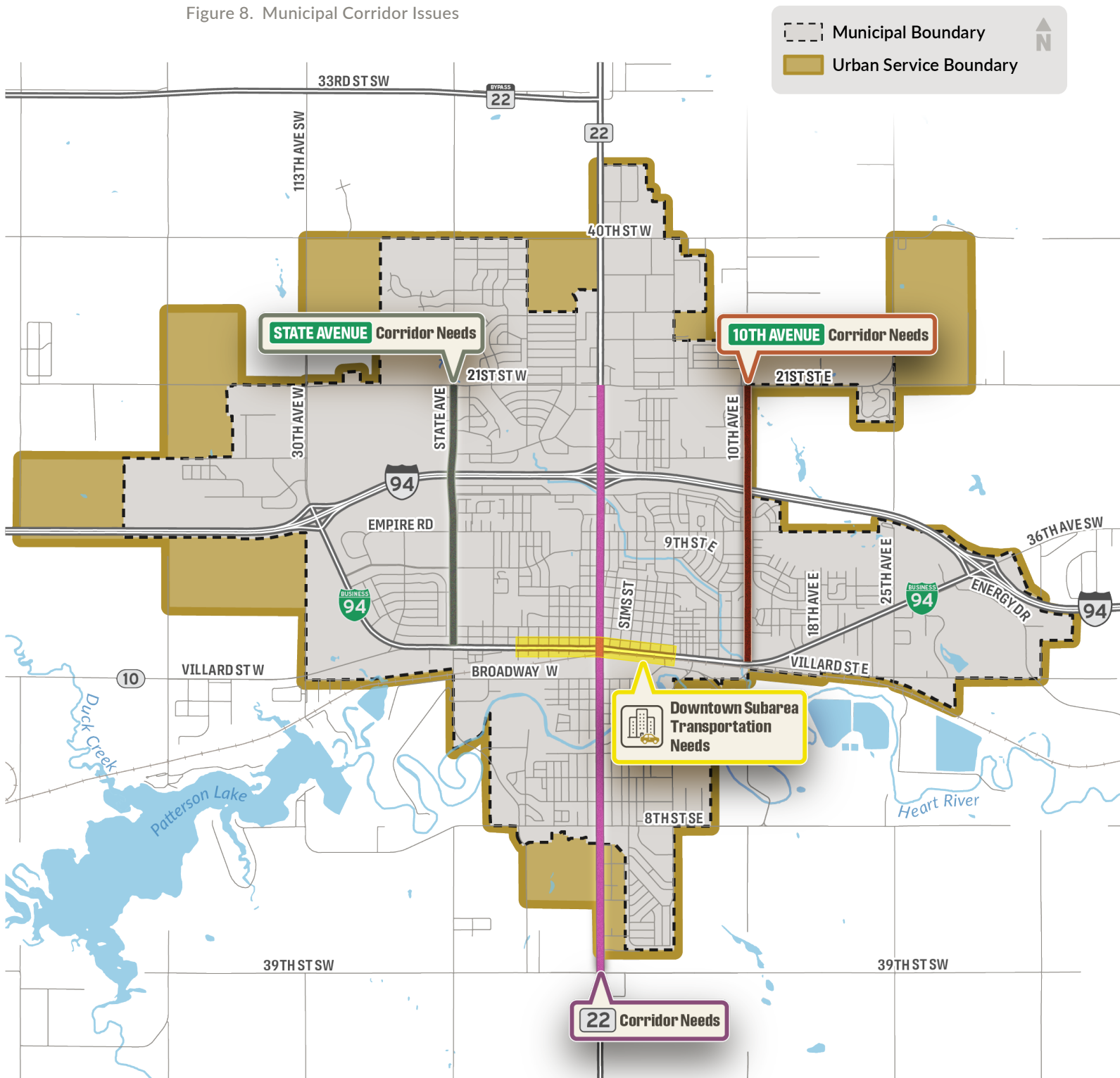
Figure 7. Study Area Issues



Additionally, the following areas were pinpointed for **corridor level analysis**:

- North South Mobility
- State Avenue
- 10th Avenue
- ND 22
- Downtown core
- West and East Villard (specifically through downtown core)

Figure 8. Municipal Corridor Issues



There are also priority areas for **neighborhood connectivity** issues such as implementing revised section standards, trail connectivity, more specific needs analysis adjacent to school areas, and neighborhood cohesiveness.





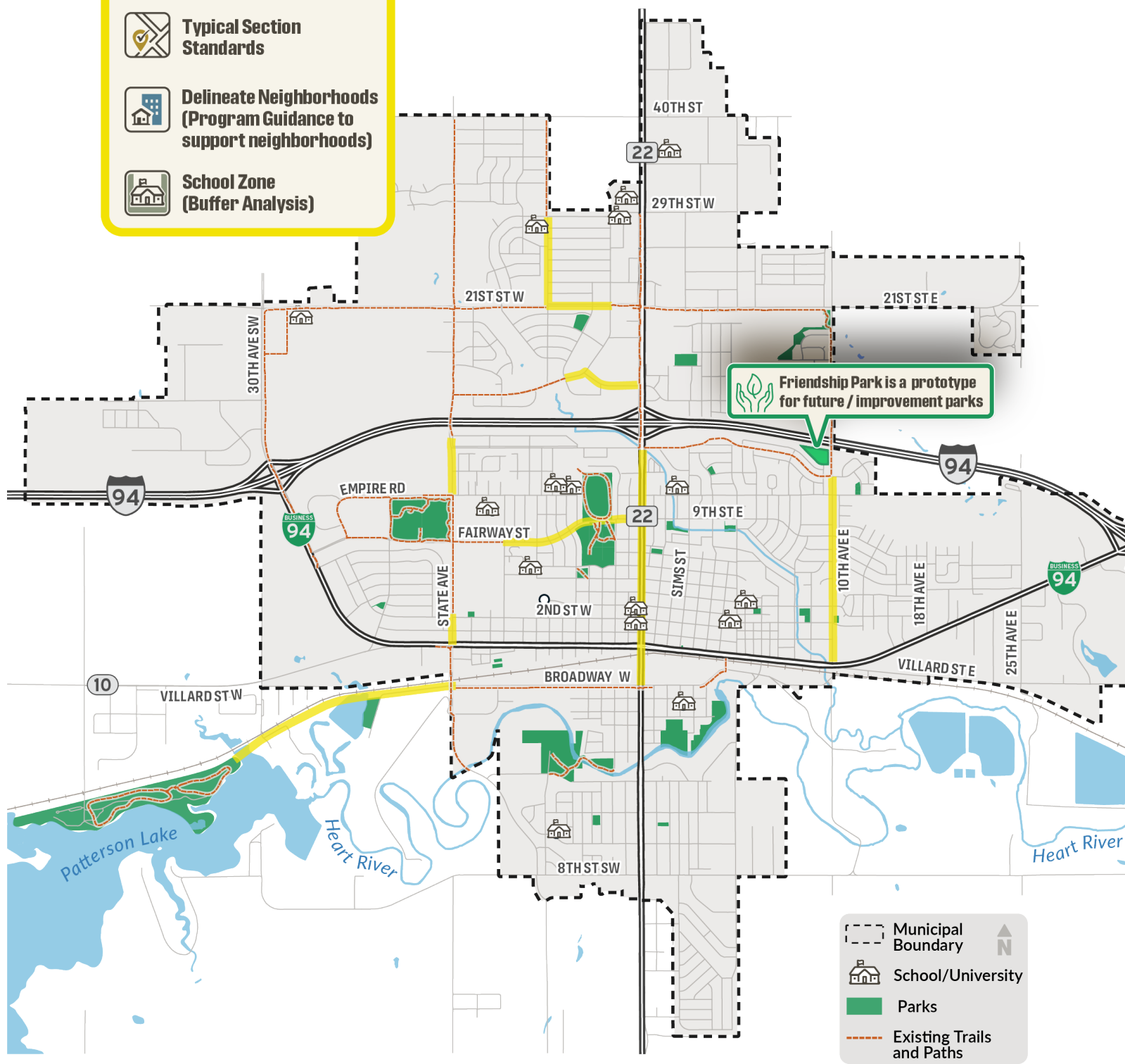





-  **Trail/Pedestrian System Gaps**
-  **Typical Section Standards**
-  **Delineate Neighborhoods (Program Guidance to support neighborhoods)**
-  **School Zone (Buffer Analysis)**

Figure 9. Neighborhood Connectivity



-  Municipal Boundary
-  N
-  School/University
-  Parks
-  Existing Trails and Paths

Outreach during Phase 1 consisted of...

In-person Meetings

Stakeholder Roundtable Discussion: What did we hear?

- Schools continue to see steady growth and with that the need to **expand facilities** for youth activities.
- Infrastructure needs exist on the south side of the city. Considerations for a **south bypass** for trucking/cargo to provide connectivity from south side of city to the north side.
- Development continues, but at a slower rate than 10 years ago. Consider incentives or plans to **promote housing and business development** in areas previously platted.

PMT/City Staff Roundtable Discussion: What did we hear?

- Traffic safety issues were discussed including **traffic flow** at intersections and schools, along with general morning/afternoon **congestion**. It was noted that many issues discussed are already being addressed in other projects.
- Limited **rail crossings** opportunities can create problems for traffic and emergency response.
- Need and desire for **multi-modal connectivity** throughout city.
- Downtown development, revitalization, incentives for developers. Creating a defined and attractive **downtown**.

Public Input Meetings: What did we hear?

- Discussions surround **traffic safety**, particularly near schools for pedestrians crossing the street
- Trail, **bike/ped connectivity** issues.
- Need for efficient **north/south route**.
- Create more **neighborhoods** with various housing looks.
- Find ways to create the **sense of community** throughout Dickinson.
- Additional **overpass/underpass** considerations at railroad crossings.
- General discussions around **pavement conditions, intersections, traffic signals, traffic flow**.

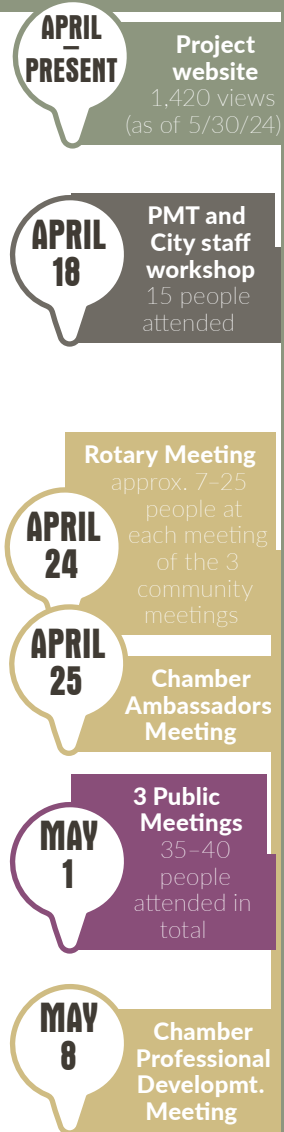


Figure 10. Engagement Activities



Virtual Engagement

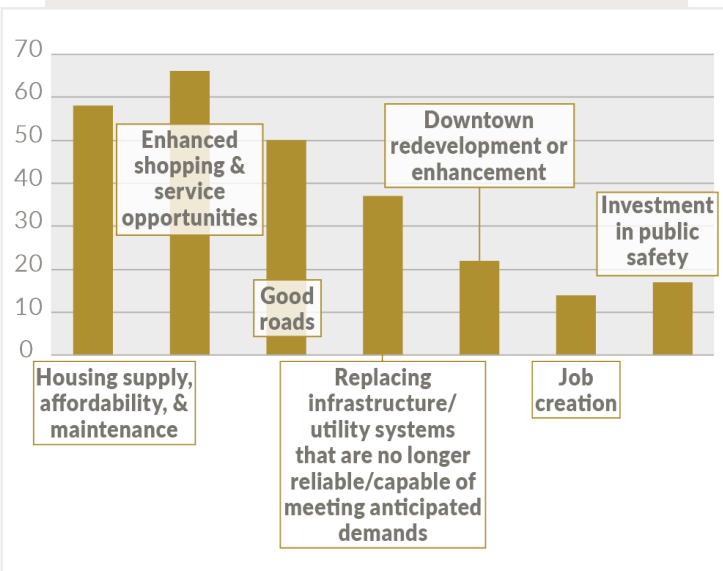
- 1,528 website views
- 328 contributions from the public

Key findings

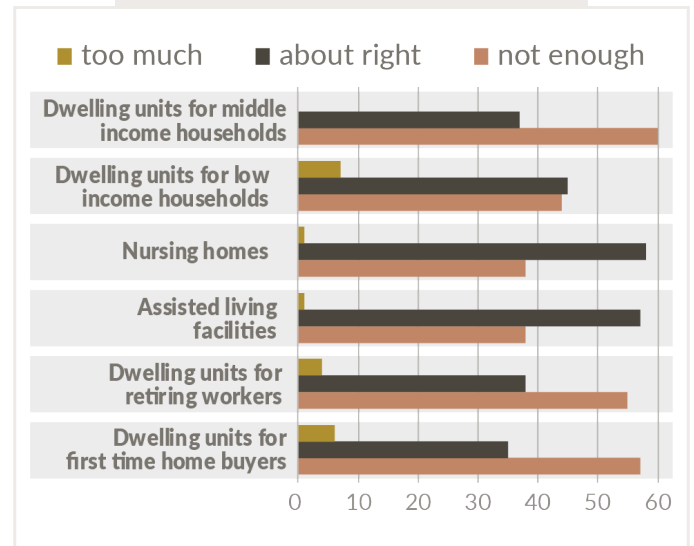


- Over 75% of survey respondents say some or major course correction is needed on the growth the city has experienced in the past 5-10 years
- A good mix of participation from the public with 47% of respondents having children in the home and 53% do not.

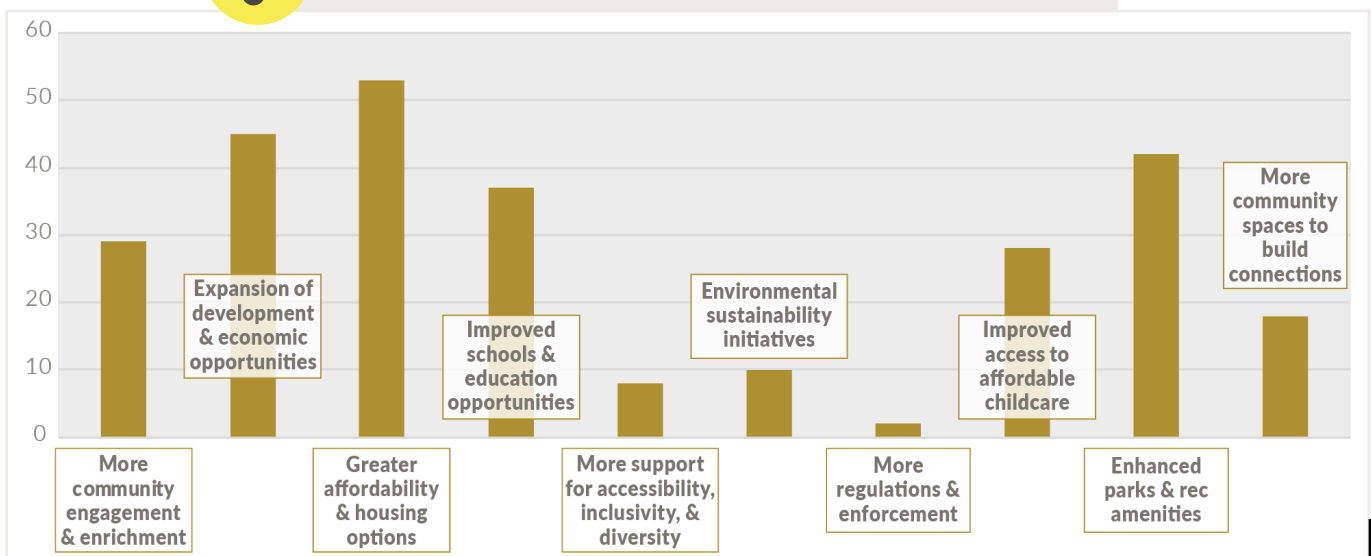
? What issues do you think need to be prioritized and received special attention during this planning process?



? Please rate the sufficiency of housing supply in Dickinson



? What do you think would make the greatest impact on the quality of life in Dickinson?



Public issues mapping by topic area

Respondants submitted 190 comments on the Interactive Map. These comments were tabulated by category and the resulting percentages for each category are illustrated in the accompanying chart and geo-located in Figure 11.

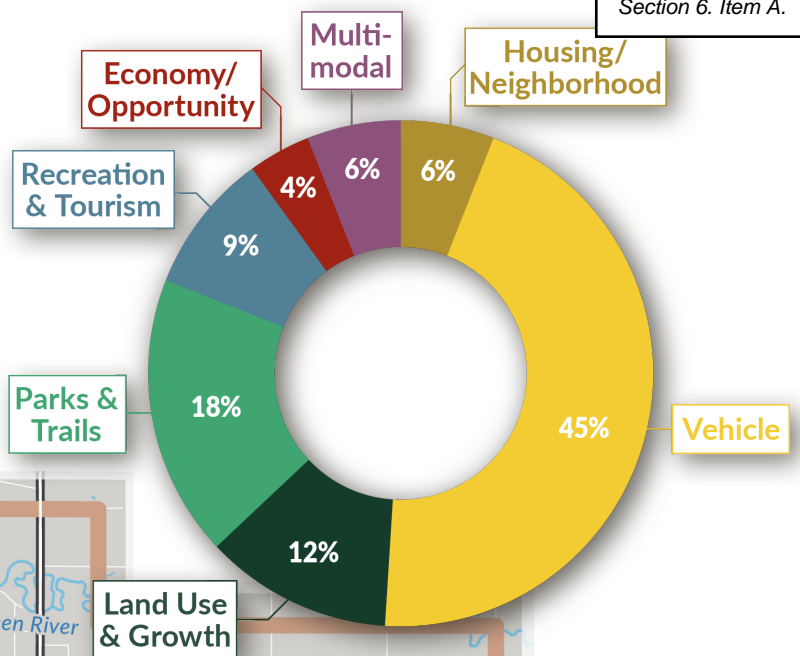


Figure 11. Interactive Map Comments

