



PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, February 21, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Jo Marie Kadrmas

Troy Bosch

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. JANUARY 17TH, 2024 MINUTES PRESENTED FOR APPROVAL

3. REGULAR AGENDA:

A. RENAISSANCE ZONE APPLICATION (REN-001-2024) - Presented by: City/County
Planner Steve Josephson

To consider a request for a Renaissance Zone Project at a property with at address of 446 18th Street West and legally described as Lots 4 & 5, Block 2, 2nd Replat of Prairie Hills 1st Addition Subdivision.

B. PUBLIC RIGHT-OF-WAY VACATION (VAC-001-2024) - Presented by: City
Engineer/Community Development Director, Joshua Skluzacek

To consider a Right-of-Way Vacation for the remaining 213 feet of a 66-foot-wide right-of-way known as 1st Street SW between GTA Drive and 48th Ave SW in the City of Dickinson's ETZ. This portion of land consists of +/-0.65 acres.

C. PRELIMINARY MAJOR PLAT (PLP-002-2024) - Presented by: City Engineer/Community Development Director, Joshua Skluzacek

To consider a Preliminary Plat for Dickinson South Cemetery Second Subdivision being a parcel of unplatted land located in the south half of the southwest quarter of the northwest quarter (S1/2SW1/2NW1/4) of Section 16, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 7.60 acres.

D. FINAL MAJOR PLAT (FLP-001-2024) - Presented by: City Engineer/Community Development Director, Joshua Skluzacek

To consider a Final Plat for State 9th Addition being the re-plat of Lots 4, 5, and 6, Block 1 of State 8th Addition, located in Section 5, Township 139N, Range 96W, located within the City of Dickinson, ND. The site consists of +/- 3.09 acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. CURALEAF ANNUAL SUP REVIEW - Presented by: City/County Planner, Steve Josephson

B. VISION WEST HOUSING ACCESS REPORT 2024 - Presented by: City/County Planner, Steve Josephson

C. RENAISSANCE ZONE UPDATE - 10 YEAR EXTENSION - Presented by: City/County Planner Steve Josephson

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 February 21, 2024

Teams Meeting: <http://tinyurl.com/PZ-02-21-2024-Teams>

Teams Meeting ID: 284 929 515 12

Meeting Passcode: dok8J9

Teams Phone #: 1-701-506-0320

Phone Conference ID: 412 712 180#

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.



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, January 17, 2024 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Jo Marie Kadrmas

Troy Bosch

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve the order of business.

Motion to approve 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

2. MINUTES

A. December 20th, 2023 Minutes for Approval

Motion to approve minutes as presented.

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

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

3. REGULAR AGENDA:

A. CHAIRMAN APPOINTMENT FOR 2024

Bullinger nominates Fridrich, Decker seconds Fridrich

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

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

B. VICE CHAIR APPOINTMENT FOR 2024

Bosch nominates Bullinger, Franchuk seconds Bullinger.

Motion made by Commissioner Bosch, Seconded by Commissioner Franchuk.

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

C. SPECIAL USE PERMIT (SUP-001-2024) - Presented by: City Planner, Matthew Galibert

To consider a Special Use Permit to allow for a heavy industrial use (“American Pulverizer car shredder”) in the General Industrial (GI) zoning district. The property is legally described as Lot 6, Block 2, Energy Center 1st Subdivision City of Dickinson, Stark County, North Dakota. This property is located in the City of Dickinson.

Mr. Galibert introduces the SUP request to allow a car shredder on the property. He states that the applicants have an environmental engineering consultant present on Teams. He explains there will be local and out of state material brought to the site. Mr. Galibert discusses some of the economical impacts, the impacts to the landfill. He states that Public Works has not shared any concerns. There has been concerns and comments from one of the neighbors regarding their quality of life. Their property is legally nonconforming. Staff is not recommending approval or denial at this point; it needs a bit more analysis before they can make that determination. The board can go ahead to approve, deny or give more time. Chairman Fridrich asks what triggered the need for an SUP. Mr. Galibert says it's because it is a heavy industrial use. Mr. Fridrich says he has never seen it needed for this reason in the past. Mr. Galibert says it is because they are intensifying the use. Mr. Fridrich wants to know where it is in the code that is triggering the requirement – Mr. Galibert says table 4-2 which has heavy industry as one of the lines. Mr. Fridrich says he cannot

find it the code where this would be required. Mr. Galibert says this is a sizable upscaling of the use, and that would require a SUP - it is a matter of intensification. Mr. Galibert states that it is his professional opinion of the code. Mr. Fridrich points out this wouldn't even trigger a building permit so he still doesn't understand why it is here. City/County Planner Mr. Josephson says when the city engineer saw the site plan and what was being built was at a higher level of vibration and noise is what distinguishes heavy industry over other uses. The possibility of explosions and such are higher and will create more impacts than the current car crusher that is currently on site; it is a different operation than the shredder that is already there. City Engineer/Community Development Director Skluzacek says there was a geotechnical report and acoustic sound suppression that was reviewed. He was looking at our ordinance and where they were adding noise and dust. It is supposed to be under our decibel limits according to our city ordinances. Discussion ensues about the neighbor being zoned GI and the history on that. There is no documentation that could be found from staff on this. Mr. Josephson explains when a property is annexed they will look at the county and city codes and match those.

Daniel and Reginal Robertson are present to speak. They are the manager/owners. They currently process car bodies, and have since 2015. The biggest machine they currently have bails metals or densifies the metals and chops it into small pieces. Prior to that it was a scrap yard - Continental Metal - since the early 90s. The only change is the equipment used to make the process a little quicker. Mr. Robertson explains they requested a permit in 2022 from the building department and was told it wasn't needed. He adds that they have hired an environmental specialist. They were contacted from the City in Nov 2023 about the SUP. They currently have equipment coming in for the project. They are in an urgent need for clarification. They realize there will be increased dust, noise and vibration. There are systems in place to control these issues. They have no intentions of causing health problems to anyone in the community. There is vibration springs to help lessen the vibrations. The noise levels could reach 120 db right at the shredder - the noise is not that excessive away from the machine. He discusses explosions - they come from people sneaking in propane tanks. They make sure there are no batteries, gas tanks or sealed containers - they have a plan to do this before it goes in the shredder. They haven't ever had a problem with a propane tank. Mr. Fridrich asks how the new shredder is different. Mr. Robertson explains that right now they are crushing and shearing; the new equipment cleans up the material better - he explains how the new machine works. They will use our landfill if they want the material, if not they will use a truck and ship it out. He explains how it could be beneficial to some landfills - this fluff can protect the liner of the landfill, and could be used as daily cover also. Ms. Decker asks for a comparison on sound. Mr. Robertson says they believe the sound will be similar to the current noise level. He says right now the size is the main difference. They will be erecting belting from the coal mines that will put a first layer of a noise buffer and using an acoustifence. Engineer design will put a 20' fence

completely around the property. They hope to eliminate any noise level over the city's standards. Mr. Schwab asks about the rail spur that goes through the property - if it is being used - they say it is. Mr. Fridrich asks if they have ever been in violation of any noise or environmental issues. Mr. Robertson says they have had complaints but have always been unfounded. No EPA issues. The distance from the site to the residents is about 100 yards. He also adds that this will increase the use of the railroad spur. Discussion ensues on what will be shipped in the railcars. Ferrous material goes by rail truck. The air quality permit from the state is pending - they submitted the request in 2023.

Mr. Josephson cites the code for salvage services, auto wrecking yards. Adding the machine could impact noise, vibration, etc - and that is what triggered the request for a SUP. This is 39.03.009.

Lydia Crabtree, who is present on Teams, has done some noise calculations. The minimum noise dampening would be 40 decibels - 120 decibels at the equipment would make it 80 decibels and less than 75.

Mr. Robertson speaks on the annual review for the SUP. He has a concern about that. He is asking us to look at the air quality standard, noise codes and base it on that. He says having nuisance complaints would be difficult to handle if that shuts them down. Mr. Galibert says they won't be approving the SUP annually, it's just an inspection. If it were to be revoked it would have to be done at Planning and Zoning and City Commission.

Mr. Fridrich believes we are in a grey area being here today. Mr. Bullinger asks about tests after the fact to make sure they are in compliance. Mr. Skluzacek mentions the railroad could be in the tests for vibrations; they would have to put something external in to test. Mr. Josephson speaks on sound ordinances for residential boundaries. The neighbors are zoned G1.

Mr. Roberson speaks on the economic benefit. They have paid out to the local community over the last 8 years, 3 million dollars.

Dean Rummel comes to the podium to speak. He says that Rummels Auto Wrecking was in Dickinson and gives a brief history on the business. He explains that his dad was actually the one who brought it to the zoning commission to zone it to G1. There was some opposition at the time but they did approve it. He agrees it is a great economic benefit to SW ND. He believes we need this facility in this area.

Chairman Fridrich opens the public hearing.

Lori Sticka is online; they are resident's that live next door. She says they are good people; they have come to an understanding with the Robertson's, and it is good. However, they are concerned with the noise and devaluation of their property. She says they have not received a permit from the EPA. They want assurances that their foundation and walls won't crack. Right now, the noise and vibrations are occasional and she is afraid it will be an everyday thing. She says they did protest in the 80's. She hopes if it is approved, it will be regulated regarding the noise, vibration, etc. Mr. Robertson speaks on Continental Metal processing metals when they were there. Ms. Sticka had said that they didn't process, but he clarifies that they did in fact process. Ms. Crabtree speaks on the submittal for the air quality permit. There is a stamped receipt verification on March of 2023. Mr. Rummel explains more history on the property. He also adds that Fisher Industries does do crushing and produces quite a bit of noise and dust. He also speaks on the quality of life in regards to the lagoons that used to be used in that area along with the live stock yards.

The public hearing is closed.

Mr. Fridrich asks how the city got involved. Mr. Galibert states he was notified of this in October and asked them in for a preapplication meeting. In the last couple weeks we recieved more information. Attorney Wenko asks about the status of the permit for EPA from the state. The consultant who is present on Teams says they are very understaffed. They have gotten to the point where they are ready to issue the permit; they need to have a public comment period on the permit. Ms. Wenko asks about that permitting process – asking if they need city approval first in order to get state approval. The question would be can we grant a SUP if they don't have a permit from the state. Ms. Wenko says we could add a condition of the state permit being approved. Mr. Josephson says the conditions should say it is approved based on the application submitted by the Robertsons. There is discussion on SUPs - some run with the owner and some run with the land; this one would run with the land. Mr. Schwab would like to make sure if the DEQ needs our approval to issue their permit. Mr. Thorton says in his experience it is typically a separate permit; it is usually done locally before it is approved by the state. Mr. Bosch has a question on the condition #2 on revocation of the permit. He asks if we can we make it more of a cooperative effort to continue operations instead of pulling the permit. Ms. Wenko says then PZ would review and recommend to City Commission to keep or revoke their permit. Would adhere to the complaints coming from residents.

Motion to approve according to the application summitted and the following conditions:

- 1. The Special Use Permit runs with the land and requires an annual compliance review.*

2. *Nuisance complaints against the operations, including those relating to noise, vibration, odors, traffic, urban services, will be recorded as part of the annual review of the Special Use Permit. Staff will investigate any complaints and concerns and report any significant findings of nuisance to the Planning & Zoning Commission for further investigation and recommendation for the continuation of the Special Use Permit.*
3. *Operation of the facility shall comply with all applicable city, county, state and federal regulations.*
4. *The City's approval Special Use Permit is conditioned upon the approval of the North Dakota Department of Environmental Quality Permit.*
5. *The special use will be developed in accordance with the SUP application.*

Motion 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

D. FUTURE LAND USE MAP AMENDMENT (FLM-001-2024) - Presented by: City Planner, Matthew Galibert

To consider a Future Land Use Map Amendment from Residential to Commercial for a property legally described as a parcel of land being a portion of Lots four (4), five (5), and six (6), Block one (1), State 8th Addition.

Mr. Galibert presents the request. He explains this is to amend the Future Land Use Map (FLUM) for Lots 4-8 of the proposed State 9th Addition Subdivision, which is a pending re-plat of State 8th Addition. The applicant seeks to retain the Commercial FLUM designation along the north of the property whilst amending the south portion to Residential, along 8th Street West on the south face of the block.

Chairman Fridrich excuses himself from this item.

Andrew Schrank representing Venture Commercial is present. He explains the intention is to develop some smaller commercial lots. The southern portion would provide some residential opportunities. This will help create some infill for the community. He explains that they would not plan on doing apartments; the R3 would reduce the buffer yard provision and that is the intent of that zoning and provides a better transition.

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

Voting Yea: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner

Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker
Voting Abstaining: Chairman Fridrich

E. REZONE (REZ-001-2024) - Presented by: City Planner, Matthew Galibert

To consider a Zoning Map Amendment from Community Commercial (CC) to High-Density Residential (R-3) for a property legally described as a parcel of land being a portion of Lots four (4), five (5), and six (6), Block one (1), State 8th Addition.

Mr. Galibert presents the request that is tied to the last item (FLUM). He recommends approval.

Mr. Bullinger 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: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker
Voting Abstaining: Chairman Fridrich

F. PRELIMINARY PLAT (PLP-001-2024) - Presented by City Planner, Matthew Galibert

To consider a Preliminary Plat for State 9th Addition being the re-plat of Lots 4, 5, and 6, Block 1 of State 8th Addition, located in Section 5, Township 139N, Range 96W of the 5th Principal Meridian, Stark County, located within the City of Dickinson, ND. The site consists of +/- 3.09 acres.

Mr. Galibert says this has the same comments as the previous two items. The applicant seeks to re-plat the three existing commercial lots into eight lots. Three of the proposed lots would front onto Fairway Street and would accommodate commercial development. The remaining five lots would access 8th Street West. The proposed lots located on the north side of 8th Street West would be rezoned from Community Commercial (CC) to High Density Residential (R-3) with lots intended to accommodate 5-10 residential units with front yard lines along 8th Street W.

Mr. Skluzacek comments on the access on Fairway - there is a median currently in place and we would have to work with the developer to remove part of that median because of the street classification. This roadway is going to be reclassified into a Minor Arterial. We are looking at proximity to intersections, and not creating traffic concerns to the ingress and egress to these properties. Mr. Bullinger asks about the request to have three entrance points. Mr. Skluzacek states we recommended that

they went down to two - the applicant agreed. One approach would align with the hospital and there would be an additional approach between lots two and three.

Mr. Schrank clarifies some of the access points. He says access would line up with the hospital approach and mirror a turn lane like the hospital did. Lots two and three would be a right in right out. They would like to eliminate the NE corner of lot 3, which would be a condition of approval. On the west side there was a 10' easement – they will be vacating a 4' portion of that easement. That request will go forward in February.

Vice Chair Bullinger opens the public comment. There are no comments. The hearing is closed.

Motion to include condition: removing the NE entrance on Fairway on Lot 3

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

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

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

Motion to adjourn

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

RENAISSANCE ZONE PROJECT APPLICATION
NORTH DAKOTA DEPARTMENT OF COMMERCE
DIVISION OF COMMUNITY SERVICES
SFN 59291 (06/23)

To receive Division of Community Services' (DCS) approval on zone projects, the following information must be submitted to DCS.

1. Type of project
 Business Residential Utility Infrastructure Project (UIP)

2. If this is a UIP, project is the applicant a Renaissance Zone project? Yes No

a. To be considered a Renaissance Zone project, the project would need to take place in the Renaissance Zone and be a utility company.

b. If this is a property owner affected by a UIP not participating in a Renaissance Zone project, is the property owner in the Renaissance Zone? Yes No

3. Applicant Information

Name of applicant(s) or business name
 Millico Dickinson LLC // 5215 Old Orchard Rd. Suite 130. Skokie, IL, 60077 // 312-377-7800

If business, type of entity (Provide a copy of the Certificate of Good Standing from Tax Department)

Address and renaissance zone block number as it appears in the development plan property listings.

Address 446 18th Street	City Dickinson	Renaissance Zone Block 41
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4. For residential projects provide evidence that the home purchased is the taxpayer's primary residence.

5. Project Type

a. Purchase (to include new construction)

b. Purchase with major improvements

c. Lease

i. What type of lease?
 New Expansion Continuation of a Lease Leasehold Improvement

If this an expansion, what is the additional square feet of the expansion? _____

ii. If it is a lease project, does it involve the relocation of a business from one location in the city to the Renaissance Zone or from one zone property to another zone property? Yes No

d. Rehabilitation

i. Commercial 50% or more of the true and full value
 Or

ii. Commercial 75% or more of the true and full value
 Or

iii. Residential 20% of the true and full value

iv. Current true and full value \$ 2,642,400.00

v. For rehabilitation projects, provide a description of the work and the estimated costs.

	Work to be done	Estimated Cost
	See budget attached	\$ 2,205,000.00

vi. What is the term (in months) sought for benefits related to this project? 60 months

6. Does this project involve historical preservation or renovation? Yes No

a. For projects that involve historical preservation or renovation, but are not part of a rehabilitation project, provide a description of the work and the estimated costs. **A letter of approval from the Historical Society is required to claim any historical tax credits either on a rehabilitation project or renovation.**

b. Information for historical properties may be obtained by contacting the Historical Society at (701) 328- 2666.

7. For projects other than the purchase (includes new construction) or rehabilitation of a single-family home and historical preservation and renovation, describe how the overall benefit(s) of the project to the community meets or exceeds the financial and tax benefit to the businesses or investor.

To our understanding, the subject property has been vacant for over 5 years.

Millco Dickinson LLC's redevelopment will bring 2 national retailers to Dickinson who will generate significant revenue and in turn significant sales tax. By filling this vacancy, we will be benefiting the tax base of the community while also adding a needed shopping alternative for citizens of Dickinson.

8. Provide the estimated state and local tax benefit to the taxpayer for five years (applies to all projects).

Total State tax benefit for five years \$ 50,000.00

Total Property tax benefit for five years \$ 152,500.00

Total Non-participating owner tax credit \$

9. Zone Authority and City Documentation:

Date of approval or conditional approval

Provide a copy of minutes or other supporting documentation that indicates the formal approval by the approving entity.

10. Identify from the Development Plan the specific criteria used to approve the project

- The subject property is within the renaissance zone.
- The redevelopment will enhance the community by creating jobs, generating tax dollars and giving the citizens of Dickinson more shopping options.
- The total cost of the project will easily cover 50% of the true value of the property. The hard costs alone total more than \$2.2M (see budget attached)

11. Evidence that the taxpayer is current on state taxes. **(Taxpayers can contact the Office of State Tax Commissioner to receive a Certificate of Good Standing. This request must indicate that it is for a Renaissance Zone Project.)** See Appendix E.

Letter of Good Standing Attached? Yes No


12. Expected date of occupancy or project completion 10/01/2024

NOTE: The DCS reserves the right to reject a zone-approved project or to continue negotiating its approval. When a project is approved by the DCS, the local zone authority will be notified in writing.

If after a project is approved and the property changes hands or a replacement project is approved during the five-year exemption period, the DCS does not need to approve the transfer or the replacement project. The zone authority, however, must notify the DCS of the change and provide the applicable information about the new homeowners, business, and/or investor. The zone authority must also notify the DCS if any other change occurs in the status of the business or investor tax would affect the exemption approved.

Once the project is completed, DCS must be informed by email, Fax or letter of the exact date of completion, and project number before the final letter of approval can be issued.

On historical Renovations/rehabilitations documentation from the Historical Society approving the final restorations must be submitted to DCS prior a final letter of approval can be issued.

Printed Name Robert Miller	Title Managing Partner
Signature 	Date 12/27/2023

RENAISSANCE ZONE PROJECT (REN-001-2024) MILLCO DICKINSON LLC





Tenant A
Tenant B



446 18th St. West
Dickinson, ND 58601



Shopping Cart: 0 items [\$0.00] 🛒

- [🔍 New Search](#)
- [📅 History](#)
- [💰 Payoff](#)
- [💰 PayTaxes](#)
- [? Help](#)

Parcel #: 41-1110-02000-400
MP#: 14-002
Status: Current

Mailing Address:
 7600 FRANCE AVE S
 EDINA , MN 55435

Receipt: 14740

Legal Description:
 PRAIRIE HILLS 1ST 2ND REPLAT L 4 & 5 B 2

2024 Owner(s):
 NASH FINCH COMPANY

2023 Value:

Market: \$2,642,400
Taxable: \$132,120

Disabled Vet Credit: \$0
Homestead Credit: \$0
Net Taxable: \$132,120

Detail

2023 Taxes:

[View Pie Charts](#)

First Half: \$15,243.35 **Due:** 3/1/2024
Second Half: \$15,243.34 **Due:** 10/15/2024
Total: \$30,486.69

Show Current Tax Bill

Detail

2023 Payments:

First Half: \$0.00
Second Half: \$0.00
Discount: \$0.00
Total: \$0.00
 (May include penalty & interest)

2023 Legal Records:

Geo Code:

Property address: 446 18TH STREET W , DICKINSON ND 58601
Subdivision: (41-1110) PRAIRIE HILLS 1ST **Lot:** 4 **Block:** 2
TRS: T140, R096, Sec. 33
Legal: PRAIRIE HILLS 1ST 2ND REPLAT L 4 & 5 B 2

Note: The accuracy of this data is not guaranteed.
 Web data was last updated 12/27/2023 03:00 PM.

Send Payments To:

Stark County Auditor
 PO Box 130
 Dickinson, ND 58602



Description of Project

The property currently consists of a vacant 37,785 square foot former Supermarket. The property has been vacant for over 5 years. While the existing roof and mechanicals are in decent condition, the property will need to be remediated from minor asbestos, the approximate 52,000 square foot parking lot will need to be improved and updated including grinding, saw cutting and crack filling existing pot holes and seal coating and striping. Two 75' sanitary and sewer lines that were servicing the property are currently non-operational and collapsed and will need to be removed and replaced.

The contract purchaser currently has procured 2 national tenants to lease and occupy the entire 37,785 square feet for an initial period of 10 years with the potential to continue their respective tenancies by exercising pre-negotiated lease renewal options. The current 37,785 square foot space will be sub-divided into a 17,540 square foot space located on the north end of the property and a contiguous 20,245 square foot space located on the south end of the property. All utilities including gas, water, sanitary and sewer as well as the existing fire suppression system will need to be sub-divided to meter two separate tenants in the building. Both spaces will be fully improved and separately demised including new facades, store fronts, sales floors, fixtures, ceilings, HVAC units and interior ductwork.

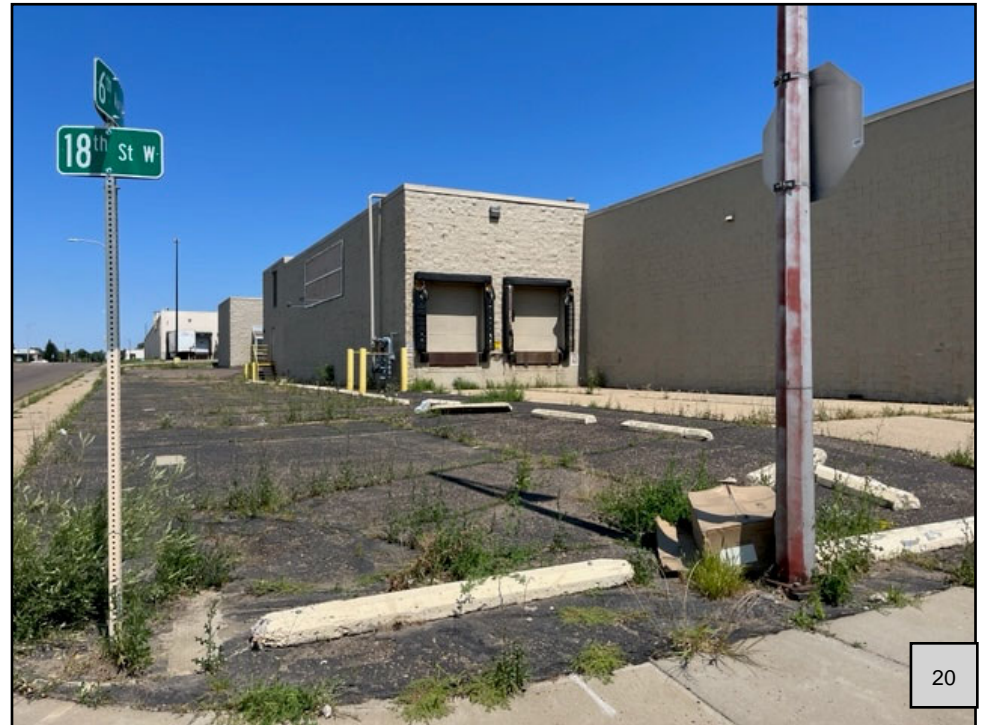
446 18th Street W, Dickinson, ND - July 30, 2022



446 18th St. West
Dickinson, ND 58601







Dickinson, ND
Construction Budget:

Hard Costs
\$ (2,205,000.00)

Tenant #1 Build-out	\$	(500,000.00)
Tenant #2 Build-out	\$	(150,000.00)
Roof	\$	(350,000.00)
parking lot	\$	(165,000.00)
Demising Walls	\$	(100,000.00)
Utility Separation	\$	(145,000.00)
Electricity	\$	(55,000.00)
Exterior Wall Pack	\$	(17,500.00)
Sanitary	\$	(51,000.00)
Sewer	\$	(21,000.00)
Plumbing	\$	(12,500.00)
Interior Demo	\$	(145,000.00)
EPA Remediation	\$	(95,000.00)
Floor leveling	\$	(37,500.00)
Fire Suppression Update	\$	(35,000.00)
Façade/storefront	\$	(231,000.00)
Compactor	\$	(35,000.00)
Compactor Pad	\$	(12,500.00)
Bollards	\$	(12,000.00)
Trash Enclosure	\$	(35,000.00)

Total Construction Costs \$ (2,205,000.00)

GC
Millco Investments Co.



Robert Miller
Managing Member



December 22, 2023

Ref: L2028866688

ROBERT MILLER
5215 OLD ORCHARD RD STE 130
SKOKIE IL 60077-1098

RE: Renaissance Zone Certificate Of Good Standing, State Income And Sales Taxes Only
MILLCO DICKINSON, LLC

This letter is evidence of good standing as required by the North Dakota Division of Community Services for purposes of obtaining final approval of a renaissance zone project.

As of the date of this letter, the records in the North Dakota Office of State Tax Commissioner do not show probable cause to believe that any income taxes (including income tax withheld from wages) or sales and use taxes are due and owing to the State of North Dakota by the following taxpayer:

Taxpayer's Name: ROBERT MILLER
SSN or FEIN: ***-**-2642
MILLCO DICKINSON, LLC
93-4073210

This letter must be submitted (as part of the zone project application) to the local zone authority for the renaissance zone in which the proposed zone project will be located. Please keep a copy of this letter for your records.

Liliya Montgomery

Liliya Montgomery
Supervisor, Individual Income Tax and Withholding
Phone: 701-328-1296
Email: lmontgomery@nd.gov



MILLCO DICKINSON LLC
RENAISSANCE Zone project
staff report

To: Planning and Zoning Commission
From: City of Dickinson Planning Department
Date: February 14, 2024
Re: **REN-001-2024 Millco Dickinson LLC**

APPLICANT

Millco Dickinson LLC
5215 Old Orchard Road Suite 130
Skokie IL 60077

Email: Charlie@millcoinvestments.com
Phone: 312-377-7800

Public Hearing	February 21, 2024	Planning and Zoning Commission
Final Consideration	March 5, 2024	City Commission

EXECUTIVE SUMMARY

Property Description Based on Current Plat

Lots 4 and 5, Block 2 of the 2nd Replat of Prairie Hills 1st Addition Subdivision within the City of Dickinson.

Request

The applicant is requesting a five-year real estate tax exemption and a maximum five-year income tax exemption for a commercial rehabilitation project on Block 41 of the City of Dickinson’s Renaissance Zone. Millco Dickinson LLC intends to renovate an existing vacant building. The vacant 37,785 square foot building will be converted into two separate retail units.

Millco Dickinson LLC has submitted a completed application and is in compliance with application requirements.

The applicant estimates the project investment amount is \$2,205,000. According to the applicant, the following improvements are required:

- Removal and replacement of two non-operational and collapsed sanitary sewer lines;
- Asbestos removal;
- Installation of a demising wall separating the existing 37,785 square foot space into two separate retail spaces;
- The separation of all utilities between the two separate retail spaces;
- The separation of the existing fire suppression system between the two separate retail spaces;
- The separation and improvement of fixtures, ceilings HVAC units and interior ductwork;
- The creation of two new facades, sales floors, and store fronts; and
- Improving and updating the parking lot.

The City of Dickinson City Assessor indicates the current true and full value of the property is \$2,642,400.

Staff Recommendation

Approval.

LOCATION

The vacant structure is located at 446 18th Street West in Dickinson.

CURRENT ZONING	Community Commercial
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	2.039
LOTS PROPOSED	n/a

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	Community Commercial	Retail shopping center
East	Community Commercial	NDDOT
South	Community Commercial	Retail shopping center
West	Community Commercial	Retail uses

STAFF ANALYSIS

Staff of the North Dakota Department of Commerce have confirmed this project is considered an allowable Renaissance Zone project.

According to the City of Dickinson's Renaissance Zone Development Plan, as amended effective January 2024, the site of the project is located within the City's Renaissance Zone, and it is listed in Plan's Property Inventory.

The proposed project is consistent with the following goals of the City's Renaissance Zone Plan:

To gain at least 3 improved structures or new businesses in the Renaissance Zone a year.

This is the first Renaissance Zone project submitted to the City in 2024.

The proposed project is consistent with the following objective of the City Renaissance Zone Plan:

Foster a culture of progressiveness and change while recognizing the traditions and history of the area.

In Chapter IV of the Development Plan "Selection of Projects in the Zone", item 1.b. appears as follows:

b. To be considered an eligible zoned rehabilitation project, a commercial property owner must invest at least 50% of the full and true values of the property.

Half of the full and true value of the property is \$1,321,200. The estimated project cost of \$2,205,000 exceeds 50 percent of the full and true value of the property.

Consistency with the Comprehensive Plan

The proposed project is consistent with Policy 1.1. of Chapter 3 of the City of Dickinson Comprehensive Plan, which states the City shall actively promote the Renaissance Zone. The project is also consistent with Comprehensive Plan Policy 1.4 of Chapter 3, which states the City shall provide technical assistance with Renaissance Zone applications.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Development Team staff recommends **approval** of this Renaissance Zone project request.

APPENDICES

Appendix A – Application Materials

MOTIONS

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of REN-001-2024 The Millco Dickinson LLC Renaissance Zone Rehabilitation project as being consistent with City of Dickinson Renaissance Zone Development Plan, as well as being the compliant with the City of Dickinson Comprehensive Plan and also being in the interest of the public health, safety and welfare.

*****Denial*****

I move the Dickinson Planning and Zoning Commission recommend Denial of The Millco Dickinson LLC Renaissance Zone Rehabilitation project as NOT being consistent with City of Dickinson Renaissance Zone Development Plan, as Not being compliant with the City of Dickinson Comprehensive Plan and as being contrary to interest of the public health, safety and welfare.



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at:

The remaining portion of 1st St Southwest between 48th Ave SW and GTA Drive

For the Reason:

Planned expansion of the facility to the north.

Handwritten signature of Guy M. Moos, Pres.

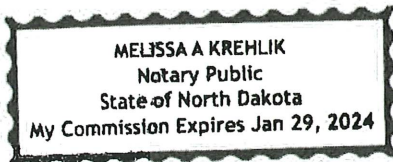
State of North Dakota)

:ss

County of Stark)
Guy M. Moos

being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 15 day of November, 2023



Handwritten signature of Melissa A. Krehlik, Notary Public, Stark County, North Dakota, My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners (add more pages if needed)

Handwritten signature: Moos Enterprises, LLP, Guy M. Moos, Partner

Address, Lot, Block and Addition

All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2 Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson

Southwest Water Authority



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

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For the Reason:
Planned expansion of the facility to the north.

Jay M. Moos, Pres.
Signature Line

State of North Dakota)
County of Stark)

Jay M. Moos, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.
Subscribed and sworn to before me this 15 day of November, 2023

MELISSA A KREHLIK
Notary Public
State of North Dakota
My Commission Expires Jan 29, 2024

Melissa A. Krehlik, Notary Public
Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)
Jay M. Moos, Partner
Moos Enterprises, LLP

Address, Lot, Block and Addition
All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

Ryan Berger
MDU (Gas Department)

[Signature]
MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson

Southwest Water Authority



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at:

The remaining portion of 1st St Southwest between 48th Ave SW and GTA Drive

For the Reason:

Planned expansion of the facility to the north.

Doug M. Moos, Partner
Signature Line

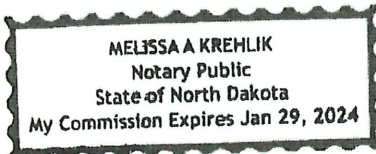
State of North Dakota)

:ss

County of Stark)

Doug M. Moos, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 15 day of November, 2023



Melissa A. Krehlik, Notary Public
Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)

Moss Enterprises, LLP
Doug M. Moos, Partner

Address, Lot, Block and Addition

All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

[Signature]
Century Link (701-690-2079)

MDU (Electric Department)

[Signature]
Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson

Southwest Water Authority

*CENTURYLINK DOES HAVE A CABLE ALONG THE SOUTH SIDE OF 1ST ST AND IF IT IS IN THE



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

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The remaining portion of 1st St Southwest between 48th Ave SW and GTA Drive

For the Reason:

Planned expansion of the facility to the north.

Greg M. Moos, Pres.
Signature Line

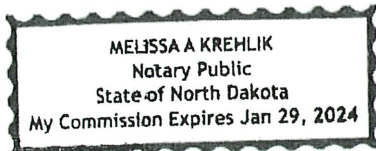
State of North Dakota)

:ss

County of Stark)

Greg M. Moos, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 15 day of November, 2023



Melissa A. Krehlik
Notary Public

Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)

Moos Enterprises, LLP
Greg M. Moos, Partner

Address, Lot, Block and Addition

All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Shawn Olson
Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson

Southwest Water Authority



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

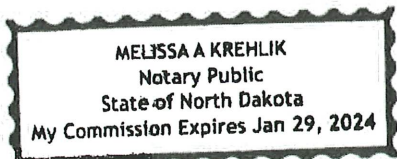
(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at:
The remaining portion of 1st St Southwest between 48th Ave SW and GTA Drive

For the Reason:
Planned expansion of the facility to the north.

[Handwritten signature: May M. Moos, Pres.]
Signature Line

State of North Dakota)
County of Stark)

[Handwritten signature: May M. Moos], being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.
Subscribed and sworn to before me this 15 day of November, 2023



[Handwritten signature: Melissa A. Krehlik], Notary Public
Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)
[Handwritten signature: May M. Moos, Partner]
Moos Enterprises, LLP

Address, Lot, Block and Addition
All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)
Century Link (701-690-2079)
Tony A Praus
Consolidated Telephone
Midcontinent Communications
Southwest Water Authority

MDU (Electric Department)
Roughrider Electric
Tony A Praus
Consolidated Cable Vision
City of Dickinson



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
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For the Reason:

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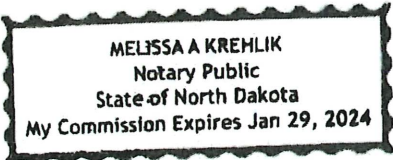
Gay M. Moos, Pres.
Signature Line

State of North Dakota)

County of Stark) :ss

Gay M. Moos, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 15 day of November, 2023



Melissa A. Krehlik, Notary Public
Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)

Moos Enterprises, LLP
Gay M. Moos, Partner

Address, Lot, Block and Addition

All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Randy Acosta
Midcontinent Communications

City of Dickinson

Southwest Water Authority



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

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The remaining portion of 1st St Southwest between 48th Ave SW and GTA Drive

For the Reason:

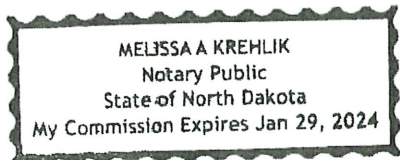
Planned expansion of the facility to the north.

Handwritten signature of Guy M. Moos, Pres.
Signature Line

State of North Dakota)
County of Stark)

Guy M. Moos, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 15 day of November, 2023



Handwritten signature of Melissa A. Krehlik, Notary Public
Stark County, North Dakota
My Commission Expires: 1/29/24

Signatures of Adjoining Property Owners
(add more pages if needed)

Handwritten signature: Guy M. Moos, Partner
M Moos Enterprises, LLP

Address, Lot, Block and Addition

All of Lot 7, West 100' of lot 6 & West 100' of Lot 8, Block 2
Dickinson Industries Replat

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson

Handwritten signature of Southwest Water Authority Manager/CEO

From: [Steve Josephson](#)
To: [Curtis Freeman](#)
Cc: [Al Heiser](#)
Subject: RE: Petition for Vacation - Remainder of 1st Street SW
Date: Tuesday, January 2, 2024 1:59:52 PM
Attachments: [image002.png](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Curtis,

Stark County Planning and Zoning has no comment on the proposed petition for vacation.

Steve

From: Curtis Freeman <Curtis.Freeman@kljeng.com>
Sent: Tuesday, January 2, 2024 9:44 AM
To: Al Heiser <AHeiser@starkcountynd.gov>; Steve Josephson <SJosephson@starkcountynd.gov>
Subject: RE: Petition for Vacation - Remainder of 1st Street SW

Guys,

Happy New Year!

Following up on this as I did not receive any comments back.

Thanks

Curtis Freeman

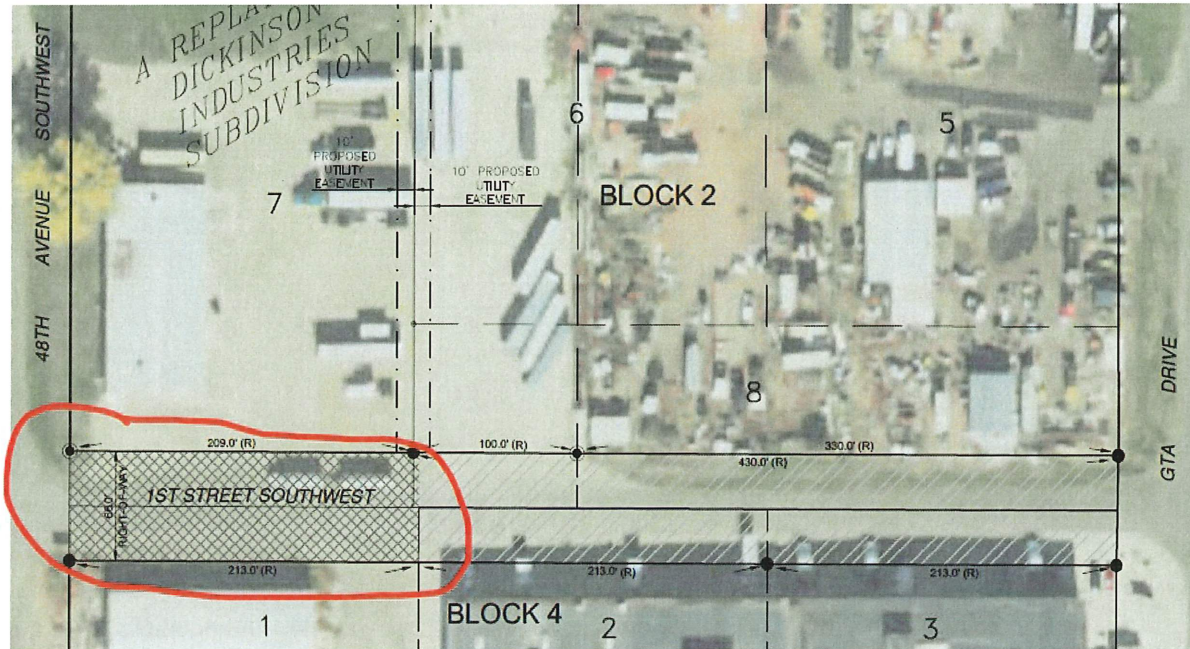


701-456-3160 **Direct**
701-260-2294 **Cell**
677 27th Avenue East
Dickinson, ND 58601
kljeng.com

From: Curtis Freeman
Sent: Tuesday, November 21, 2023 8:12 PM
To: ike.kuntz@mdu.com; Pulkrabek, Cody <Cody.Pulkrabek@lumen.com>; Jason Bentz <jbentz@roughriderelectric.com>; randy.heaton@midco.com; tony@consolidated.com; jmurray@swwater.com; Al Heiser (aheiser@starkcountynd.gov) <aheiser@starkcountynd.gov>; Steve Josephson - Stark County (SJosephson@starkcountynd.gov) <sjosephson@starkcountynd.gov>
Subject: Petition for Vacation - Remainder of 1st Street SW

All,

Baker Boy is requesting to vacate the remainder of 1st Street Southwest between GTA Drive and 48th Ave SW to allow for future expansion of the facility. The east 426 feet was vacated last spring/early summer. Attached is the petition for vacation and a map showing the new proposed vacation area which will be the west 213 feet of 1st Street Southwest. I've also included a screen shot below showing the areas circled in red.



If you have any questions, please let me know.

Curtis Freeman



701-456-3160 Direct
701-260-2294 Cell
677 27th Avenue East
Dickinson, ND 58601
kljeng.com

VAC-001-2024 Baker Boy Right-of-Way Vacation



OVERALL MAP

VACATION OF 1ST ST SOUTHWEST BETWEEN BLOCK 2 AND BLOCK 4 A REPLAT OF DICKINSON INDUSTRIES SUBDIVISION



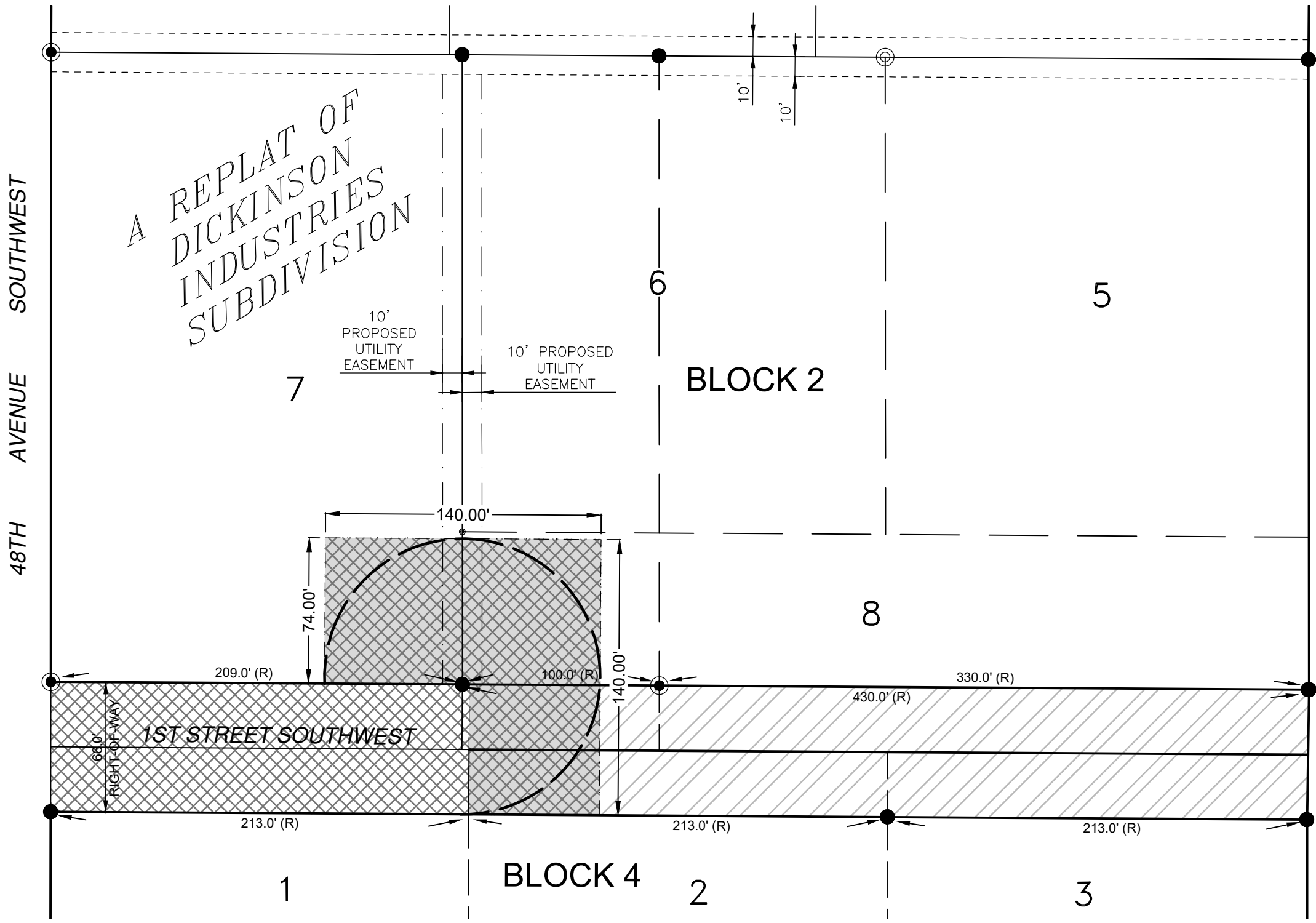
LEGEND

- BAKER BOY PROPERTY
- VACATED STREET
- VACATION AREA

STREET VACATION

1ST STREET SOUTHWEST

LOCATED IN A REPLAT OF DICKINSON INDUSTRIES SUBDIVISION IN THE W1/2 OF SEC. 7-T139N-R96W,
STARK COUNTY, DICKINSON, NORTH DAKOTA



DESCRIPTION

A PORTION OF 1ST STREET SOUTHWEST LOCATED ADJACENT TO LOT 7 AND LOT 8, BLOCK 2 AND LOT 1, BLOCK 4 OF A REPLAT OF DICKINSON INDUSTRIES SUBDIVISION RECORDED IN DOCUMENT NUMBER 193650 OF THE STARK COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE REMAINING WEST 213 FEET OF A 66 FOOT WIDE RIGHT-OF-WAY KNOWN AS 1ST STREET SOUTHWEST BETWEEN GTA DRIVE AND 48TH AVENUE SOUTHWEST.

SAID PORTION OF LAND CONTAINS 0.32 ACRES.



LEGEND

- VACATION AREA
- PROPOSED LOT LINE
- VACATED STREET (DOC. NO. 3174612)
- ACCESS EASEMENT (TO BE VACATED)



RIGHT-OF-WAY VACATION STAFF REPORT

Section 3. Item B.

To: City of Dickinson Planning & Zoning Commission
 From: City of Dickinson Planning Department
 Date: February 13, 2023
 Re: VAC-001-2024 Baker Boy Right-of-Way Vacation

OWNER/APPLICANT

Guy M. Moos
 Moos Enterprises, LLP

Public Hearing	February 14, 2024	Planning and Zoning Commission
Final Approval	March 5, 2024	City Commission

EXECUTIVE SUMMARY

Description: To consider a request to vacate the remainder of a dedicated right-of-way legally described as dedicated public right-of-way along all of Lot 7, West 100' of Lot 6, & West 100' of Lot 8, Block 2, A Replat of Dickinson Industries Subdivision, in the W1/2 of Section 7, Township 139 North, Range 96 West, Stark County, North Dakota.

This request is to vacate the remainder public right-of-way east of 48th Ave SW, for roughly 210 feet toward the east, along 1st Street SW. Additionally, the applicant is vacating an access easement displayed as a cul-de-sac. The purpose for this request is to further improve operations as the applicant deems fit at the Baker Boy industrial facility. Further information is provided in the attachments; see: Transmittal Letter.

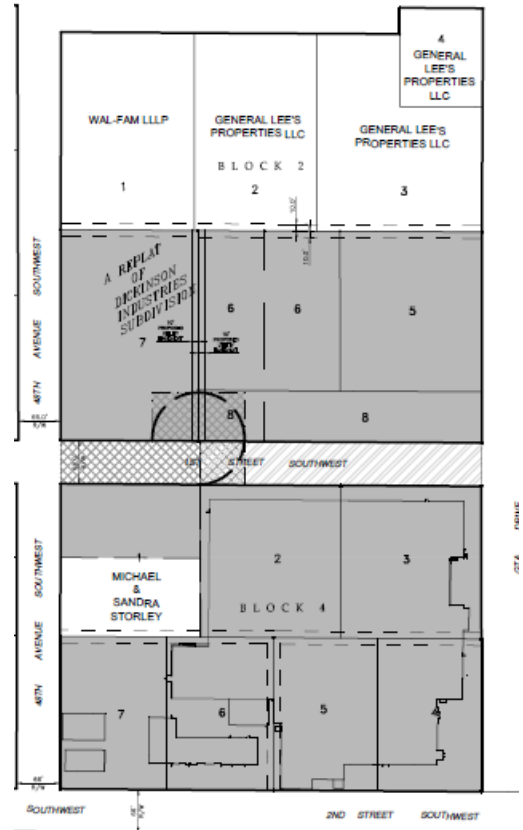
No comments have been received by City of Dickinson staff as of the date of this report.

LOCATION

Legal Description

Dedicated public right-of-way along all of Lot 7, West 100' of Lot 6, & West 100' of Lot 8, Block 2, A Replat of Dickinson Industries Subdivision, in the W1/2 of Section 7, Township 139 North, Range 96 West, Stark County, North Dakota.

General Location



STAFF CONCLUSIONS

Municipal Code Compliance:

The lots exhibited constitute a common development owned by Baker Boy. No lot will, therefore, be functionally landlocked and no neighboring property owner is anticipated to be affected. Staff has reviewed the right-of-way vacation process and finds this request to be in compliance of the City of Dickinson municipal code Chapters 33, 34, and 39 – Streets, Subdivision, and Zoning.

Fulfillment of this development, as proposed by the applicant and submitted documents, would be in compliance with the following sections and all other applicable municipal codes:

Section 39.09.006 Off-Street Parking Design Standards

Entrances and Exits

Section 39.09.007 Off-Street Loading

Loading Requirement

Recommendation: City of Dickinson Community Development Services staff recommends approval of this request.

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of **VAC-001-2024** 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 **VAC-001-2024** 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](#); [Loretta Marshik](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Wednesday, January 3, 2024 3:09:54 PM



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: [Dickinson South Cemetery Plat Pre-application Meeting Letter.pdf](#)

Name: Aaron Praus
Company: City of Dickinson
Applicant Email: aaron.praus@dickinsongov.com
Applicant Phone #: (701) 456-7840
Applicant Representative (if applicable): James Kiedrowski
Applicant Representative Company: KLJ
Applicant Representative Email: james.kiedrowski@kljeng.com
Applicant Representative Phone #: (701) 690-0503
Type of Development: Major Subdivision Preliminary Plat
Is this a Replat: No
Owner Name: Dustin Dassinger
Owner Address: 38 1ST ST W, Dickinson, ND, 58601

Owner Email dustin.dassinger@dickinsongov.com

Owner Phone # (701) 456-7739

Is the owner present to Sign

Owner Signature Upload [CitySign.pdf](#)

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

Metes and Bounds Description BEGINNING AT THE NORTHEAST CORNER OF DICKINSON SOUTH CEMETERY SUBDIVISION AS DESCRIBED IN DOCUMENT NUMBER 3007169, ON FILE AND RECORDED IN THE OFFICE OF THE RECORDER, STARK COUNTY, NORTH DAKOTA; THENCE ON AN AZIMUTH OF 091°38'43", A DISTANCE OF 500.00 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ON AN AZIMUTH OF 181°29'55", A DISTANCE OF 660.99 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THENCE WESTERLY ALONG SAID SOUTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ON AN AZIMUTH OF 271°36'01" A DISTANCE OF 500.00 FEET TO THE SOUTH EAST CORNER OF SAID DICKINSON SOUTH CEMETERY SUBDIVISION; THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER ON A AZIMUTH OF 001°29'55" A DISTANCE OF 661.38 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.60 ACRES.

	1/4 Section	Township	Range
Description	NW	139 N	96 W

Property Address / General Project Location SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (S1/2SW1/2NW1/4) OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 96 WEST

Total Square Footage or Acreage of Subject Property 7.60 Acres

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 1

Major Platting Multiplier 0

Name of Preliminary Plat Dickinson South Cemetery Second Subdivision

Preliminary Number Lots More than 40 Lots

Preliminary Number of Block(s) 24

0

Application Calc 2000

Required Documentation Upload [2204-0962_Plat_Preliminary.pdf](#)
[AutoCad&shapefile.zip](#)
[FM38089C0431E.pdf](#)

Deed for Property [Deed.txt](#)

Application Fees Applicable Fees 2,000.00 USD

Total: \$2,000.00

Transaction ID: px14pazc

==Payer Info==

First Name Andrew
Last Name Krebs
E-Mail aaron.praus@dickinsongov.com

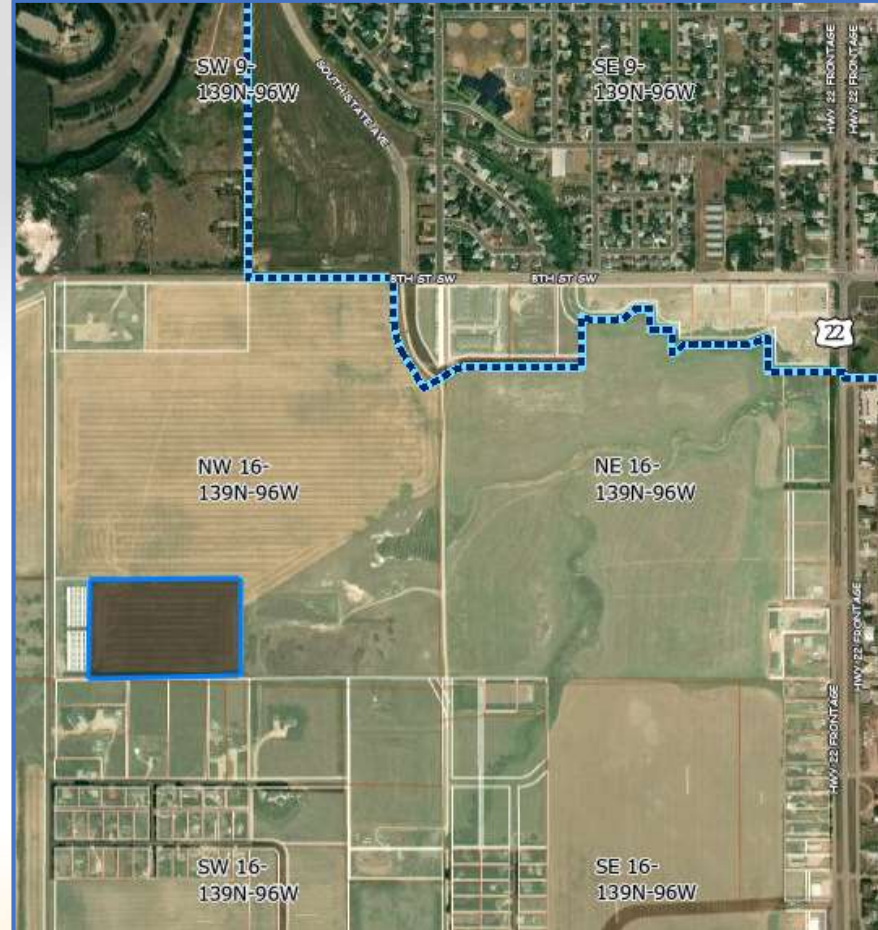
Applicant Signature

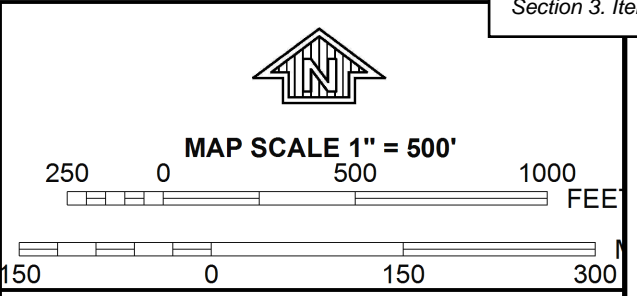
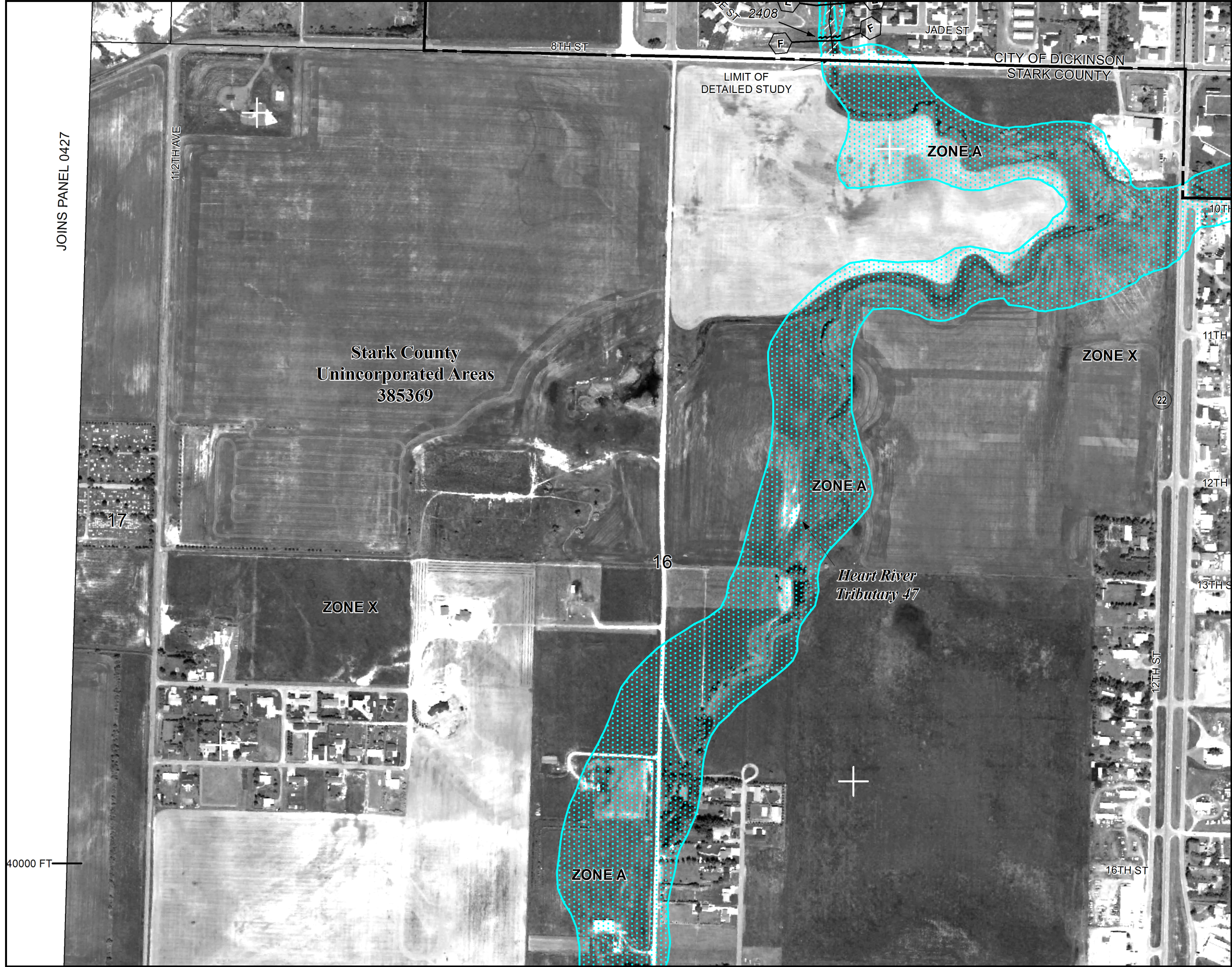
Date 01-03-2024

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

Attachments: Because the total size is more than **5MB** the uploads are not attached.

PLP-002-2024 Major Plat Dickinson South Cemetery Second Subdivision





PANEL 0431E

FIRM
FLOOD INSURANCE RATE MAP

**STARK COUNTY,
NORTH DAKOTA
AND INCORPORATED AREAS**

PANEL 431 OF 850
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DICKINSON, CITY OF	380117	0431	E
STARK COUNTY	385369	0431	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
38089C0431E
EFFECTIVE DATE
NOVEMBER 4, 2010

Federal Emergency Management Agency

JOINS PANEL 0427

40000 FT

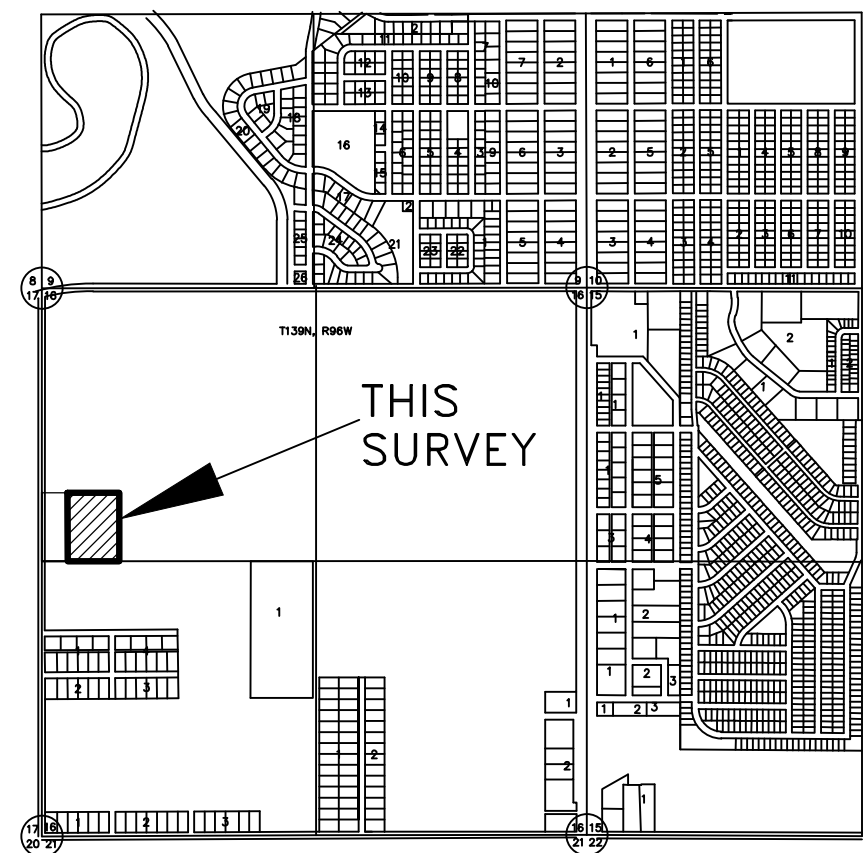
This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

DICKINSON SOUTH CEMETERY SECOND SUBDIVISION

A PARCEL OF UNPLATTED LAND LOCATED IN THE SOUTH HALF OF THE
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (S1/2SW1/4NW1/4) OF
SECTION 16, TOWNSHIP 139 NORTH, RANGE 96 WEST, OF THE FIFTH
PRINCIPAL MERIDIAN, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

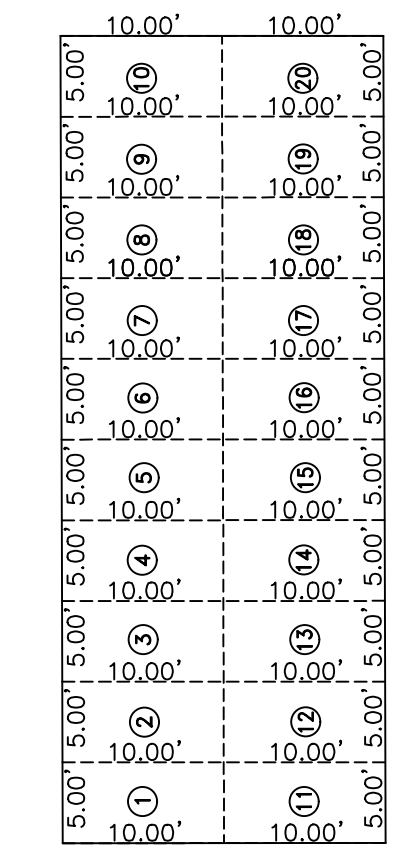
OWNER:
CITY OF DICKINSON
38 1ST STREET WEST
DICKINSON, ND 58601

ENGINEER:
KLJ
677 27TH AVE EAST
DICKINSON, ND 58601



VICINITY MAP
NOT TO SCALE

POINT	NORTHING	EASTING
A	442276.01	1390713.90
B	442261.66	1391213.70
C	441600.90	1391196.41
D	441614.86	1390696.61



TYPICAL LOT AND GRAVESITE LAYOUT, BLOCKS 1-24
NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, JAMES A. COOPER, PROFESSIONAL LAND SURVEYOR, N.D. NO. 5501, OF DICKINSON, STARK COUNTY, NORTH DAKOTA, DO HEREBY CERTIFY THAT THE SURVEY OF A PORTION OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (S1/2SW1/4NW1/4) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T. 139N.), RANGE NINETY-SIX WEST (R. 96W.) OF THE FIFTH (5TH) P.M., STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN, WAS MADE UNDER MY DIRECTION FROM NOTES MADE IN THE FIELD AND THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE BOUNDARY OF SAID TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF DICKINSON SOUTH CEMETERY SUBDIVISION AS DESCRIBED IN DOCUMENT NUMBER 3007169, ON FILE AND RECORDED IN THE OFFICE OF THE RECORDER, STARK COUNTY, NORTH DAKOTA; THENCE ON AN AZIMUTH OF 091°38'43", A DISTANCE OF 500.00 FEET; THENCE SOUTHERLY AND PARALLEL WITH THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ON AN AZIMUTH OF 181°29'55", A DISTANCE OF 660.99 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THENCE WESTERLY ALONG SAID SOUTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ON AN AZIMUTH OF 271°36'01" A DISTANCE OF 500.00 FEET TO THE SOUTH EAST CORNER OF SAID DICKINSON SOUTH CEMETERY SUBDIVISION; THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER ON A AZIMUTH OF 001°29'55" A DISTANCE OF 661.38 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 7.60 ACRES.

JAMES A. COOPER
PROFESSIONAL LAND SURVEYOR
NORTH DAKOTA NO. 5501

PROPRIETOR'S CERTIFICATE

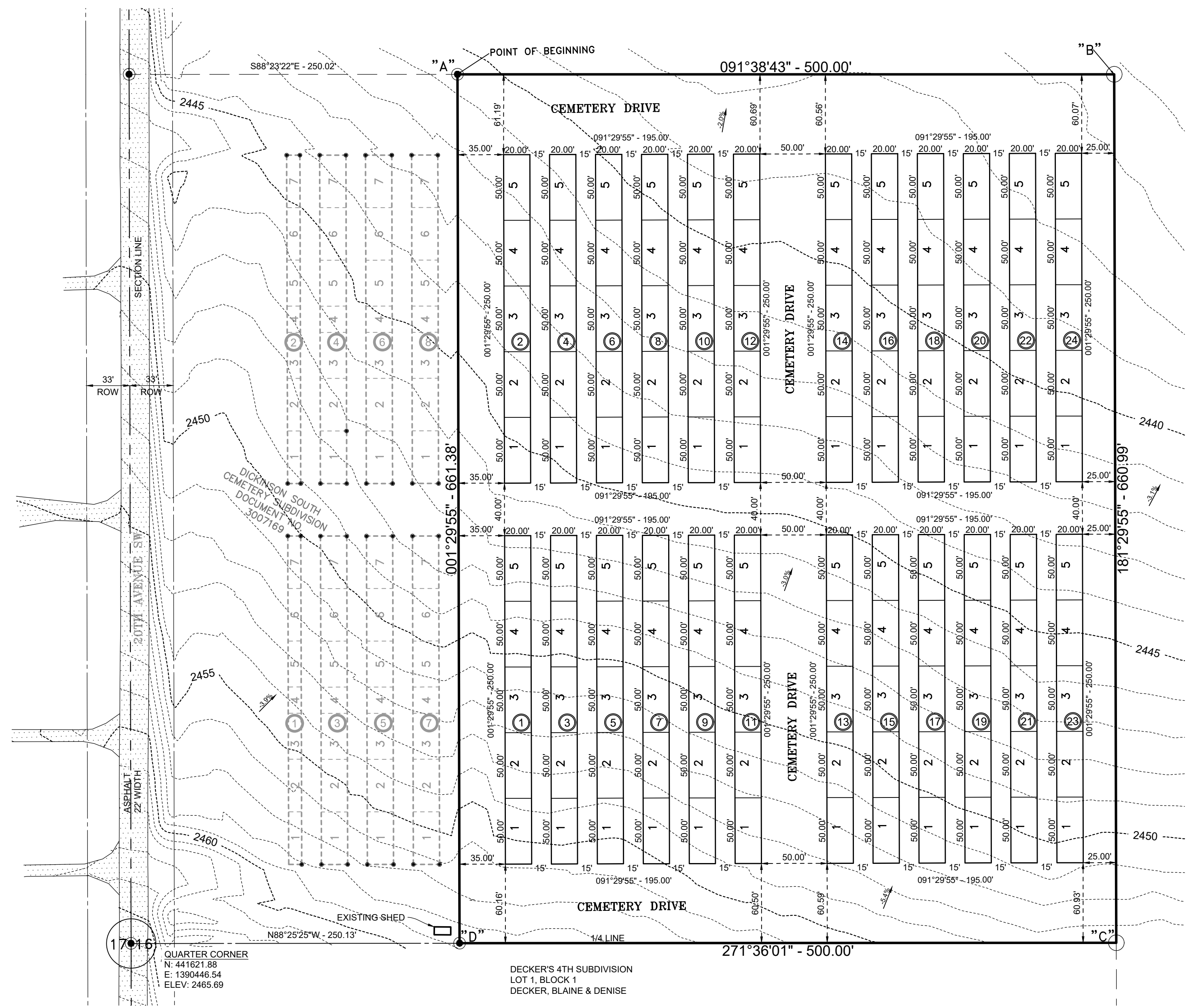
THE CITY OF DICKINSON, A MUNICIPALITY, OWNER AND PROPRIETOR OF DICKINSON SOUTH CEMETERY SUBDIVISION TO STARK COUNTY, NORTH DAKOTA, LYING IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (S1/2SW1/4NW1/4) OF SECTION 16, TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T. 139N.), RANGE NINETY-SIX WEST (R. 96W.), OF THE 5TH P.M., STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DOES HEREBY DECLARE THAT IS HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED BY JAMES COOPER, A NORTH DAKOTA LICENSED LAND SURVEYOR, AS SHOWN ON THE ACCOMPANYING PLAT. IN WITNESS, WHEREOF, WE HAVE HEREUNTO SUBSCRIBE OUR NAMES:

IN WITNESS, WHEREOF, WE HEREUNTO SUBSCRIBE OUR NAMES:

BY: SCOTT DECKER
OWNER OF DICKINSON ENERGY PARK, LLC

STATE OF NORTH DAKOTA)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____, 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.



PLAT AREA INFORMATION:

NUMBER OF LOTS	120
LOT ACREAGE	2.75 ACRES
R.O.W. ACREAGE	4.85 ACRES
TOTAL ACREAGE	7.60 ACRES

CURRENT ZONING: AG

LEGEND

- SET IRON REBAR AND CAP (LS5999) ○
- FOUND IRON REBAR AND BRASS CAP ●
- FOUND IRON REBAR & LS CAP ⊙
- SECTION LINE - - - - -
- QUARTER-SECTION LINE - - - - -
- RIGHT OF WAY LINE - - - - -
- EXISTING LOT LINE - - - - -
- PROPOSED LOT LINE - - - - -
- PROPOSED SUBDIVISION BOUNDARY = = = = =

NOTES:

- THIS SURVEY IS BASED ON NORTH DAKOTA STATE PLANE SYSTEM, NAD 83 (2011), SOUTH ZONE, INTERNATIONAL FOOT. AZIMUTHS SHOWN ARE GRID AZIMUTHS.
- ELEVATIONS ARE BASED ON NAVD 88 (GEOID 12A)
- ALL DISTANCES SHOWN ARE GROUND AND MEASURED UNLESS OTHERWISE NOTED.
- SURVEY WORK WAS PERFORMED DURING SEPTEMBER 2022.
- WATER IS PROVIDED BY SWWA.
- ALL ROADWAYS, DRIVES, ALLEYS, OR WALKWAYS ARE UNDEDICATED AND SOLELY FOR CEMETERY PURPOSES.

CITY OF DICKINSON COMMISSION APPROVAL

STARK COUNTY COMMISSION APPROVAL

SCOTT DECKER, PRESIDENT _____ DATE

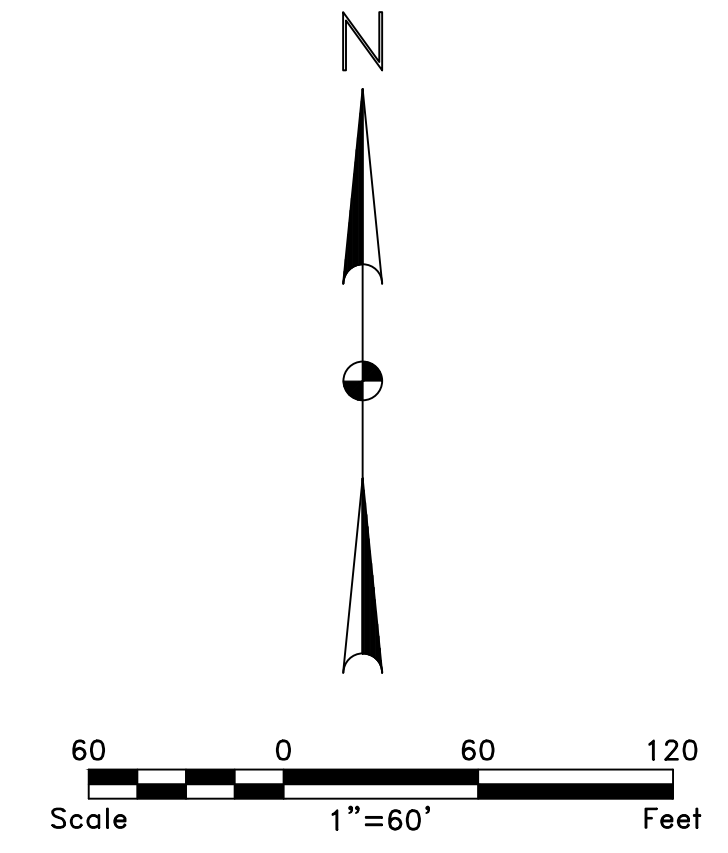
DEAN FRANCHUK, CHAIRMAN _____ DATE

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE

PLANNING AND ZONING COMMISSION APPROVAL

MATTHEW GALIBERT _____ DATE
CITY PLANNER



PRELIMINARY



DRAWING COMPLETED: JANUARY 2023



State 9th Addition major plat staff report

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Community Development Services
Date: February 13, 2024
Re: **PLP-002-2024 South Cemetery Major Plat**

OWNER/APPLICANT

City of Dickinson
 38 1st Street W
 Dickinson, ND, 58601
 701 456 7744

APPLICANT’S REPRESENTATIVE

Aaron Praus
 City of Dickinson
 3411 Public Works Blvd,
 Dickinson, ND, 58601
 Aaron.praus@dickinsongov.com
 701 456 7840

Public Hearing	February 21, 2024	Planning and Zoning Commission
Public Reading	March 13, 2024	City Commission
Final Consideration	March 20, 2024	City Commission

EXECUTIVE SUMMARY

Current Plat Legal Description

To consider a Preliminary Plat for Dickinson South Cemetery Second Subdivision in the S1/2SW1/2NW1/4 of Section 16, T139N, R96W, Stark County, North Dakota.

Request

The City of Dickinson seeks to plat the second phase of the Dickinson South Cemetery which is located adjacent to the east of the Dickinson South Cemetery which was platted in 2000 and included 8 blocks, 7 lots per block, and 8 plots per lot. The Dickinson South Cemetery Second Subdivision will add 24 blocks, 5 lots per block, and 20 plots per lot. The plot sizes and layout for the drive isles matches what was platted for the Dickinson South Cemetery. The application is defined as a major plat subdivision because it consists of more than four lots as per Article 34-Subdivision of Land of the City of Dickinson municipal code; 34.030 Definitions. The drive isles for the Dickinson South Cemetery were constructed during the 2023 construction season, and the City of Dickinson recently began selling plots for the cemetery.

LOCATION

The property proposed for this rezone is legally described as a parcel of unplatted land located in the south half of the southwest quarter of the northwest quarter (S1/2SW1/2NW1/4) of Section 16, Township 139N, Range 96W, of the fifth Principal Meridian, Stark County, North Dakota.

The property is generally located 1,800 feet southwest of the City of Dickinson city limits, 4,000 feet west of Highway 22, and 2,000 feet south of 8th Street SW.

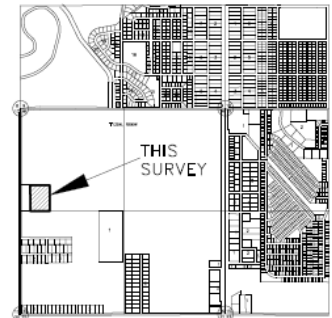
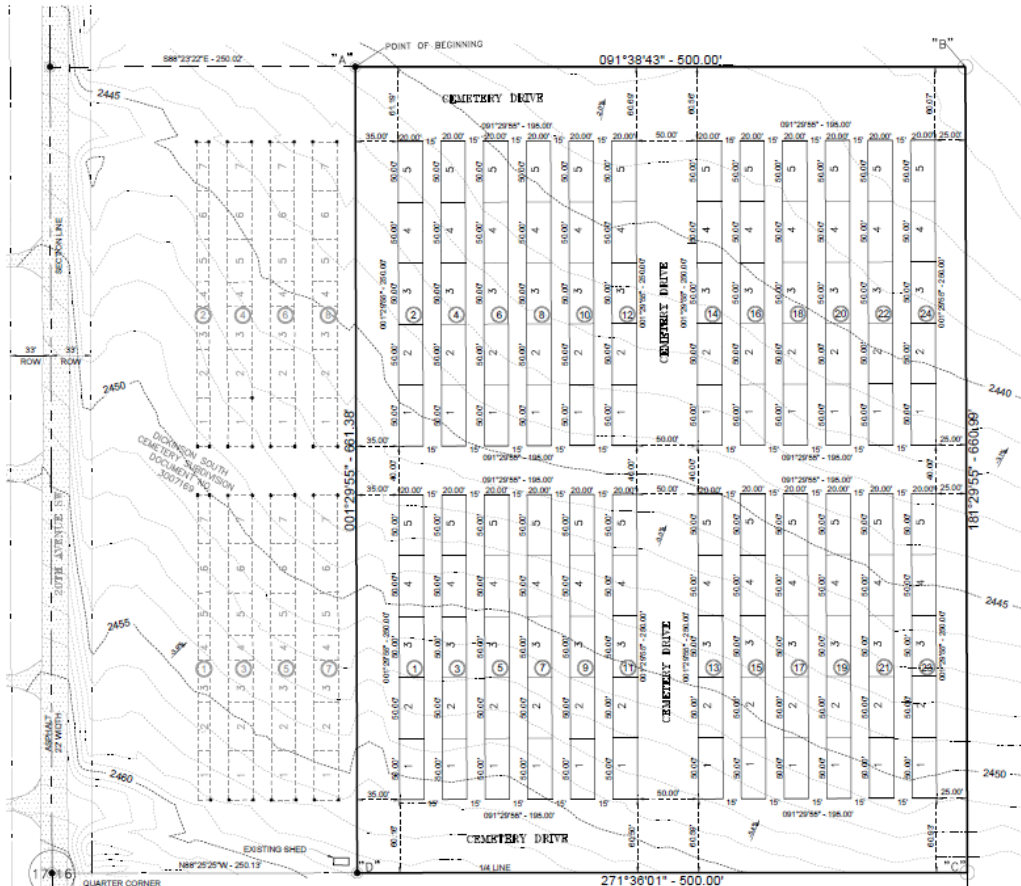


OWNER:

CITY OF DICKINSON
38 1ST STREET WEST
DICKINSON, ND 58601

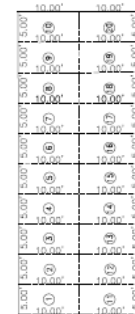
ENGINEER:

KLJ
677 27TH AVE EAST
DICKINSON, ND 58601



VICINITY MAP
NOT TO SCALE

POINT	NORTHING	EASTING
A	442276.01	1390713.90
B	442261.66	1391213.70
C	441600.90	1391196.41
D	441614.86	1390696.61



TYPICAL LOT AND GRAVESITE LAYOUT, BLOCKS 1-24
NOT TO SCALE



CURRENT ZONING	Agricultural AG
FUTURE LAND USE MAP DESIGNATION	Mixed Use
GROSS SITE ACREAGE	7.60 acres
LOTS PROPOSED	120

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agriculture
East	AG	Inert waste landfill
South	RR	Developed rural residential
West	AG	Cemetery surrounded by ag

Compliance with Zoning and Subdivision Regulations:

Approval of this plat would result in legal conformity with both Chapter 34 Subdivision and Chapter 39 Zoning.

Staff Recommendation: City of Dickinson Community Development Services staff recommends approval of this request.

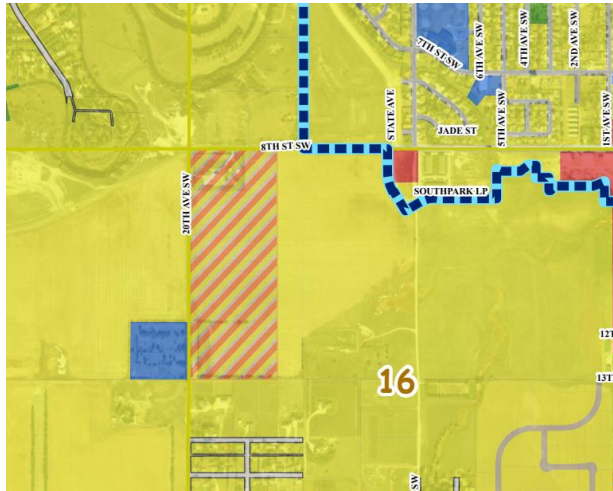
Public Input: As of the date of this report, City staff has not received any public comments.

APPENDICES

Appendix A – Future Land Use Map

Future Land Use

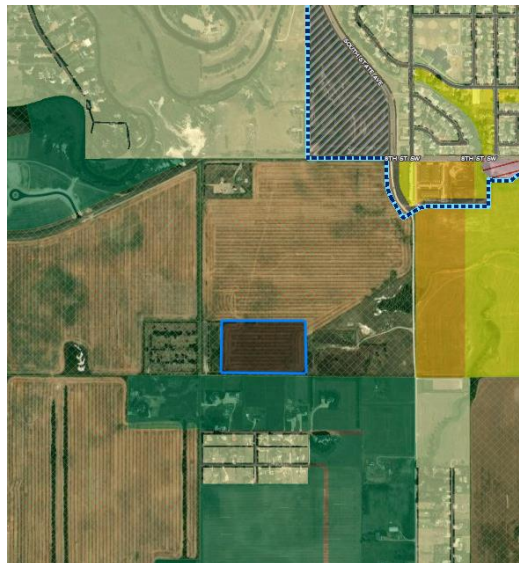
- Public/Civic
- Residential
- West Dickinson Residential
- Commercial
- Industrial
- West Dickinson Industrial
- Mixed Use
- Interchange
- Parks/Recreation
- Agricultural
- ROW



Appendix B – Zoning Map

Zoning Classification

- Planned Unit Development - PUD
- Community Commercial - CC
- Downtown Commercial - DC
- General Commercial - GC
- Limited Commercial - LC
- General Industrial - GI
- Limited Industrial - LI
- Low Density Residential - R1
- Medium Density Residential - R2
- High Density Residential - R3
- Rural Residential - RR
- Mobile Home - MH
- Public - P
- Agricultural - AG



MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-002-2024 Dickinson South Cemetery Second Subdivision** 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 **PLP-002-2024 Dickinson South Cemetery Second Subdivision** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*



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 Letter 202311SFS.docx.pdf](#)

Type of Development **Major Subdivision Final Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **Lots 4-6, Block 1, State 8th Addition**

Date of Final Plat Approval at Planning & Zoning Commission **01-17-2024**

Name **Aaron Grinsteinner**

Company **Venture Commercial, 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 Commercial, LLC

Owner Address: PO 1316, Dickinson, ND, 58602

Owner Email: venturehomesnd.aaron@gmail.com

Owner Phone #: (701) 290-1298

Is the owner present to Sign:

Owner Signature Upload: [231222_Owner Signature_2023-11-29.pdf](#)

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

Metes and Bounds Description: A PARCEL OF LAND BEING LOTS FOUR (4), FIVE (5), AND SIX (6), BLOCK ONE (1), STATE EIGHTH ADDITION IN SECTION SEVEN (5), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), 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 FOUR (4), SAID POINT BEING A FOUND REBAR AND CAP LS-3595; THENCE N 89°55'39" E ALONG THE NORTH LINE OF SAID LOT FOUR (4), A DISTANCE OF 170.03 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT FIVE (5); THENCE S 89°59'58" E ALONG THE NORTH LINE OF SAID LOT FIVE (5), A DISTANCE OF 169.95 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT SIX (6); THENCE N 89°58'06" E ALONG THE NORTH LINE OF SAID LOT SIX (6), A DISTANCE OF 170.00 FEET TO A FOUND REBAR AT THE NORTHEAST CORNER OF SAID LOT SIX (6); THENCE S 00°08'54" E ALONG THE EAST LINE OF SAID SECTION SIX (6), A DISTANCE OF 263.25 FEET TO A FOUND REBAR AT THE SOUTHEAST CORNER OF SAID LOT SIX (6); THENCE S 89°52'32" W ALONG THE SOUTH LINE OF SAID LOT SIX (6), A DISTANCE OF 169.97 FEET TO A FOUND REBAR AT THE SOUTHEAST CORNER OF SAID LOT FIVE (5); THENCE S 89°51'32" W ALONG THE SOUTHERN LINES OF SAID LOT FIVE (5) AND SAID LOT FOUR (4), A DISTANCE OF 254.72 FEET TO A SET REBAR AND CAP LS-5466 AT THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 783.00 FEET; THENCE WESTERLY

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°14'56" AN ARC LENGTH OF 85.40 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT FOUR (4); THENCE N 00°09'43" W ALONG THE WEST LINE OF SAID LOT FOUR (4), A DISTANCE OF 268.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3.09 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

	1/4 Section	Township	Range
Description	5	139	96

Property Address / General Project Location: Generally located east of Sanford Clinic between Fairway St and 8th Street W.

Total Square Footage or Acreage of Subject Property: 3.09 acres

Rezone Calc Multiplier: 0

Minor Platting Multiplier: 0

Prelim Platting Multiplier: 0

Major Platting Multiplier: 1

Name of Final Plat: State 9th Addition

Final Platted Lots: 1 to 10 Lots

Final Platted Block(s): 1

Name of Preliminary Plat: State 9th Addition

Preliminary Number Lots: 1 to 10 Lots

Preliminary Number of Block(s): 1

±10

Application Calc: 350

Required Documentation Upload: [231222_Closure Report_2024-01-24.pdf](#)
[231222_Plat-FINAL_2024-01-24.pdf](#)
[231222_Plat-PRELIM_2024-01-24.pdf](#)
[231222_Transmittal-FINAL PLAT_2024-01-24.pdf](#)

[231222_X-SITE_2024-01-24.pdf](#)

Deed for Property

[3179451_Warranty Deed.pdf](#)

Application Fees

Applicable Fees

350.00 USD

Total:

\$350.00

Transaction ID:

g13bha1a

==Payer Info==

First Name

Andrew

Last Name

Schrank

E-Mail

venturehomesnd.aaron@gmail.com

Applicant Signature



Date

01-24-2024

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

FLP-001-2024 Final Major Plat State 9th Addition





Transmittal Letter

To: Matthew Galibert – City Planner
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: January 24, 2024

Re: Major Final Plat Application – State 9th 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
- Legal Description of the Property (included, below)
- 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
- Sketch of Proposed Improvements
- Subdivision Plat Closure Report

Legal Description of Property

A PARCEL OF LAND BEING LOTS FOUR (4), FIVE (5), AND SIX (6), BLOCK ONE (1), STATE EIGHTH ADDITION IN SECTION SEVEN (5), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), 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 3.09 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

Project Purpose

This proposed plat of State 9th Addition is the replat of Lots 4-6. Block 1, State 8th Addition within the corporate limits of the City of Dickinson. This property currently includes three commercial lots that are each ±1-acre in area. In general, this replat subdivides the southern ±109-feet of these lots into five (5) residential lots leaving three (3) smaller commercial lots on the northern portion of this Plat.

Based on the owner’s market analysis, they have found that the desire for commercial property in the Dickinson area is for smaller commercial lots rather than the currently platted ±1-acre lots within this site. They have also found that a demand exists for additional residential property in the States Addition area. Therefore, this FLUM amendment will decrease the commercial property within these three (3) lots to ±0.6-acres each by creating five (5), ±0.25-acre lots along the southern ±109-feet of this site. The proposed zoning for these lots is High Density Residential (R3), although it is anticipated that these lots will contain either duplexes or single-family residences. The R3 zoning designation will decrease the required setbacks and buffer yards between these lots and the adjacent commercial zoning to maximize the buildable area within these residential lots.

The five southern residential lots will gain access from the existing 8th Street W public right-of-way. These driveways will be constructed at the time of development of these residences. Sidewalks will also be provided along the north side of the 8th Street W right-of-way along the south side of this development when these residences are constructed as required by current City Ordinances and Policy.

Sidewalk already exists along the south side of the Fairway Street right-of-way on the north side of this development. This sidewalk will remain or will be replaced if required to complete other improvements as part of this development. Shared driveways are proposed for the northern three commercial lots to help limit the number of access points required onto Fairway Street while providing sufficient ingress/egress for these lots. These proposed access points are generally shown by the enclosed sketch of proposed site improvements, and these locations will be enforced by the non-access lines depicted on the proposed plat drawing. As shown, a right-in/right-out driveway is proposed at the property line between Lots 2 and 3. Left turns will be restricted at this driveway by the existing raised median. A new left turn lane within the existing Fairway Street Median is proposed to provide access to the property line between Lots 1 and 2. This access will line up with the entrance to the hospital to the north. A similar left turn lane was added for this hospital entrance when it was constructed. These proposed access points and this added left turn lane are critical to the success of this commercial development and are key to the creation of market demand for these lots.

Existing 6" water service and 6" sanitary sewer service lines are stubbed to the southern edge of the existing three (3) lots from the existing 8" mains within 8th Street W. A 12" water main and 8" sanitary sewer main are also present within Fairway Street. These existing utilities are shown on the preliminary plat drawing.

New water and sewer service line connections will be required for the proposed Lots 5 and 7, Block 1, State 9th Addition. Furthermore, if any multi-family residences are constructed in these southern residential lots, additional water and sanitary sewer service lines will be required for each additional unit if the units are to have separate ownership. Additional service lines to the residential lots from the existing mains in 8th Street W will be constructed by the future developer at the time of building permit application for the residence since the number of service lines required is currently unknown.

The three (3) commercial lots on the north side of this development will require new water and sanitary sewer service lines. These service lines will be connected to the existing mains in Fairway Street and stubbed to these lots by the current owner/developer. These connections will require some patching of Fairway Street, which will be minimized as much as feasible. These service lines are generally shown by the enclosed sketch of proposed site improvements.

Site drainage will be routed to the adjoining roadways to match existing runoff patterns to the extent feasible. Since this site has a total area less than 5-acres, pre-vs-post development runoff analysis and stormwater detention are not required as indicated by City Ordinance 38.14.240.

To maximize the buildable area within this property, the existing 10-foot-wide utility easement on the west edge of this property is proposed to be reduced to a 6-foot width by the plat drawing. The owner has had verbal discussions with utility companies, and they are verbally agreeable to this easement vacation since there is another 10-foot utility easement within the property directly west of this site. The owner is working to obtain signatures of approval from each of these utility companies as required by the vacation process and will have this completed prior to final plat application.

The applicant does not own or intend to purchase any additional surrounding land at this time. Neighboring property owners have not been informed of this plan to date. This application has been prepared in accordance with local, state, and federal regulations.

Changes since Preliminary Plat Approval

The only change to the plat since the preliminary plat approval is the extension of the non-access line to the northeast corner of the subdivision to prevent a third access into this site. This was a condition of the preliminary plat approval which has been met by this change.

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



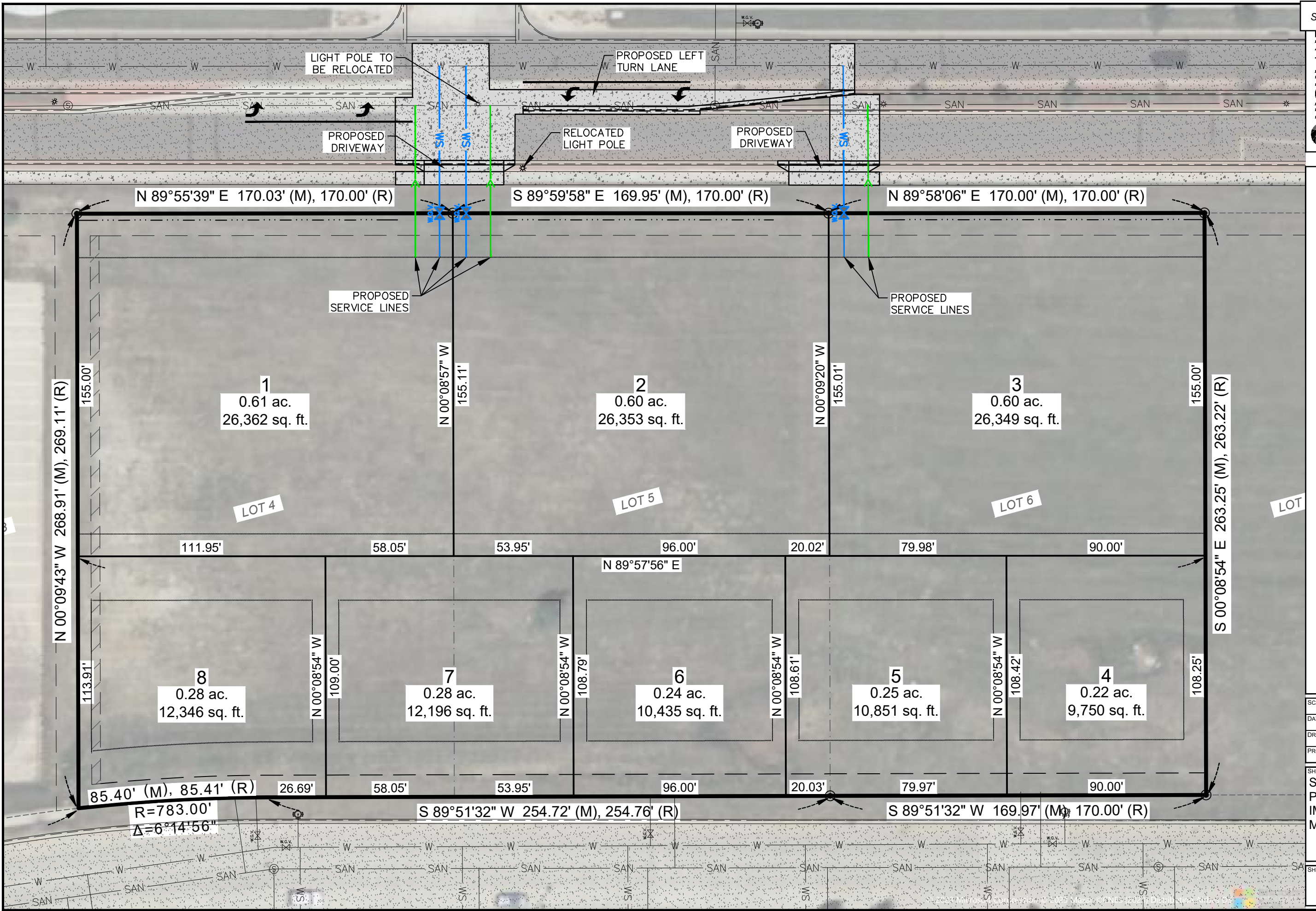
Andrew Schrank, PE, CFM
Highlands Engineering

LOTS 4-6, BLOCK 1, STATE 8TH ADDITION
DICKINSON, ND
VENTURE COMMERCIAL LLC

SCALE: 1"=40'
DATE: 01/24/24
DRAWN BY: AWS
PROJECT NUMBER: 231222

SHEET TITLE:
SKETCH OF PROPOSED IMPROVEMENTS

SHEET NUMBER:
SP-1
1 of 1 62



STATE 9TH ADDITION

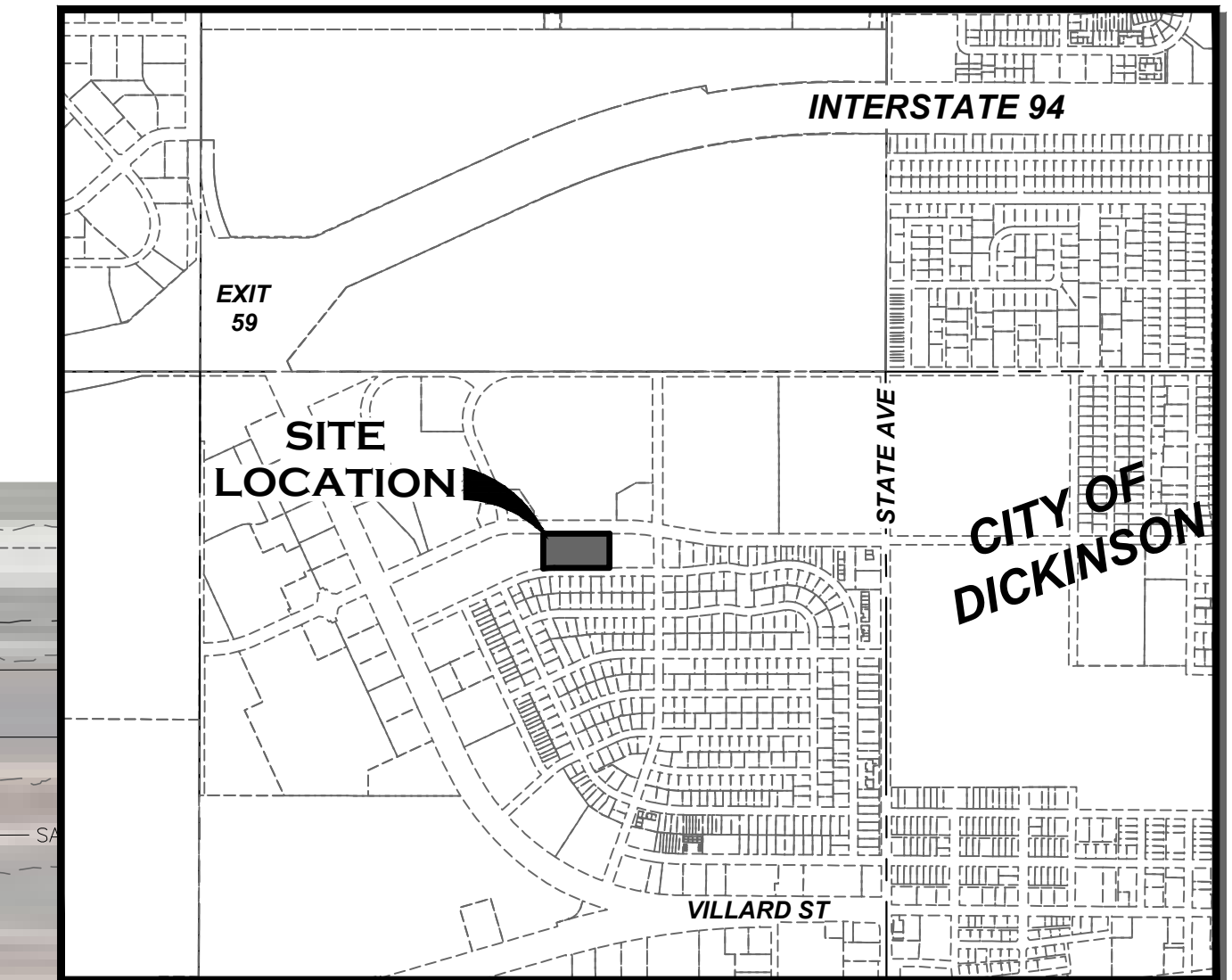
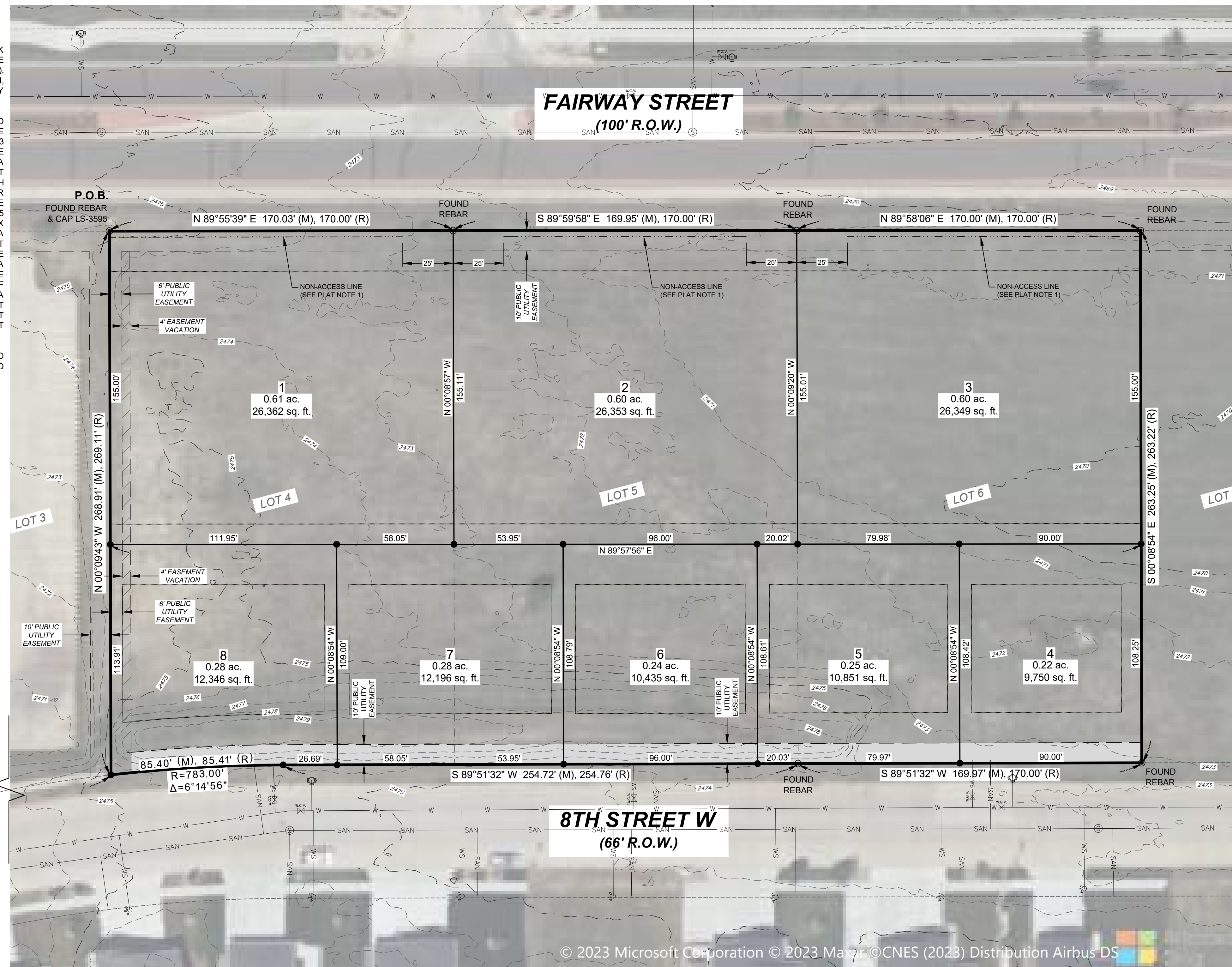
BEING THE REPLAT OF LOTS 4, 5, AND 6, BLOCK 1 OF STATE EIGHTH ADDITON
SECTION 5, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOTS FOUR (4), FIVE (5), AND SIX (6), BLOCK ONE (1), STATE EIGHTH ADDITION IN SECTION FIVE (5), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), 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 FOUR (4), SAID POINT BEING A FOUND REBAR AND CAP LS-3595; THENCE N 89°55'39" E ALONG THE NORTH LINE OF SAID LOT FOUR (4), A DISTANCE OF 170.03 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT FIVE (5); THENCE S 89°59'58" E ALONG THE NORTH LINE OF SAID LOT FIVE (5), A DISTANCE OF 169.95 FEET TO A FOUND REBAR AT THE NORTHWEST CORNER OF SAID LOT SIX (6); THENCE N 89°58'06" E ALONG THE NORTH LINE OF SAID LOT SIX (6), A DISTANCE OF 170.00 FEET TO A FOUND REBAR AT THE NORTHEAST CORNER OF SAID LOT SIX (6); THENCE S 00°08'54" E ALONG THE EAST LINE OF SAID SECTION SIX (6), A DISTANCE OF 263.25 FEET TO A FOUND REBAR AT THE SOUTHEAST CORNER OF SAID LOT SIX (6); THENCE S 89°51'32" W ALONG THE SOUTH LINE OF SAID LOT SIX (6), A DISTANCE OF 169.97 FEET TO A FOUND REBAR AT THE SOUTHWEST CORNER OF SAID LOT FIVE (5); THENCE S 89°51'32" W ALONG THE SOUTHERN LINES OF SAID LOT FIVE (5) AND SAID LOT FOUR (4), A DISTANCE OF 254.72 FEET TO A SET REBAR AND CAP LS-5466 AT THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 783.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°14'56" AN ARC LENGTH OF 85.40 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHWEST CORNER OF SAID LOT FOUR (4); THENCE N 00°09'43" W ALONG THE WEST LINE OF SAID LOT FOUR (4), A DISTANCE OF 268.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3.09 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.



VICINITY MAP
N
(1" = 1/4 MILE)

LEGEND

- PROPERTY BOUNDARY
- PROPOSED BLOCK LINES
- PROPOSED LOT LINES
- - - EXISTING LOT LINES
- - - EXISTING LOT LINES VACATED BY THIS PLAT
- FOUND MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
- - - NON-ACCESS LINE
- - - EXISTING EASEMENTS
- - - PROPOSED PUBLIC UTILITY EASEMENTS
- - - PUBLIC UTILITY EASEMENT VACATED BY THIS PLAT
- - - 5' MAJOR CONTOURS
- - - 1' MINOR CONTOURS
- - - BUILDING SETBACK LINES

MINIMUM BUILDING SETBACKS - COMMUNITY COMMERCIAL (CC)

- 1) FRONT YARD: 20-FEET
- 2) REAR YARD: 10-FEET
- 3) INTERIOR SIDE YARD: 0-FEET

MINIMUM BUILDING SETBACKS - MULTI-FAMILY RESIDENTIAL (R3)

- 1) FRONT YARD: 25-FEET
- 2) REAR YARD: 20-FEET
- 3) INTERIOR SIDE YARD: 6-FEET

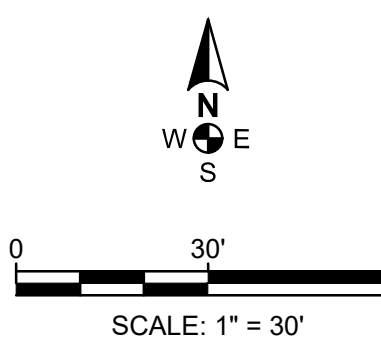
PLAT NOTES

- 1) NO VEHICULAR ACCESS TO OR FROM THESE LOTS SHALL BE ALLOWED ACROSS THE NON-ACCESS LINES AS DEPICTED.
- 2) THE EXISTING UTILITY EASEMENT ALONG THE PROPERTY LINE BETWEEN LOTS FIVE (5) AND SIX (6), BLOCK ONE (1) SHOW BY THE PLAT OF STATE EIGHTH ADDITION WAS PREVIOUSLY VACATED AS DOCUMENTED BY STARK COUNTY DOCUMENT NUMBER 3092281.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM WITH A GPS OBSERVATION POINT WITH LAT: N46°51'42.38099" / LONG: W102°47'24.24924" WITH BEARINGS BASED ON NORTH AT THIS LOCATION.
- 2) DATE OF LATEST FIELD WORK: NOVEMBER 6, 2023

© 2023 Microsoft Corporation © 2023 Maxar © CNES (2023) Distribution Airbus DS



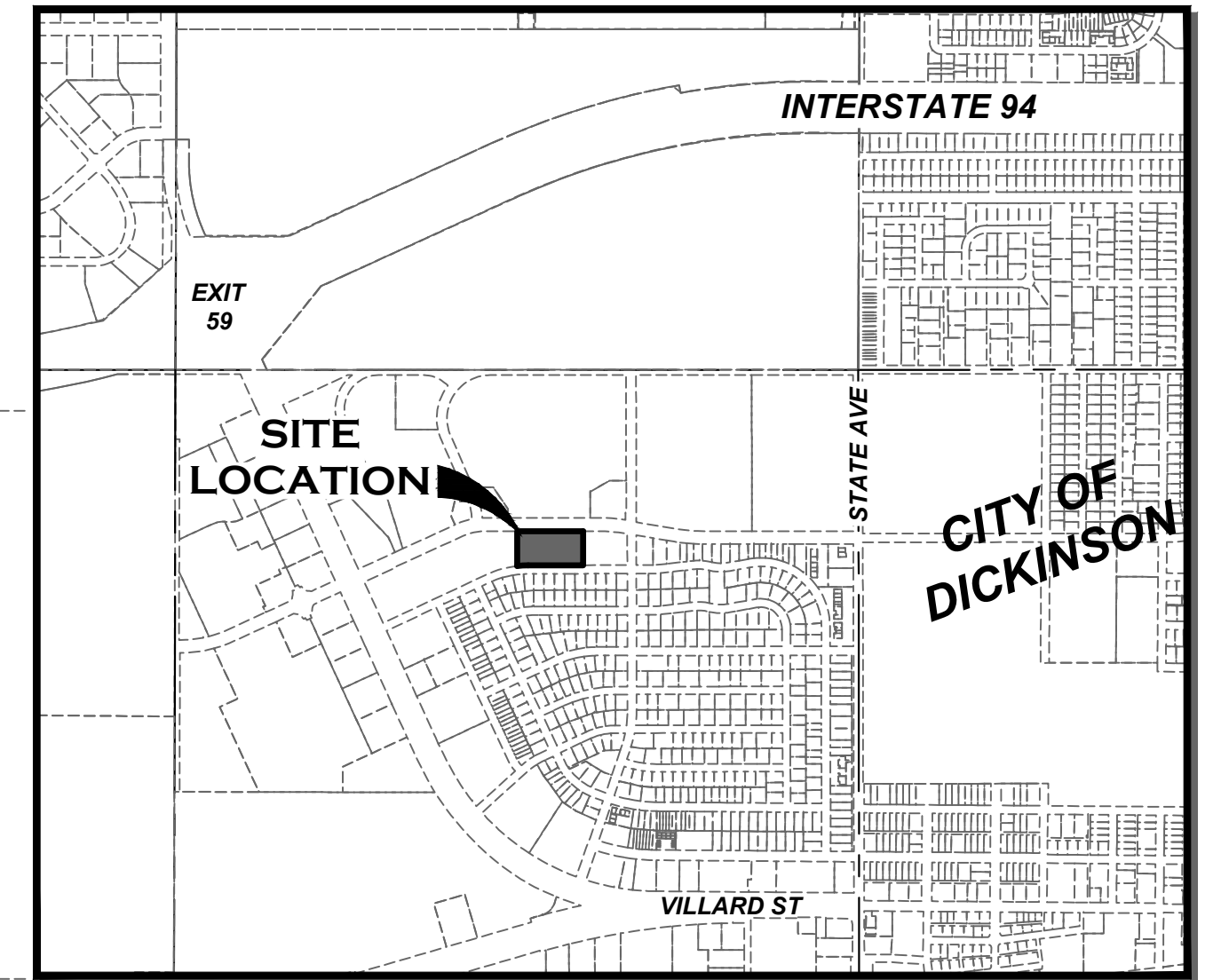
HIGHLANDS ENGINEERING

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

PROJECT NUMBER: 231222	SCALE: 1"=30'
DRAWN BY: AWS	DATE: 01/24/24

STATE 9TH ADDITION

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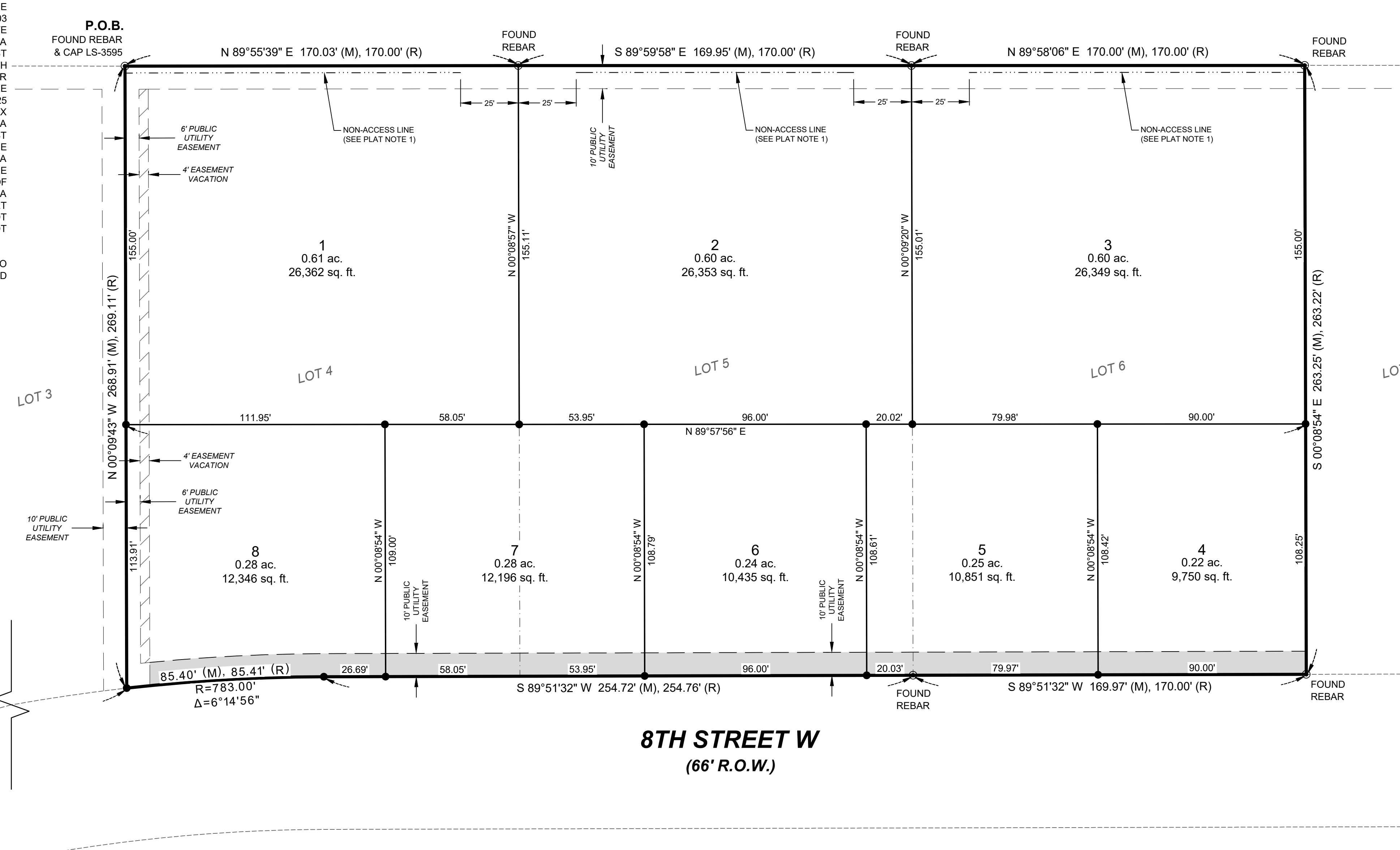
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(1" = 1/4 MILE)

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PROPRIETOR'S CERTIFICATE

I, AARON GRINSTEINER, AUTHORIZED REPRESENTATIVE OF VENTURE COMMERCIAL, LLC, RESIDING AT 4566 WEST RIDGE DRIVE, DICKINSON, ND 58601, THE OWNER AND PROPRIETOR OF PROPERTY LYING IN LOTS FOUR (4), FIVE (5), AND SIX (6), BLOCK ONE (1) OF STATE EIGHTH ADDITION LOCATED IN SECTION FIVE (5), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), 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 EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

AARON GRINSTEINER - VENTURE COMMERCIAL, 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 PERSON 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 _____

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 STATE 9TH 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 _____

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

LEGEND

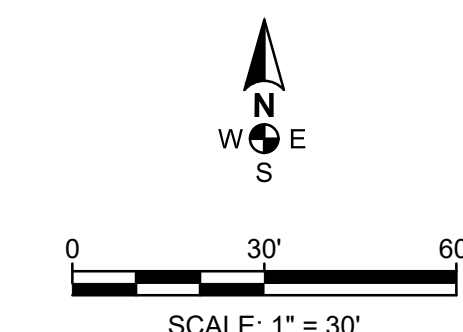
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- UN-MONUMENTED REFERENCE POINT
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- EXISTING EASEMENTS
- PUBLIC UTILITY EASEMENT VACATED BY THIS PLAT
- PROPOSED PUBLIC UTILITY EASEMENTS

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- DATE OF LATEST FIELD WORK: NOVEMBER 6, 2023



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

PROJECT NUMBER: 231222	SCALE: 1"=30'
DRAWN BY: AWS	DATE: 01/24/24



To: City of Dickinson Planning and Zoning
From: Benjamin Rae
Executive Director, Dickinson Parks
Date: February 13, 2024
RE: State 9th Addition Rezone Request

Article 34.50(5) of the Dickinson City Code gives the Board of Park Commissioners the authority and sole discretion to determine whether to accept 7% of land as park dedication or cash in lieu of land on approval of a plat or zoning designation. Venture Homes is requesting a replat of 55,578 sqft of State 9th Addition to the R-3 designation which equates to either a dedication of 0.089 acres or cash in lieu of land in the amount of \$8,336.70.

The Board of Park Commissioners met at their regularly scheduled meeting on February 12, 2024 to consider this request. Aaron Grinsteinner was in attendance representing the developer.

The Board of Park Commissioners approved the acceptance of cash in lieu of park land dedication in a 5-0 vote.

Sincerely,

A handwritten signature in black ink, appearing to read "Benjamin Rae", written in a cursive style.

Benjamin Rae
Executive Director, Dickinson Parks and Recreation



State 9th Addition major plat staff report

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Planning Department
Date: January 30, 2024
Re: **FLP-001-2024 State 9th Addition Major Plat**

OWNER/APPLICANT

Venture Commercial, LLC
 P.O. Box 1316
 Dickinson, ND, 58601
 Venturehomesnd.aaron@gmail.com
 701 290 1298

APPLICANT'S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
 319 24th Street East
 Schrank@highlandseng.com
 701 483 2444

Public Hearing	January 17, 2024	Planning and Zoning Commission
Public Reading	February 21, 2024	Planning and Zoning Commission
Final Consideration	March 5, 2024	City Commission

EXECUTIVE SUMMARY

The associated preliminary plat, PLP-001-2024, was unanimously approved by Planning & Zoning on 1/17/24. No changes were proposed. This is the final P&Z reading to recommend final approval to the City Commission on 3/5/24.

Current Plat Legal Description

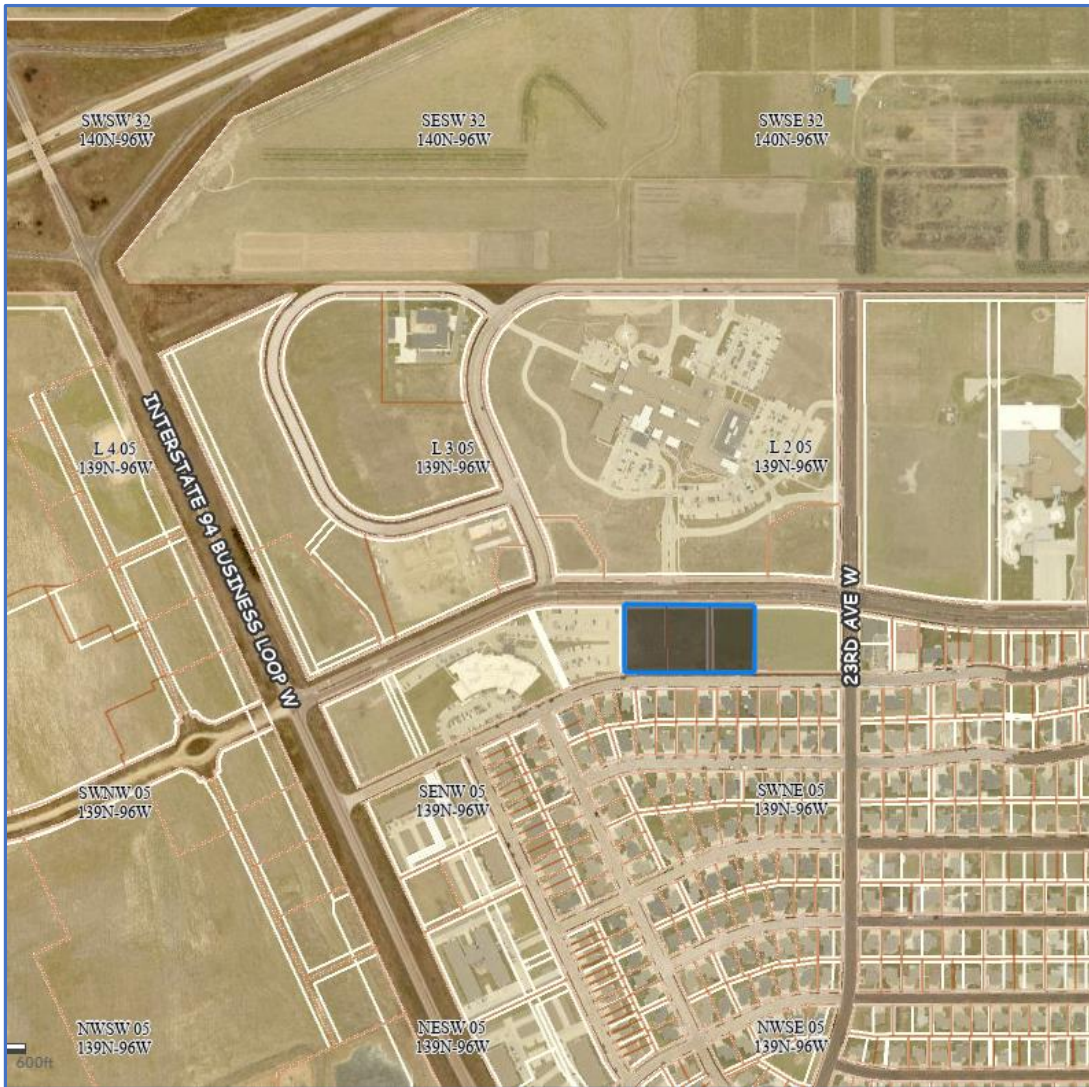
To consider a Preliminary Plat for State 9th Addition being the replat of Lots 4, 5, and 6, Block 1 of State 8th Addition, in Section 5, T139N, R96W, City of Dickinson, Stark County, North Dakota.

Request

The applicant seeks to re-plate the three existing commercial lots into eight lots. Three of the proposed lots would front onto Fairway Street and would accommodate commercial development. The remaining five lots would access 8th Street West. The proposed lots located on the north side of 8th Street West would be rezoned from Community Commercial (CC) to High Density Residential (R-3) with lots intended to accommodate 5-10 residential units with front yard lines along 8th Street W. The preliminary plat map is included in the attachments and is exhibited by Appendix A.

LOCATION

The property proposed for this rezone is legally described as Lots 4, 5, and 6, Block 1, State 8th Addition in Section 5, Township One Hundred Thirty-Nine North (T139N), Range Ninety-Six West (R96W), City of Dickinson, Stark County, North Dakota. Said parcel contains approximately 3.09 acres.



CURRENT ZONING	CC
FUTURE LAND USE MAP DESIGNATION	Commercial
GROSS SITE ACREAGE	3.09 acres
LOTS PROPOSED	8

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	PUD	Hospital, medical services
East	CC	Undeveloped commercial
South	R-2	Developed residential neighborhood
West	CC	Medical clinic

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Compliance with Zoning and Subdivision Regulations:

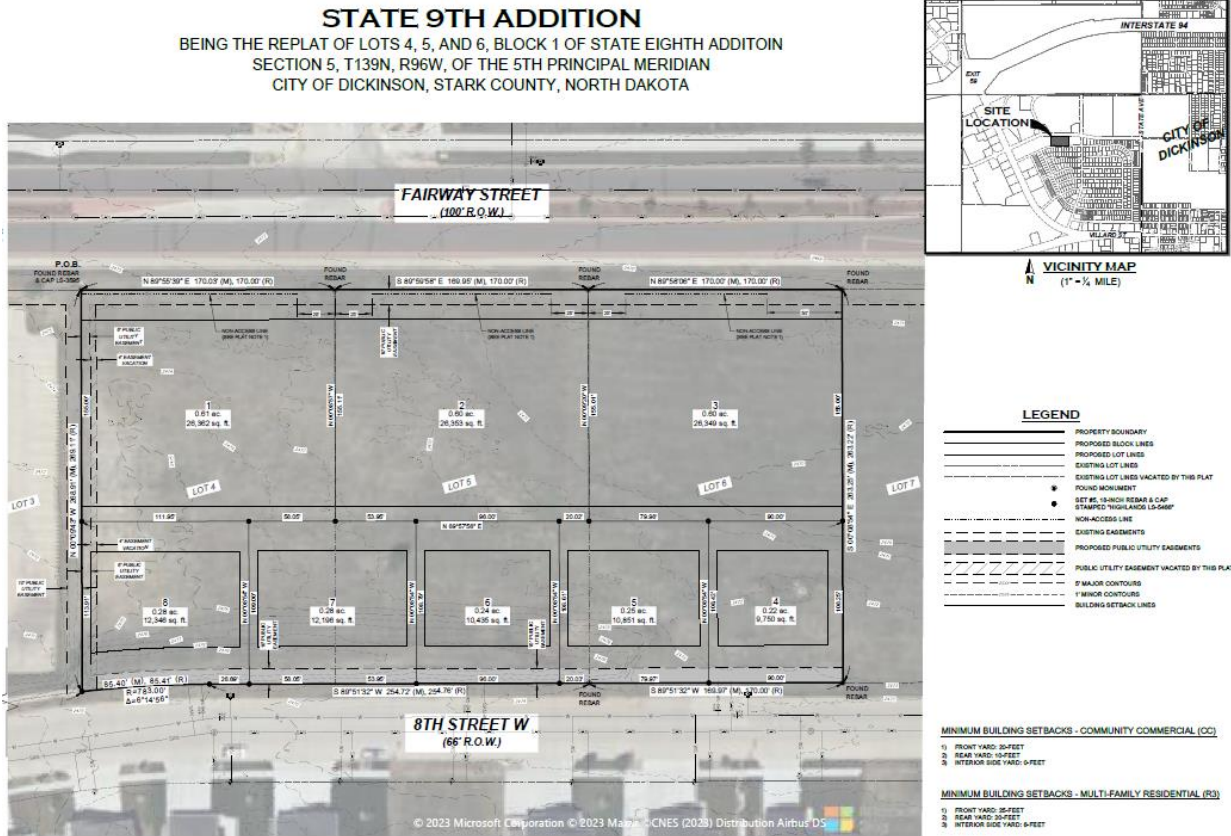
Approval of this plat would result in legal conformity with both Chapter 34 Subdivision and Chapter 39 Zoning.

Staff Recommendation: City of Dickinson Community Development Services staff recommends approval of this request.

Public Input: As of the date of this report, City staff has not received any public comments.

APPENDICES

Appendix A - Preliminary Plat (Cropped)



Appendix B - Zoning Map



MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-001-2024 State 9th Addition** 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-001-2024 State 9th Addition** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

Sent via email

January 8, 2028

City of Dickinson
ATTN: Matthew Galibert

Re: Special Use Permit Resolution 21-2019 (SUP-002-19)

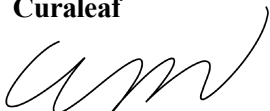
Dear Mr. Galibert:

Thank you for our recent conversations regarding renewal of the special use permit for Curaleaf’s medical marijuana compassion center (dispensary) located at 318 24th ST E, Dickinson, ND 58601. Curaleaf hereby requests to be placed on the agenda for the February 21, 2024, City of Dickinson Planning & Zoning meeting to demonstrate and discuss Curaleaf Dickinson’s continued compliance with the referenced Special Use Permit, specifically by:

1. Continued compliance with all applicable state laws, including but not limited to NDCC Ch. 19-24.1 and NDAC Ch. 33-44-01.
2. Managing marijuana waste in accordance with Paragraph 2 of the SUP (and also NDCC Ch. 19-24.1/NDAC Ch. 33-44-01). A copy of the dispensary’s standard operating procedure for waste management can be made available upon request.
3. Curaleaf is unaware of any surrounding landowner complaints of odor resulting from the storage or dispensing of marijuana.
4. The dispensary’s standard business hours are Tuesday-Saturday, 11:00 AM-2:00 PM; 3:00 PM-6:00 PM.
5. Ownership of the dispensary has not changed; however, the dispensary was rebranded from “Herbology” to “Curaleaf” in 05/2021.
6. Curaleaf Dickinson has attended Planning & Zoning Commission meetings in compliance with Paragraph 6 of the SUP in November 2021 and February 2023. In February 2023, Walter Hadley recommended that Curaleaf appear at each year’s February P&Z meeting moving forward).
7. Curaleaf Dickinson has maintained its good standing and registration with the State of North Dakota since its registration certificate was granted. Copies of the dispensary’s current and prior registration certificates are attached hereto.

The Curaleaf Dickinson dispensary manager and I look forward to discussing our dispensary operations and answering any questions you may have. In the meantime, please feel free to contact me at 701-570-7575 or whitney.montonye@curaleaf.com if you need anything further.

Respectfully,
Curaleaf



Whitney Montonye
Director of Compliance

Attachments


Certificate Number 204

Certificate of Registration

This certificate is provided to

GR Vending ND Dispensary 5, LLC
DBA—Curaleaf
318 24th Street East
Dickinson, ND 58601

To be a registered dispensary under the Medical Marijuana Program
established in NDCC 19-24.1. This certificate is effective on the date of issuance.



Executive Director, Public Health

December 12, 2023

Date of Issuance

NORTH
Dakota | Health & Human Services
Be Legendary.

This certificate expires two years from the date of issuance

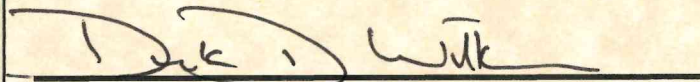
Certificate Number 208

Certificate of Registration

This certificate is provided to

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DBA—Curaleaf
318 24th Street East
Dickinson, ND 58601

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established in NDCC 19-24.1. This certificate is effective on the date of issuance.



Chief of Staff Signature

12/12/2021

Date of Issuance



This certificate expires two years from the date of issuance

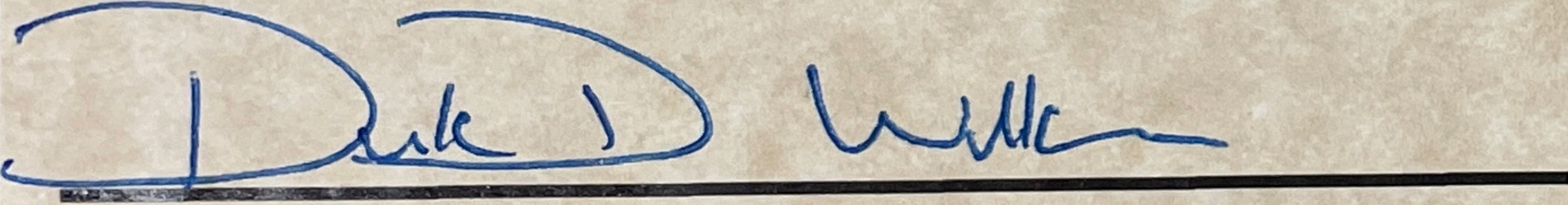
Certificate Number 208

Certificate of Registration

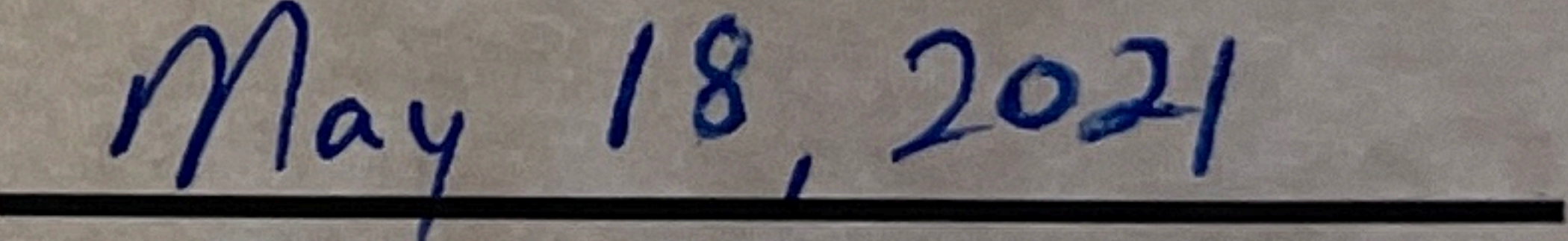
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GR Vending ND Dispensary 5, LLC
DBA—Curaleaf
318 24th Street East
Dickinson, ND 58601

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established in NDCC 19-24.1. This certificate is effective on the date of issuance.



Chief of Staff Signature



Date of Issuance



This certificate expires at midnight on December 11, 2021

Certificate Number 208

Certificate of Registration

This certificate is provided to

GR Vending ND Dispensary 5, LLC
DBA—Herbology
318 24th Street East
Dickinson, ND 58601

To be a registered dispensary under the Medical Marijuana Program
established in NDCC 19-24.1. This certificate is effective on the date of issuance.



State Health Officer Signature



Date of Issuance



This certificate expires two years from the date of issuance



318 24th Street E
Dickinson, ND

Photos taken 10/26/2021



Road sign along 24th Street E. (facing east)



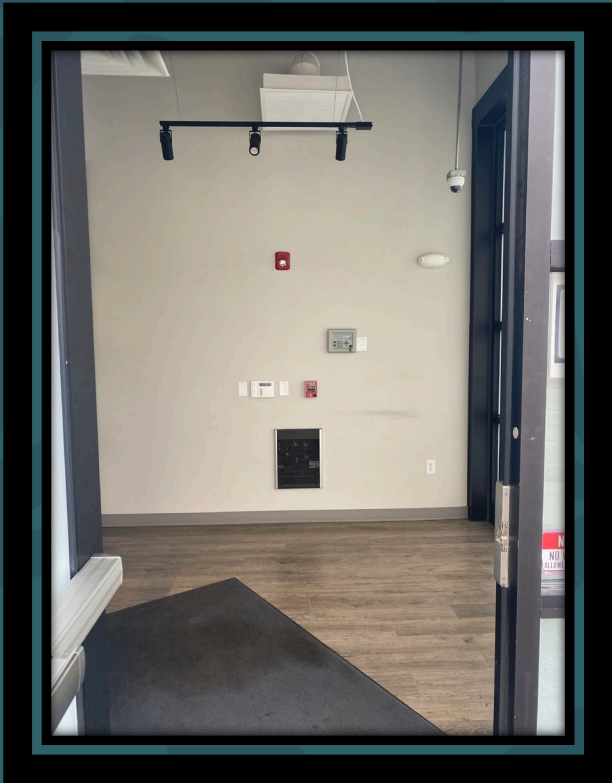
Side of Building from 24th Street (view from North)



Front of building (view from Northeast)



Back and side of building (view from Southeast)



Entry vestibule and reception area



Sales floor (accessible to patients and employees only)



City Hall – 99 2nd Street East, Dickinson, ND 58601
Phone: 701.456.7812 Facsimile: 701.456.7723

To: Planning and Zoning Commission
From: Walter J. Hadley Planning Director
Date: June 19, 2019

Re: SUP-002-19 Compassionate Care Center Dispensary Request

OWNER:
Pursuit Ventures, LLP
10725 Olive Lane
Bismarck, ND 58503

APPLICANT:
GR Vending ND Dispensary 5, LLC
477 Elm Place
Highland Park, IL. 60035

Public Hearings: June 19, 2019	Planning and Zoning Commission
July 2, 2019	City Commission

EXECUTIVE SUMMARY

The applicant is requesting a Special Use Permit for the operation of a Compassionate Care Center Dispensary located at 320 24th Street East, on Lot 38, Block 1 of the Kilwein Subdivision. The lot is currently vacant and the applicant plans to construct a new building on the site for the proposed use.

City staff recommends approval of this request as the applicant has addressed all City concerns and has the final approval from the State to move forward with this operation.

FINDINGS, REQUEST, AND STAFF RECOMMENDATION

- A. Request-**A Special Use Permit (SUP) for a Compassionate Care Center Dispensary located in a proposed new commercial structure to be built at 320 24th Street East in north Dickinson.
- B. Location-** Generally located at 320 24th Street East on a currently vacant General Commercially zoned lot of 1.59 acres in size. The site is currently adjacent to a number of General Commercial uses and will fit into the neighborhood well for use and access.
- C. Recommendation-**Staff recommends approval of this request based on compliance with the City zoning and State requirements for this type of facility.

D. **Project Description**-The subject parcel is currently zoned General Commercial and supports this type of use with a Special Use Permit approval. The site is currently vacant and would appear to be a good location for access and proximity to the highway for deliveries.

E.

ZONING	GC
FUTURE LAND USE MAP DESIGNATION	Commercial
GROSS SITE ACREAGE	1.59 acres
LEASE AREA	n/a
LOTS PROPOSED	n/a
GROSS UNITS/ACRE	n/a

CONTEXT

A. **Background**-The applicant has been working with the State of North Dakota on meeting the requirements to apply for zoning entitlement within Dickinson for over a year. The applicant has met those requirements and also those of the City zoning ordinances that guide this use within the City.

B. Adjacent Land Uses/Zoning

Direction	Zoning	Land Use
North	GC	Commercial
East	GC	Commercial
South	GC	Commercial
West	GC	Commercial

C. **Major Issues**- The applicant as stated above has met the main requirements for this type of use and location within the City of Dickinson. The applicants' site is over 1000' feet from the closest school as required by state law.

D. **Compliance with Zoning and Subdivision Regulations**-The subject parcel is zoned GC and follows the existing Zoning regulations and is in conformance with the existing Subdivision regulations. The proposed site is 3131 feet from the nearest school.

E. **Compliance with the Dickinson Comprehensive Plan**-The proposed SUP is following the Commercial Future Land Use category of the Dickinson Comprehensive Plan.

F. **Access**-Access to the site is via 24th Street East on to the owner's property.

PROVISIONS OF SERVICES

A. **Schools**-N/A

B. **Fire Protection/Police Services**-No concerns, review of the proposed structure will occur during the building permit process.

C. **Water and Sanitation**-The applicant will have to hook to city water and sewer and subscribe to city sanitation services while providing a secure disposal option for the waste that cannot be disposed of in the city dumpsters.

D. **Utilities**-No utility extensions shall be required but the applicant shall contact and coordinate the effort of services with the service providers to that lot.

E. **Dedication**-N/A

PUBLIC INPUT

As of the date of this report, City staff has not received any comments on this request.

ANALYSIS AND DISCUSSION

The petition is in conformance with the Dickinson Comprehensive Plan and the Dickinson Municipal Code Zoning Regulations. City staff recommends approval of the SUP application and recommends the following conditions be attached to the approval resolution:

1. The applicant shall comply with all applicable state laws, including, but not limited to NDCC Ch. 19-24.1.
2. Waste generated from the dispensing of marijuana that contains any element derived from the marijuana plant must be stored in a secure waste receptacle this is only accessible by agents of the marijuana dispensary center and agents of the contracting waste collection company.
3. The applicant's facility must be equipped with an air filtration system such that any odor resulting from the storage or dispensing of marijuana does not unreasonably interfere with the surrounding landowners use and enjoyment of their property.
4. The proposed dispensary shall cease operations between the hours of 1:00 am and 7:00 am.
5. This Special Use Permit approval shall be considered non-transferrable to anyone else for this site. A new application would need to be obtained if ownership changes.

- 6. The applicant shall appear annually before the Planning and Zoning Commission for the renewal of their permit. Failure to do so will allow the Planning Commission to reconsider and void the Special Use Permit approval.
- 7. The applicant shall maintain their good standing and registration with the State of North Dakota. If their registration lapses, operation on site shall cease until it is brought back into good standing, and the City shall have the option to void the Special Use Permit and require another application to continue operation on site.
- 8. The applicant shall be encouraged to submit a minimal landscaping plan for the remainder of their site that includes native grasses and some plant materials to encourage the maintenance of the remainder of the site not being utilized by the proposed dispensary facility.

Attachments:

- A-Application Materials

MOTIONS:

*****Approval with Conditions *****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the petition for a Special Use Permit SUP-002-19 for a Compassionate Care Center Dispensary, subject to any appropriate conditions required by the Commission, as meeting all the requirements and intent of the Dickinson Municipal Code, State of North Dakota Standards, 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-002-19 Special Use Permit petition as NOT meeting all the requirements of the Dickinson Municipal Code and being contrary to interest of the public health, safety and welfare.

ATTACHMENT A-APPLICATION MATERIALS

RESOLUTION NO. 21-2019
A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR A
COMPASSIONATE CARE CENTER DISPENSARY

WHEREAS, Dickinson City Code §39.12.003 allows the Board of City Commissioners to grant discretionary approval for certain uses within zoning districts that have unusual site development or operating characteristics; and

WHEREAS, Dickinson City Code §39.12.003 allows the Board of City Commissioners to establish such conditions and regulations for approval of a special use permit as the Board may deem appropriate; and

WHEREAS, the City has received a request for special use permit from GR Vending ND Dispensary 5, LLC for a Compassionate Care Center Dispensary and which is a special use pursuant to Dickinson City Code §39.03.020; and

WHEREAS, the Dickinson Planning and Zoning Commission has met and heard public testimony regarding this matter, and recommends approval of the special use permit, subject to the conditions noted below;

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners for the City of Dickinson, North Dakota, hereby grants a special use permit, as provided in Dickinson City Code §39.12.003, to GR Vending ND Dispensary 5, LLC for a Compassionate Care Center Dispensary at the following real property:

320 24th Street East, in the Kilwein 3rd Subdivision on Lot 38, Block 1, on approximately 1.59 acres in the General Commercial Zone within the City of Dickinson, Stark County, North Dakota.

The Special Use Permit SUP-002-19 is subject to the following conditions:

1. The applicant shall comply with all applicable state laws, including, but not limited to NDCC Ch. 19-24.1.
2. Waste generated from the dispensing of marijuana that contains any element derived from the marijuana plant must be stored in a secure waste receptacle that is only accessible by agents of the marijuana dispensary center and agents of the contracting waste collection company.
3. The applicant's facility must be equipped with an air filtration system such that any odor resulting from the storage or dispensing of marijuana does not unreasonably interfere with the surrounding landowners use and enjoyment of their property,
4. The proposed dispensary shall cease operations between the hours of 1:00 am and 7:00 am.
5. This Special Use Permit approval shall be considered non-transferrable to anyone else for this site. A new application would need to be obtained if ownership changes.
6. The applicant shall appear annually before the Planning and Zoning Commission for renewal of the permit. Failure to do so will allow the Planning Commission to reconsider and void the Special Use Permit approval.
7. The applicant shall maintain their good standing and registration with the State of North Dakota. If their registration lapses, operation on site shall cease until it is brought back into good standing, and the City shall have the option to void the Special Use Permit and require another application to continue operation on site.

Dated this 2nd day of July, 2019.

Scott Decker, President
Board of City Commissioners

ATTEST:

Joseph Gaa
City Administrator



Improving and Expanding Housing Access in North Dakota

Growing supply and enabling purchasers



Vision
WEST ND

NORTH DAKOTA
housing
FINANCE AGENCY

INTRODUCTION



Access to safe, stable, and affordable housing is fundamental to thriving communities. Rapid population growth, driven by the energy sector of western North Dakota, has strained the availability of housing. Through efforts of the Vision West ND Housing Committee and the North Dakota Housing Finance Agency, this document provides examples of federal, state, and local programs designed to spur housing development, increase affordability, and empower aspiring homeowners.

This list of programs and resources is meant to spread existing information and also spur new ideas for local communities to find what may fit their needs. From federal grants aimed at supporting new construction and rehabilitation to state-level initiatives focused on affordability and sustainability, to local entities that have developed community-driven solutions, this document serves as a resource for those seeking to make a difference in the realm of housing access. Housing program questions can be directed to the North Dakota Housing Finance Agency at hfainfo@nd.gov or 701-328-8080, or visit their website at www.ndhfa.org.

North Dakota Housing Finance Agency (NDHFA)	
Program	Program Overview
Construction Loan Guarantee	NDHFA provides Construction Loan Guarantees to lenders for contractors who build or rehabilitate affordable single-family housing in rural communities on a speculative basis. For more information, visit www.ndhfa.org/index.php/development/
Helping HAND	Helping Housing Across North Dakota (Helping HAND) supports the needs of lower-income households through grants to targeted single-family housing rehabilitation programs. Helping HAND funding is available to non-profit organizations by invitation from NDHFA. For more information, visit www.ndhfa.org/index.php/development/
HOME Investment Partnerships	The federally funded HOME Investment Partnerships Program (HOME) helps states and communities address their most pressing housing challenges. In North Dakota, the program is used to provide homeownership assistance and rental production/assistance for low-income households. For more information, visit www.ndhfa.org/index.php/development/
Home Purchase Programs	Loans originated by participating private lending institutions (NDHFA purchases and services the loans). Purchase assistance available with all loan products. Some programs are restricted to first time homebuyers (cannot have owned a home in the past 3 years as a principle residence). For more information, visit http://www.ndhfa.org/index.php/homeownership-programs/
Housing Incentive Fund	The North Dakota Housing Incentive Fund (HIF) supports the development of affordable single and multi-family housing units for low- to moderate-wage workers, the state’s aging population, individuals with disabilities, and persons at-risk of homelessness. For more information, visit www.ndhfa.org/index.php/development/
Housing Trust Fund	The National Housing Trust Fund (HTF) is a federal program, administered by the states, to support the development and preservation of affordable rental housing for extremely low-income households, including homeless individuals and families. For more information, visit www.ndhfa.org/index.php/development/
Low Income Housing Tax Credit	The Low Income Housing Tax Credit (LIHTC) program provides an incentive for the production or rehabilitation of affordable rental housing. Property owners receive federal income tax credits for up to 10 years based on capital investment and level of commitment to low-income tenancy. For more information, visit www.ndhfa.org/index.php/development/

North Dakota Department of Commerce - Division of Community Services	
Program	Program Overview
Community Development Block Grant (CDBG)	The CDBG Program provides financial assistance to eligible units of local Governments in the form of grants and loans for Public Facilities, Housing Rehabilitation and Economic Development projects. The primary beneficiaries of these projects must be very low- and low-income individuals. Housing rehabilitation of very low and low-income homeowner units and rental units within a particular area. For more information, visit www.communityservices.nd.gov/communitydevelopment/Programs/CommunityDevelopmentBlockGrant/
Renaissance Zone Program	The program is to revitalize communities in our state and encourage development through tax incentives. It is a tool to help cities revitalize their communities. By offering both state and local tax incentives for up to 8 years, both residents and business owners are provided with an incentive to invest in the community. For more information, visit https://www.commerce.nd.gov/community-services/community-development/renaissance-zone-program

WHAT IS A COMMUNITY SECONDS PROGRAM?

A Community Seconds Program is a financial assistance initiative designed to help homebuyers bridge the gap between their down payment and the total purchase price of a home. This program allows community organizations, local government agencies, and other eligible entities to provide secondary financing to eligible homebuyers. The secondary financing typically takes the form of a subordinate lien or second mortgage, which is used in conjunction with a first mortgage. For more information visit: <https://singlefamily.fanniemae.com/media/5641/display>

Bank of North Dakota	
Program	Program Overview
Flex Pace Affordable Housing Program	Flex PACE for Affordable Housing provides financing with an interest buydown for new affordable multi-family housing units and new or expanding non-residential childcare projects licensed in North Dakota. For more information, visit https://bnd.nd.gov/business/flex-pace-for-affordable-housing/

North Dakota State Property Tax Incentives	
Program	Program Overview
Homestead Property Tax Credit and Renter's Refund	The Homestead Property Tax Credit and Renter's Refund are tax credits available to eligible North Dakotans. Individuals, who must be age 65 or older, may qualify for a property tax credit or partial refund of the rent they pay. For more information, visit www.tax.nd.gov/tax-exemptions-credits/property-tax-exemptions/homestead-property-tax-credit-and-renters-refund
Disabled Veteran's Property Tax Credit	The Disabled Veteran's Property Tax Credit is available to veterans of the United States Armed Forces with a disability of 50% or greater. If eligible, the credit may reduce the taxable value of a homestead. A homestead can include a house, the land the house is on, and/or other buildings on the same land. If a qualified veteran moves to a different homestead, the credit can be applied to the new property. For more information, visit www.tax.nd.gov/tax-exemptions-credits/property-tax-exemptions
Tax Increment Financing	A city can offer tax increment financing (TIF) in several designated areas throughout the city called TIF districts. These districts allow the property taxes generated from the increased valuation of the properties to be used to pay off qualifying special assessments and, in some cases, the purchase of property. For more information, visit https://www.ndlegis.gov/cencode/t40c58.pdf#nameddest=40-58-20
Special Assessments	Under state law, entities are given the authority to levy special assessments. Special assessments are not property taxes. Special assessments divide the cost of an infrastructure project between properties that will benefit from construction of the project. Types of projects that may include special assessments as a funding source include: sidewalks, street paving & lighting, water main, storm sewer, sanitary sewer, and a flood protection project. For more information, visit https://www.ndlegis.gov/cencode/t40c24.html

NORTH DAKOTA PROPERTY TAX ABATEMENT

North Dakota Century Code (N.D.C.C.) § 57-02-08(35)&(42) allows for property tax abatements for builders and homebuyers at the discretion of the local governing body. For more information, visit:

- <https://bit.ly/ExemptionSingleFamilyResidentialProperties>
- <https://bit.ly/NewSingleFamilyResidentialProperties>

Lewis & Clark Development Group - CommunityWorks North Dakota

Program	Program Overview
Dream Fund	Offers financing that traditional lenders are unable to provide. The program is not intended to be a lower-cost alternative to traditional financing. Potential borrowers must talk to their lenders first. Loans are only provided to those who have, or can, demonstrate the character and capacity to meet their loan obligations. Terms are structured so total payments are affordable to the homebuyer. For more information, visit https://lcdgroup.org/dream-fund/
Dream II Fund	Flexible lending program which offers financing and other assistance to projects and developments that meet the mission of providing affordable housing and development opportunities to revitalize communities and improve the standard of living and quality of life for North Dakotans. For more information, visit https://lcdgroup.org/dream2/
Essential Public Employee Program (EP2)	Provides down payment and closing cost assistance to individuals employed by state or local government entities, emergency services, medical or long-term care facilities, and others as determined by Lewis and Clark Development Group. Loans are up to \$10,000 with interest rates as low as 2% for up to ten years. For more information, visit https://lcdgroup.org/essential-public-employee-program/



USDA Rural Development	
Program	Program Overview
Rural Rental Multi-Family Housing Guaranteed Loans (Section 538)	The program works with qualified private-sector lenders to provide financing to qualified borrowers to increase the supply of affordable rental housing for low- and moderate-income individuals and families. Private lenders may apply for a loan guarantee on loans made to an eligible borrower who is unable to obtain commercial credit on reasonable terms without the guarantee. For more information, visit www.rd.usda.gov/programs-services/multifamily-housing-programs/multifamily-housing-loan-guarantees
Off-Farm Labor Housing (Section 516)	This program assists qualified applicants that cannot obtain commercial credit on terms that will allow them to charge rents that are affordable to low-income tenants. Borrowers must have sufficient qualifications and experience to develop and operate the project. For more information, visit www.rd.usda.gov/programs-services/multifamily-housing-programs/farm-labor-housing-direct-loans-grants
Single Family Homeownership Direct Loans (Section 502)	The program assists low- and very-low-income applicants obtain decent, safe and sanitary housing in eligible rural areas by providing payment assistance to increase an applicant’s repayment ability. Payment assistance is a type of subsidy that reduces the mortgage payment for a short time. The amount of assistance is determined by the adjusted family income. For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/single-family-housing-direct-home-loans/nd
Single Family Housing Guaranteed Loans (Section 502)	The program assists approved lenders in providing low- and moderate-income households the opportunity to own adequate, modest, decent, safe and sanitary dwellings as their primary residence in eligible rural areas. Eligible applicants may purchase, build, rehabilitate, improve or relocate a dwelling in an eligible rural area with 100% financing. For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/single-family-housing-guaranteed-loan-program
Housing Preservation Grants - annual funding round	It provides grants to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low- and very-low-income rural citizens. For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/housing-preservation-grants
Single Family Home Repair Grants/Loans (Section 504)	The program provides loans to very-low-income homeowners to repair, improve or modernize their homes or grants to elderly very-low-income homeowners to remove health and safety hazards. For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/single-family-housing-repair-loans-grants
Mutual Self-Help Housing Technical Assistance Grants	Provides grants to qualified organizations to help them carry out local self-help housing construction projects. Grant recipients supervise groups of very-low- and low-income individuals and families as they construct their own homes in rural areas. The group members provide most of the construction labor on each other’s homes, with technical assistance from the organization overseeing the project. For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/mutual-self-help-housing-technical-assistance-grants

USDA Rural Development - Continued

Program	Program Overview
Rural Housing Site Loans	<p>Rural Housing site loans provide two types of loans to purchase and develop housing sites for low- and moderate-income families:</p> <ul style="list-style-type: none"> • Section 523 loans are used to acquire and develop sites only for housing to be constructed by the Self-Help method. Refer to https://www.rd.usda.gov/files/1944i.pdf for more information about the Self-Help program • Section 524 loans are made to acquire and develop sites for low- or moderate-income families, with no restriction as to the method of construction. Low-income is defined as between 50-80% of the area median income (AMI); the upper limit for moderate income is 115% of the AMI. <p>For more information, visit www.rd.usda.gov/programs-services/single-family-housing-programs/rural-housing-site-loans/nd</p>

U.S. Department of Housing and Urban Development (HUD)

Program	Program Overview
Mortgage Insurance for Rental Housing (Section 221 (D) (4))	<p>Insures mortgage loans to facilitate the new construction or substantial rehabilitation of multifamily rental or cooperative housing for moderate-income families, elderly, and the handicapped. Single Room Occupancy (SRO) projects may also be insured under this section. For more information, visit www.hud.gov/program_offices/housing/mfh/progdesc/rentcoophsg221d3n4</p>
Mortgage Insurance for Purchase / Refinancing of Existing Multi-Family Rental Housing	<p>Section 207/223(f) insures mortgage loans to facilitate the purchase or refinancing of existing multifamily rental housing. These projects may have been financed originally with conventional or FHA insured mortgages. Properties requiring substantial rehabilitation are not eligible for mortgage insurance under this program. HUD requires completion of critical repairs before endorsement of the mortgage and permits the completion of non-critical repairs after the endorsement for mortgage insurance. For more information, visit www.hud.gov/program_offices/housing/mfh/progdesc/purchrefi223f</p>
Mortgage Insurance for Rental Housing for the Elderly (Section 231)	<p>The Section 231 insures mortgage loans to facilitate the construction and substantial rehabilitation of multifamily rental housing for elderly persons (62 or older) and/or persons with disabilities. For more information, visit www.hud.gov/program_offices/housing/mfh/progdesc/progsec231</p>
Single Family Mortgage Insurance (Section 203(b))	<p>HUD's Federal Housing Administration (FHA) insures mortgages made by qualified lenders to people purchasing or refinancing a primary residence. For more information, visit www.hud.gov/program_offices/housing/sfh/ins/203b-df</p>

MORE IDEAS

- Local jurisdictions provide incentives to builders to travel to rural communities in the forms of tax credits or flat fees
- Promote education in the trades—construction, electrical, plumbing, etc
- Encourage the state legislature to consider tax incentives for new construction in rural communities
- Provide ways for financiers to allow for higher vacancy rate for the underwriting of rural projects
- Employers incentivize workers to purchase homes, or find ways for them to invest in housing programs
- Encourage entrepreneurs to engage in small-scale, off-site single-family home production
- Encourage entrepreneurs to consider the viability of a tiny-micro home village
- Jurisdictions that own vacant lots offer them to developers for new housing construction
- Jurisdictions consider changing zoning and other local restrictions (setbacks, lot size, street widths in new development areas) to allow all housing types (manufactured, modular, small homes on small lots, accessory dwelling units)

Adapted from the ND Rural Housing Development Task Force Report and Recommendations December 2022 <https://bit.ly/AddressingtheHousingShortage>



HOUSING DEVELOPMENT AUTHORITIES

Housing Development Authorities can play a pivotal role in promoting affordable housing initiatives. As outlined in North Dakota Century Code Chapter 23-11, these authorities—as established by their respective city or county—are responsible for administering various housing programs which can include the construction, acquisition, rehabilitation, and management of affordable housing units, working in collaboration with government agencies, nonprofit organizations, and private developers. Further, they have the authority to issue tax-exempt bonds and allocate federal funds to support affordable housing projects. They actively engage in planning and policy development to enhance housing opportunities for vulnerable populations and work to alleviate homelessness. These authorities can serve as a critical link between public and private sectors, facilitating partnerships that lead to the creation and preservation of affordable housing units, thus contributing to the overall well-being and socioeconomic stability of communities across the state. For more information, please visit https://www.hud.gov/states/north_dakota/renting/hawebsites



EXAMPLE



Housing Authority of
CASS COUNTY

Mission Statement: The Housing Authority of Cass County, striving to provide decent, safe and sanitary housing for the low-income residents of Cass County, seeks to increase affordable rental housing opportunities through the provision on financial assistance programs, supportive services and effective management in an environment without discrimination.

For example, they have created and oversee:

- **Sierra Multi-Family Townhomes** which includes 8 units for 62+ Seniors, and 8 units for persons experiencing homelessness. Located at 805 Sheyenne St, West Fargo
- **Monterey & Brighton Place Apartments** includes 85 spacious 1 and 2 bedroom units for income eligible seniors age 62 and better. Located at 205 8th Ave W, West Fargo

City/County Programs in North Dakota	
Program	Program Overview
<p>Richland / Wilkins Joint Powers Authority Housing Program</p>	<p>Utilizing funds from a Fargo-Moorhead Diversion Authority settlement, an allocation of funds incentivizes home builders to build spec homes by promising to buy the spec house from the builder if builder is not able to sell it within a year of construction. For more information, visit https://www.sveda.biz/rwjpa</p>
<p>McKenzie County Job Development Authority Shovel Ready Lot Program</p>	<p>Incentivize developers to create “shovel-ready” lots by financing the infrastructure costs of creating the lots. Lots then must be sold at an affordable rate. Program ran from 2020-2021. For more information, contact Daniel Stenberg, McKenzie County JDA dstenberg@co.mckenzie.nd.us</p>
<p>McKenzie County Job Development Authority Housing Development Subsidy</p>	<p>Development subsidy up to \$50,000 per single-family house to offset infrastructure costs for qualifying housing projects. Builders apply to program before building a house. Funds are transferred at closing. Program ran from 2019-2022. For more information, visit https://econdev.mckenziecounty.net/grants-incentives/housing-subsidy-program/</p>
<p>McKenzie County Job Development Authority Home Builder Construction Loan Program</p>	<p>Incentivize builders to build 3-6 houses at a reduced construction loan interest rate. Builders work with their local lender, and the lender will submit the application to the McKenzie County JDA. If approved, JDA will cover up to 55% of the construction loan charging a reduced rate of interest (1%). For more information, visit https://econdev.mckenziecounty.net/grants-incentives/hbclpp/</p>
<p>Dunn County Job Development Authority Down Payment Assistance Program</p>	<p>Down payment assistance ranging from \$10,000 to \$40,000. Down payment assistance applies to new construction and existing homes and is calculated on a percentage of the final appraised value of the home at the time of permanent financing. Property must be owner-occupied for 5 years following award. For more information, visit https://www.dunncountynd.org/index.asp?SEC=50785EE5-9F69-4423-8FD2-4BB4D63B82D7&DE=B965C0A1-2B63-4F76-B8DF-42906F925394</p>

City/County Programs in North Dakota - Continued	
Program	Program Overview
City of Williston Building Permit Fee Waiver	Residential building permit, plan review, plumbing, heating, and excavation fees are waived for new home permits. Building permits are still required for all projects, but the fee will be waived at the time of issuance. New home permit fees are waived until December 31, 2023. For more information, visit www.cityofwilliston.com/departments/building_safety/affordable_housing_incentives.php
City of Milnor Housing Incentives	<p>The City of Milnor has been looking to attract new families to the community. Through the city's efforts, new people are being offered more and more incentives to move. The following incentives are available to build or purchase a home in Milnor:</p> <ul style="list-style-type: none"> -Full rebates to qualified buyers for the price of your building lot in the Northview, Milnor's newest development -Real estate exemptions for new build construction or remodeling a home -Free minimum on water, garbage, sewer and vector control for two years -\$500 towards the new construction cost of installing sewer and water lines -Individual/family swimming pool pass (1 year) -Individual/family golf membership discount of \$100 at Lakeview Golf Course (1 year) <p>These incentives are only available to individuals or families new to the Milnor School District, with the exception of first-time home buyers (proof of purchase required). For more information, visit www.milnornd.com/incentives</p>
City of Hazen Home Development Assistance Program	Hazen Community Development will provide \$25,000 at the closing on new homes constructed within the city limits of Hazen. Homes must appraise for a minimum of \$225,000 to qualify. Funding is structured as a 5-year prorated, forgivable loan. For more information, contact hdc@westriv.com .
Grow Grafton Housing Incentive	A \$20,000 grant for those who buy or build a newly constructed single-family home on any lot within City of Grafton, or \$10,000 grant for relocating an existing, single-family lot. Also includes waiving of water/sewer hookup fees; trees for the berm, and a 2 year real estate tax exemption. For more information visit: https://www.graftongov.com/?SEC=615CED43-4DAB-4B85-BDD1-978D519F296F
New Rockford Housing Incentive	For new housing construction, the program provides free water and sewer for 1 year, waiving of building permit fees, 2 year tax abatement on real estate taxes, free city trees, and city lots available for \$5 per frontal foot plus specials. For more information visit: https://www.cityofnewrockford.com/index.asp?SEC=84CC9B82-73C0-4D95-90FC-F6460008E382&Type=B_BASIC

City/County Programs in North Dakota - Continued	
Program	Program Overview
Cavalier Housing Incentive	A \$15,000 grant for residents who purchase or build a newly constructed home on lot within city limits of Cavalier, or a \$10,000 grant for those who relocate an existing home into any lot within Cavalier city limits. Additional incentives include dumpster rental fee waiver, waiver of utilities base fees, real estate tax exemption and more. For more information visit: https://cavaliernd.gov/wp-content/uploads/2023/08/Grow-Cavalier-Housing-Incentive.pdf
Northwood New Housing Incentive Program	For newly constructed housing, you can get \$4000 in “Northwood Bucks,” real estate tax exemptions, free trees, golf membership, public school activity pass, pool pass, Northwood Deaconess Family Fitness Pass and more. For more information visit: https://www.northwoodnd.org/explore/housing/new-housing-incentives/

WHAT IS A COMMUNITY LAND TRUST?

A community land trust (CLT) is a nonprofit organization that focuses on acquiring and holding land for the benefit of a specific place-based community. The primary goal is to ensure the availability of affordable housing, economic opportunities, and community assets for the long-term benefit of the community it serves. They typically operate through three core principles:

- **Community Ownership:** The CLT acquires and holds land on behalf of the community. The land is considered a community asset, and the trust retains ownership of the land while allowing individuals or families to lease or purchase the buildings or homes built on the land.
- **Affordability:** CLTs are dedicated to preserving the affordability of housing and other community resources. They often impose resale restrictions or affordability covenants on properties to ensure that they remain accessible to low and moderate-income individuals or families.
- **Community Control:** CLTs involve community members in decision-making processes. Residents and stakeholders often serve on the CLT's board or participate in governance, ensuring that the trust's activities align with the needs and desires of the community it serves.

Learn more here: <https://cltweb.org/what-is-a-community-land-trust/>

Minot, Grand Forks and Fargo all have community land trusts.

Gate City Bank Home Revitalization Program

Gate City Bank's Home Revitalization Program encourages revitalization in older neighborhoods by providing existing homeowners with a low-interest loan for significant home improvements. Loans can range from \$10,000 to \$100,000 and are available to finance new improvements not yet under construction with 10-15-year terms.

North Dakota communities that have participated in Gate City Bank's Home Revitalization Program include:

- Fargo
- West Fargo
- Wahpeton
- Grand Forks
- Williston
- Mandan
- Jamestown

WOLF RUN VILLAGE

This nonprofit was created in 2012 in response to the housing and daycare shortage created by the petroleum industry expansion. Representatives from McKenzie County, the City of Watford City and McKenzie County School District came together to build 62 units of essential worker housing as well as a daycare, that continue to operate to this day.





This document was created by the Vision West ND Housing Committee:

Daniel Stenberg, Chair (McKenzie County); Carie Boster (Dunn County); Lindsey Harriman (Williams County); Steven Josephson (Stark County); Teran Doerr (Bowman County EDC); John Suter (McKenzie County); David Flohr (ND Housing Finance Agency); Melanie Bauer-Dukart (USDA-Rural Development)

