



PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, April 09, 2025 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

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

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

A. INTRODUCTION OF MATHEW ROTHSTEIN

2. MINUTES

A. FEBRUARY 12TH, 2025 MINUTES

3. REGULAR AGENDA:

A. REZONING (REZ-001-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Unzoned and Community Commercial (CC) to Public (P) for Part of Block 4 of the Nuhaven 2nd Addition Subdivision in the NW ¼ of the SE ¼ of Section 33, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 3.40 acres.

B. FINAL MINOR PLAT (FLP-001-2025) - Presented by City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the 16th St Business Plaza Addition Subdivision located in the SW ¼ of the NW ¼ of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.21 acres.

C. FINAL MAJOR PLAT (FLP-002-2025) - Presented by City Planner, Natalie Birchak

To consider a Major Subdivision Plat for the Jerry Williams Subdivision located in the SE ¼ of Section 22, Township 139 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 35.66 acres.

D. FINAL MINOR PLAT (FLP-003-2025) - Presented by City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Badlands Storage Second Addition Subdivision located in the SE ¼ of the NE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 6.04 acres.

E. SPECIAL USE PERMIT (SUP-001-2025) - Presented by City Planner, Natalie Birchak

To consider a Special Use Permit amendment for a convenience storage facility in General Commercial zoning at 430 29th Street West. The property is legally described as Lot 1 in Block 1 of the Badlands Storage Subdivision, and Lot 1 in Block 1 of Tweeten's Third Addition Subdivision in the SE ¼ of the NE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 6.04 acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. CORRIDOR OVERLAY DISTRICT UPDATES - Presented by City Planner, Natalie Birchak

B. DATA CENTERS ORDINANCE - 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 7:10 AM MT on April 9, 2025.

Teams Meeting: <https://tinyurl.com/whm6w7sy>

Teams Meeting ID: 290 763 196 694

Teams Phone #: 1-701-506-0320

Local Phone #: 701-456-7006

Meeting Passcode: KD96La3G

Phone Conference ID: 225 339 961#

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, February 12, 2025 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

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

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Val Decker
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business as presented.

Motion made by Commissioner Decker, Seconded by Commissioner Johansen.

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

2. MINUTES

A. JANUARY 8TH, 2024 MINUTES

Motion to approve minutes as presented.

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

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

3. REGULAR AGENDA:

A. 2025 CHAIRMAN APPOINTMENT

Mr. Bullinger nominates Mr. Fridrich. Mr. Schwab nominates Mr. Fridrich.

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

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

B. 2025 VICE CHAIRMAN APPOINTMENT

Mr. Franchuk nominates Mr. Bullinger. Mr. Johansen seconds the nomination.

Motion made by Commissioner Franchuk, Seconded by Commissioner Johansen.

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

C. PRELIMINARY MAJOR PLAT (PLP-001-2025) - Presented by: City Planner, Natalie Birchak

To consider a Preliminary Major Plat for the Jerry Williams Subdivision, located in the SE¼ of Section 22, Township 139 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, in the City of Dickinson’s Extra-Territorial Zone. The site consists of +/- 35.65 acres.

City Planner, Natalie Birchak presents the preliminary major plat request. She explains the purpose is to divide the land into appropriate size lots for the residents living there. Staff does recommend approval.

Chairman Fridrich opens the public hearing.

Rita Tomchuk is present and would like to know what the property is to be used for. Ms. Birchak explains it will mainly be used as residential; there are a few stables there that will remain.

Commissioner Franchuk asks about a road maintenance agreement. Ms. Birchak says we don't currently have it but that will be submitted before the final plat is brought in front of the commission.

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

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. CURALEAF ANNUAL REVIEW

Mr. Josephson introduces the annual review. He explains when the SUP was initially approved there is a requirement that they report on an annual basis showing they are still licensed by the State and there are no issues. Staff has reviewed their certifications and they are up to date.

Representatives from Curaleaf are present. Mr. Josephson states there is no action needed at this time.

7. ADJOURNMENT

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

From: Jotform
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Wednesday, February 26, 2025 2:09:21 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: [Community Orchard Pre-Application Letter.pdf](#)

Type of Development

Name

Applicant Email

Applicant Phone #

Applicant Representative (if applicable)

Applicant Representative Email

Applicant Representative Phone #

Owner Name

Owner Address

Owner Email

Owner Phone #

Is the owner present to Sign

Owner Signature Upload [Transmittal Letter_6791.pdf](#)

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

	1/4 Section	Township	Range
Description	SE1/4 of 33	140N	96W

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	Part	4	Nuhaven 2nd Addition

Property Address / General Project Location: Part of Block 4 of the Nuhaven 2nd Addition Subdivision.

Total Square Footage or Acreage of Subject Property: 3.4 acres

Transmittal Letter (Explanation of Request & Proposed Operations): [Transmittal Letter_1772.pdf](#)
[Existing Conditions & Future Plantings.pdf](#)

Existing Zoning: **CC - Community Commercial**

Proposed Zoning: **P- Public**

Rezone Calc Multiplier: 1

Overlay District Description: The property is located within the I-94 Highway Corridor Overlay District. The proposed project meets all requirements of this overlay district.

Map of Area to be Rezoned: [Zoning Map.pdf](#)
[Parcel Info.pdf](#)

Minor Platting Multiplier: 0

Prelim Platting Multiplier: 0

Major Platting Multiplier: 0

Application Calc: 250

Deed for Property: [Deed Email.pdf](#)

Applicant Signature

Date

02-26-2025

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.

DICKINSON PARKS & REC ZONING MAP AMENDMENT (REZ-001-2025)





2004 Fairway St, Dickinson ND, 58601

701.456.2074

dprd@dickinsonparks.org

dickinsonparks.org

Section 3. Item A.

February 24, 2025

Natalie Birchak, Planner/Planning
City of Dickinson
38 1st St W
Dickinson, ND 58601

Dear Natalie:

Our goal at Dickinson Parks & Recreation is to bring new and unique offerings to all ages of the community. We currently have no community orchard in Dickinson and realize this would be a great opportunity to utilize one of our undeveloped properties. Our plan is to involve the schools, churches, social groups, and others from the community to use the community orchard not only for the produce, but for educational purposes and to help with care and maintenance as well. We also feel this is a great way to promote fruit production in North Dakota by educating the community on the wide variety of fruits and berries that are hardy enough to survive the winters in SW North Dakota.

The undeveloped property DPR would like to use for our community orchard is behind 13th St W, Nuhaven 2nd addition subdivision. We will be removing several tree species from the site that will have a negative impact on the orchard trees and fruit production. Our plan is to replace the trees that are removed with orchard friendly trees and add additional trees along the perimeter to aid in wind protection. Site prep would begin in late May with the removal of dying and diseased trees followed up with the planting of the first 20 fruit trees sometime in late spring or early summer. Our first planting will consist of several different varieties of apples, cherry, pear, and plum. Upon completion the orchard will consist of approximately 40+ fruit trees and several varieties of berries.

When the fruit is ready for harvest, normally in September/October, access to the orchard will be by appointment only to limit traffic flow in and out of the orchard. Traffic from our park maintenance staff is usually confined to the summer months when the property is mowed once per week and approximately 20 times per season on average. After the fruit trees are planted, our water truck will begin watering trees twice each week which in a normal season we anticipate around 30 total waterings. The orchard trees will need to be pruned one time annually in spring starting after the second or third year of growth.

Dickinson Parks & Recreation applied for and received a North Dakota Forest Service Community Family Forest Grant to help purchase trees for the community orchard. The purpose of the grant is to honor families in the state by planting trees in North Dakota communities and to strengthen the tradition of annual tree planting. We will be working closely with Joel Allen, a community forestry specialist from Bismarck. Joel will check in on the project periodically to provide any professional assistance we may need and to confirm we are following grant guidelines.

Sincerely,

A handwritten signature in blue ink that reads "Craig Pearson".

Craig Pearson, Director Buildings/Grounds
Dickinson Parks & Recreation
(530) 616-0027

Existing Trees

- 1 – Green Ash (17)
- 2 – Black Hills Spruce (6)
- 3 – Cottonwood (6)
- 4 – Rocky Mt. Juniper (1)
- 5 – Amur Chokecherry (2)
- 6 – Amur Maple (1)



Dickinson Community Orchard Planting Plan

Planting area = ½ acre

● – Apple (8)

● – Cherry (4)

● – Pear (4)

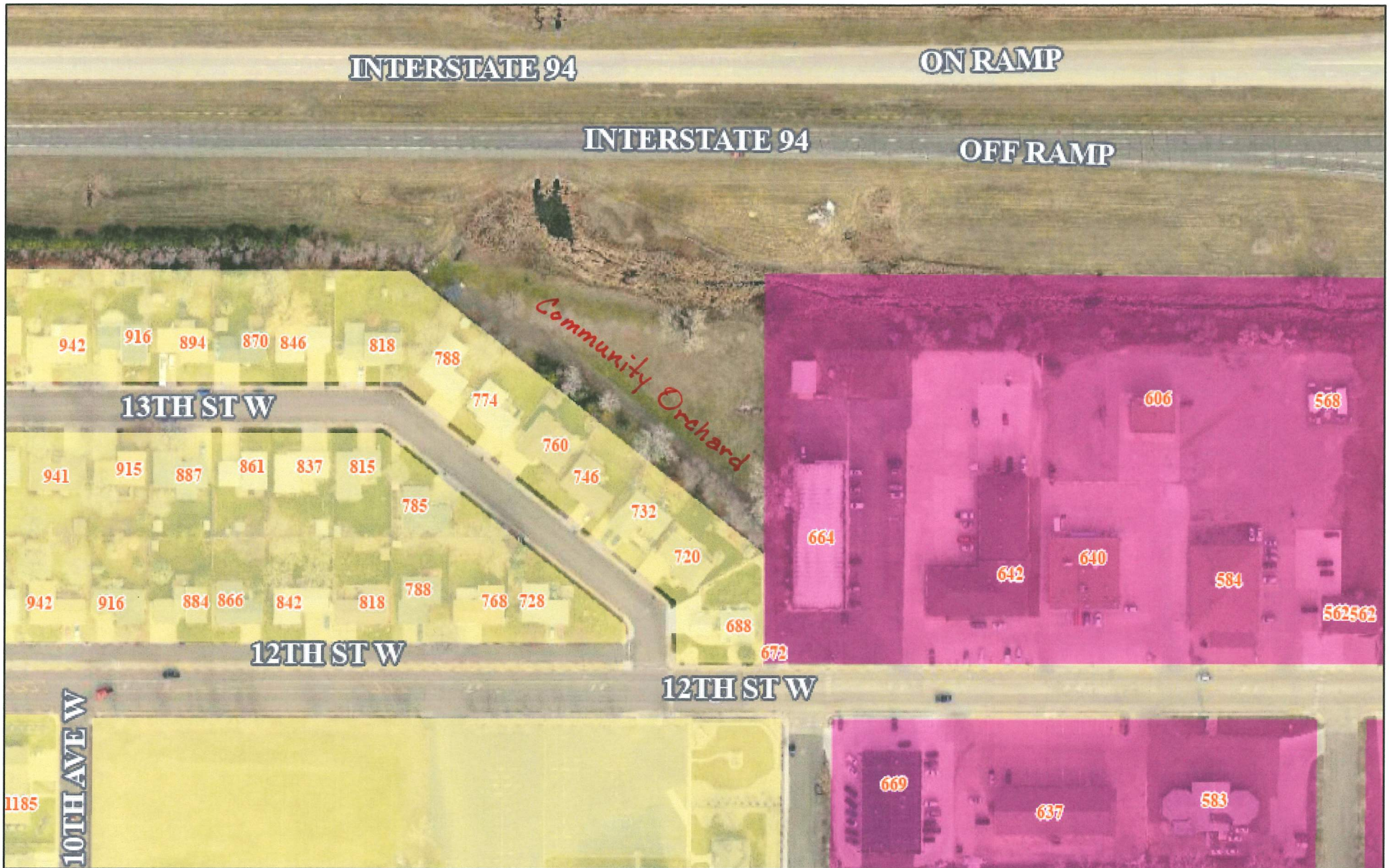
● – Plum (4)

○ – Future Plantings

●●●● – Future Berry



Dickinson Zoning Information Map

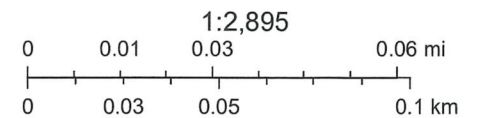


2/12/2025

- Public Street Names 8K
- Dickinson Zoning
- Community Commercial - CC
- Low Density Residential - R1

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery

- High Resolution 30cm Imagery
- Citations
- 60cm Resolution Metadata



Pictometry International, Eagleview, City of Dickinson, Maxar, Micro
Dickinson Engineering Department, Engineering & Planning



Dickinson Parks And Recreation Zoning Map Amendment Staff Report

To: City of Dickinson Board of Commissioners
 From: City of Dickinson Community Development Services
 Date: April 2, 2025
 Re: REZ-001-2025 Dickinson Parks and Recreation Zoning Map Amendment

OWNER/APPLICANT

Craig Pearson/Dickinson Parks & Recreation
 2004 Fairway Street
 Dickinson, ND, 58601
 dprd@dickinsonparks.org
 (701) 456-2071

Public Hearing	April 9, 2025	Planning and Zoning Commission
Public Hearing	April 15, 2025	City Commission
Final Consideration	May 6, 2025	City Commission

The applicant is requesting the approval of a zoning map amendment from unzoned and Community Commercial (CC) to Public (P) for Part of Block 4 of the Nuhaven Second Addition Subdivision, located within the City of Dickinson. The purpose of this rezoning is to allow the Park District to utilize the space for plantings to establish a community orchard.

Staff recommendation: Staff recommends approval of this rezone.

LOCATION

CURRENT ZONING	Unzoned & CC
FUTURE LAND USE MAP DESIGNATION	PARKS/RECREATION
GROSS SITE ACREAGE	+/- 3.40 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-3	Interstate ROW; Undeveloped
East	CC	Commercial
South	R-1	Single-family residential
West	R-1	Single-family residential

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated PARKS/RECREATION. This zoning map amendment request is consistent with this FLUM designation.

Compliance with The Zoning Ordinance

The eastern 15 feet of parcel is currently zoned as Community Commercial (CC), while the remainder is unzoned. According to Section 62-160 of the Zoning Ordinance, “A base district designation shall apply to each lot or site within the City and its planning jurisdiction. A site must be in one base district.” The proposed rezone adds a zoning district to unzoned land, and eliminates the partial CC zoning, bringing the lot into compliance with the Municipal Code.

According to the applicant, the proposed community orchard plan will be properly screened from the adjacent single-family residential to the West.

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 REZ-001-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-001-2025: The Dickinson Parks and Recreation Rezoning Request** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as 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 **REZ-001-2025: The Dickinson Parks and Recreation Rezoning Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

From: Jotform
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Thursday, February 27, 2025 4:13:23 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: [269 16th Pre Application Response.pdf](#)

Type of Development

Is this a Replat

Name Stephen & Diane Duchscher

Applicant Email dianeduchscher@homeandlandcompany.com

Applicant Phone # (701) 290-3433

Applicant Representative (if applicable) Diane Duchscher

Applicant Representative Email dianeduchscher@homeandlandcompany.com

Applicant Representative Phone # (701) 290-3433

Owner Name Stephen & Diane Duchscher

Owner Address 269 16th St West Suite A, Dickinson, ND, 58601

Owner Email dianeduchscher@homeandlandcompany.com

Owner Phone # (701) 290-3433

Is the owner present to Sign

Signature

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

	1/4 Section	Township	Range
Description	W1/2 NW1/4 S34	140	96

Property Address / General Project Location 269 16th St West, Suite A & B; Lot 1, Block 1, Dover; 1570 3rd Ave West

Total Square Footage or Acreage of Subject Property 52,867 Sq Ft

Transmittal Letter (Explanation of Request & Proposed Operations) [Minor Sub Application Feb 2025.docx](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat 16th Street Business Plaza

Number Lots

Number of Block(s) 2
3

Application Calc 500

Required Documentation Upload [Assessors Data Sheets.pdf](#)

Deed for Property [269 16th Deed and Dover Title Commitment.pdf](#)

Application Fees	Applicable Fees	500.00 USD
	Total:	\$500.00

Transaction ID: kf97cdsz

Payment Information

First Name: Diane
Last Name: Duchscher
E-Mail: dianeduchscher@homeandlandcompany.com

Applicant Signature

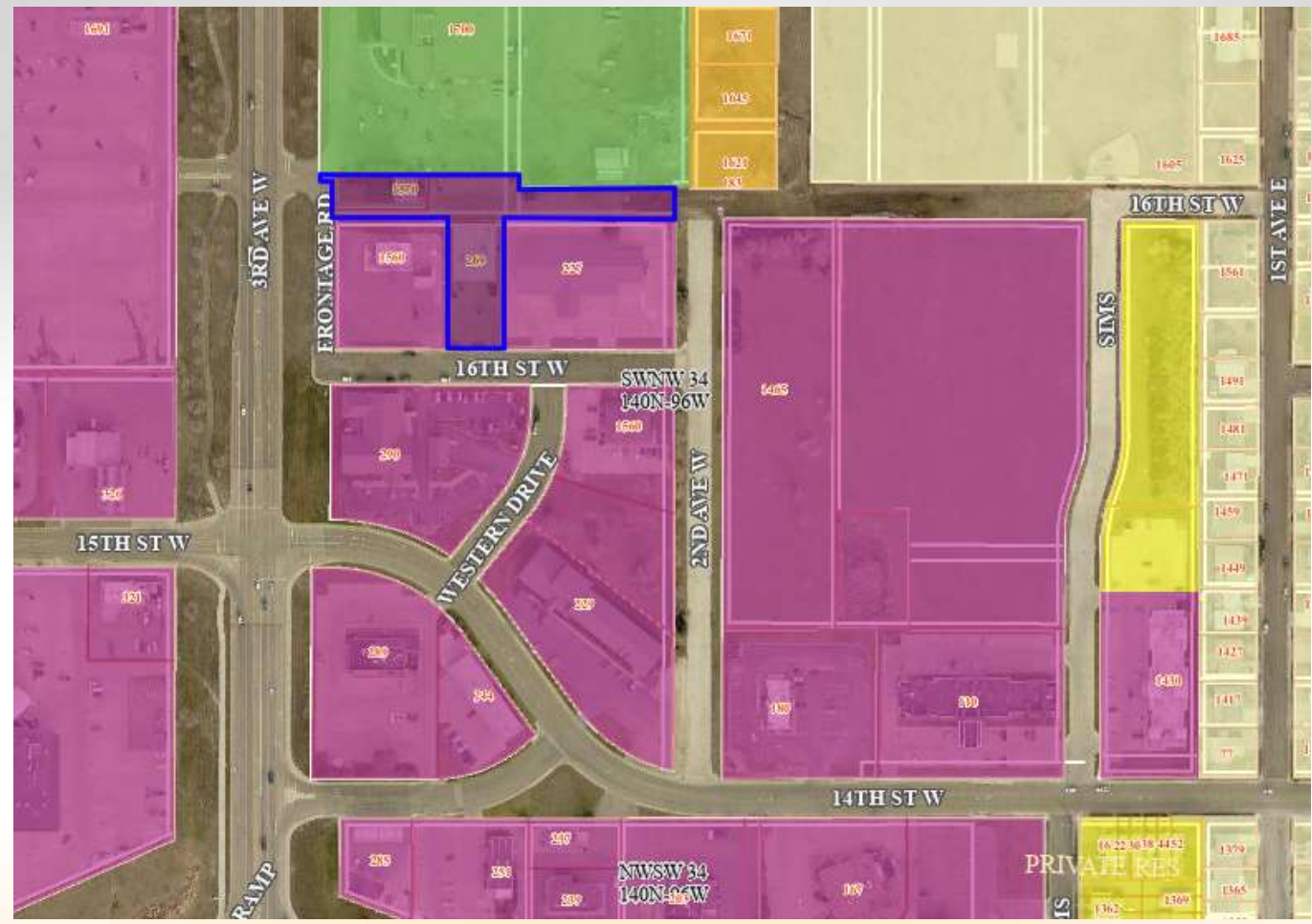
Date 02-27-2025

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.

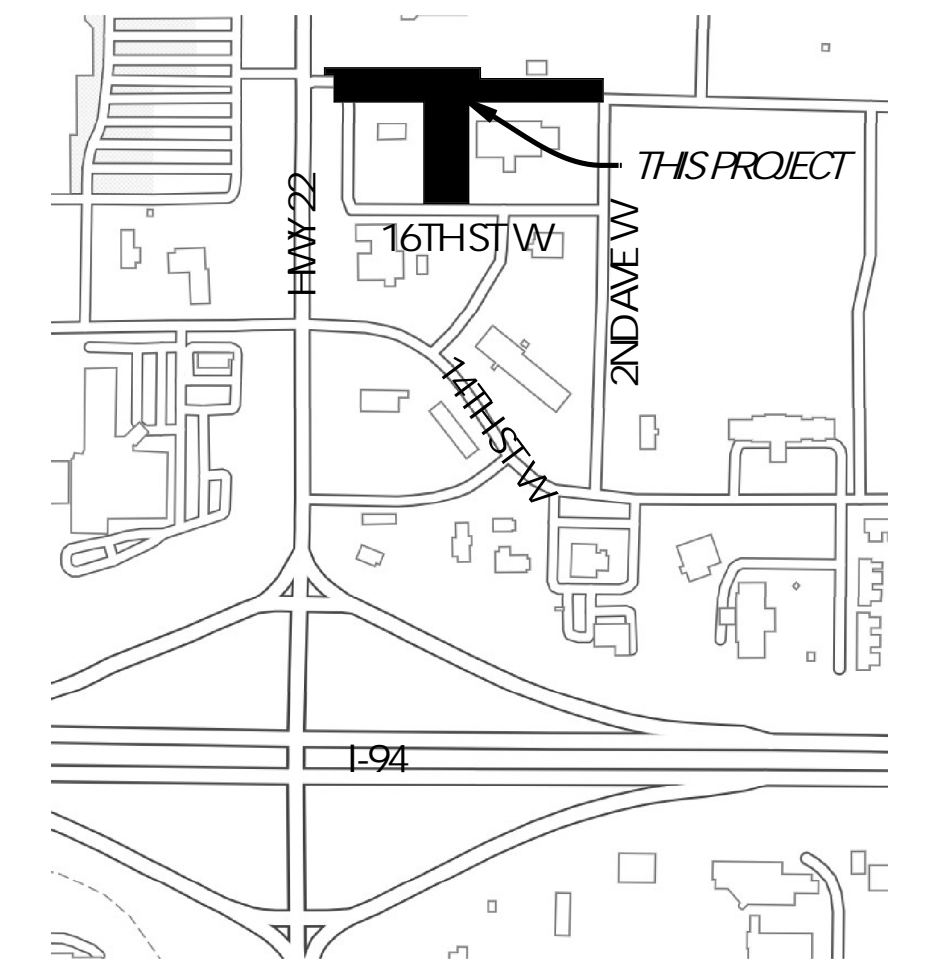
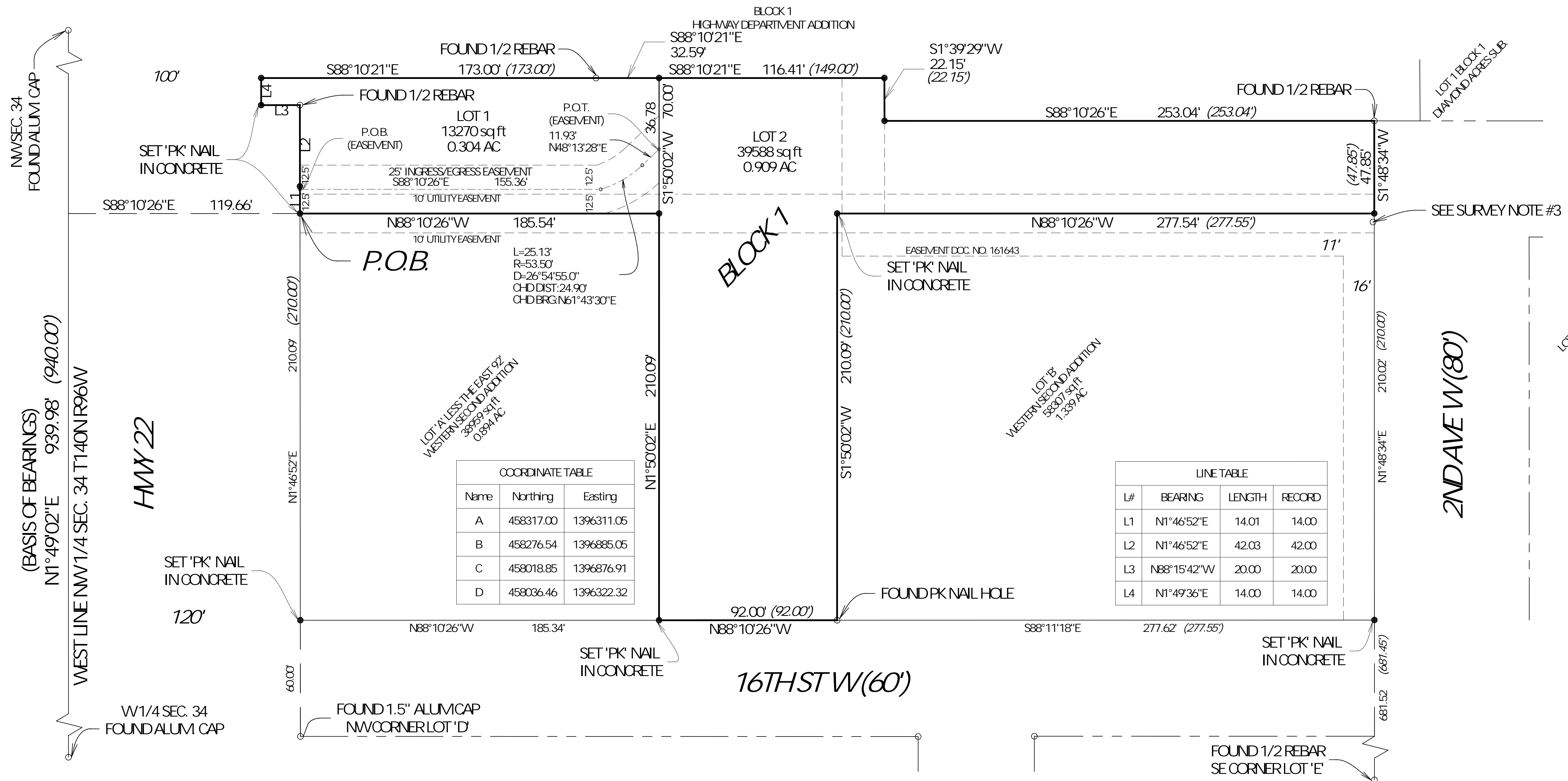
16TH STREET BUSINESS PLAZA ADDITION MINOR SUBDIVISION (FLP-001-2025)

Section 3. Item B.



16TH ST BUSINESS PLAZA ADDITION

BEING THE REPLAT OF LOT 1, BLOCK 1, DOVER ADDITION AND PART OF LOT A, WESTERN SECOND ADDITION, AND PART OF THE NORTH-WEST QUARTER (NW1/4) OF SECTION 34, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



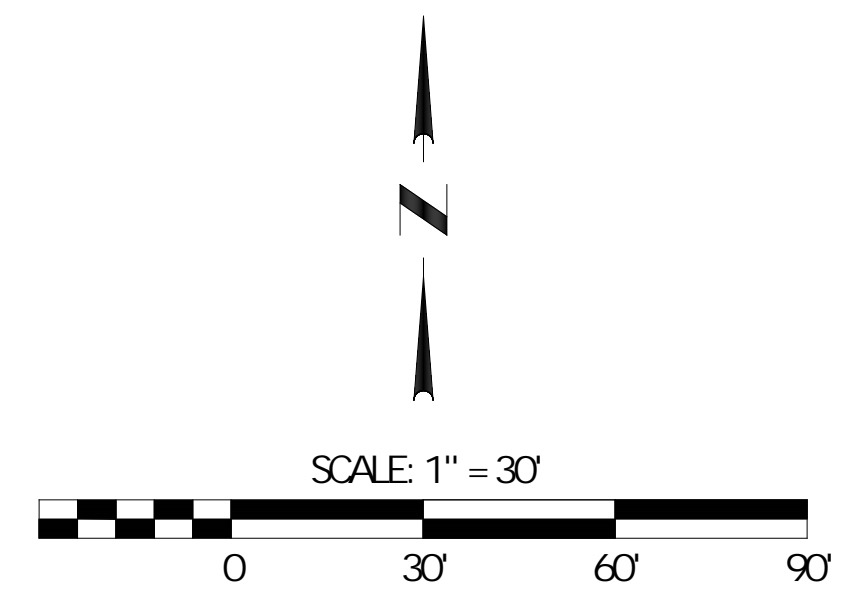
VICINITY MAP

LEGEND

- FOUND CORNER (AS DESCRIBED)
- SET 5/8" REBAR WALL/ALUM CAP STAMPED W/LS-2936Z (UNLESS NOTED OTHERWISE)
- CALCULATED EASEMENT POINT (NOT SET)
- (100.00) RECORD DISTANCE
- SUBDIVISION BOUNDARY LINE
- LOT LINES
- ADJACENT LOT LINES
- EASEMENT LINES
- ADJACENT RIGHT-OF-WAY
- INGRESS/EGRESS EASEMENT CENTERLINE

Name	Northing	Easting
A	458317.00	1396311.05
B	458276.54	1396885.05
C	458018.85	1396876.91
D	458036.46	1396322.32

L#	BEARING	LENGTH	RECORD
L1	N1°46'52"E	14.01	14.00
L2	N1°46'52"E	42.03	42.00
L3	N88°15'42"W	20.00	20.00
L4	N1°49'36"E	14.00	14.00



SURVEY NOTES

- 16TH ST BUSINESS PLAZA ADDITION IS IN ZONE X OF FEMA FIRM MAP NO. 3808900193F DATED AUG. 28TH 2024
- ALL DOCUMENTS ARE ON FILE AT THE STARK COUNTY COURTHOUSE
 - DOVER ADDITION DOCUMENT # 6980396
 - WESTERN SECOND ADDITION DOCUMENT # 6980394
 - PART OF THE NW1/4 SECTION 34 DOCUMENT # 195808
- THIS REBAR FALLS 4.5' SOUTH AND 0.7' WEST OF A LINE BETWEEN FOUND CORNERS, APPEARS TO BE MARKED ON BOTH WESTERN ADDITION AND WESTERN SECOND ADDITION AS WELL AS OTHERS. THE RELATIONSHIP OF IT TO OTHER CORNERS AND PLATS IS CONCLUDED. HELD FOUND REBAR TO THE NORTH AND FOUND REBAR TO THE SOUTH AS EVIDENCE OF ORIGINAL SUBDIVISION CORNERS AS THAT FIT BEST TO ALL OTHER EVIDENCE FOUND.

BASIS OF BEARINGS

BASIS OF BEARINGS BEING THE WEST LINE OF THE NORTH-WEST QUARTER, SECTION 34, TOWNSHIP 140 NORTH, RANGE 96 WEST, 5TH PRINCIPAL MERIDIAN HAVING A BEARING OF N1°49'02"E.

SURVEY BASED ON NORTH DAKOTA SOUTH ZONE 1983 (2011), INTERNATIONAL FOOT. BEARINGS ARE GRID. DISTANCES ARE GROUND USING A SCALE FACTOR OF 1.0001797673. COORDINATES ARE GRID.

BOUNDARY DESCRIPTION

A TRACT OF LAND BEING THE REPLAT OF LOT 1, BLOCK 1, DOVER ADDITION, AND A REPLAT OF PART OF LOT A, WESTERN SECOND ADDITION, AND PART OF THE NORTH-WEST QUARTER (NW1/4) OF SECTION 34, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH-WEST CORNER OF SAID LOT 1, BLOCK 1, DOVER ADDITION, THENCE N1°46'52"E ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 14.01' POINT BEING ON THE WESTERN BOUNDARY OF SAID LOT 1, THENCE N01°46'52"E ALONG THE WEST LINE OF A PREVIOUSLY DEEDED PARCEL FILED AT THE STARK COUNTY COURTHOUSE DOCUMENT NUMBER 195808 A DISTANCE OF 42.03', THENCE N88°15'42"W ALONG SAID DEEDED PARCEL A DISTANCE OF 20.00', THENCE N1°49'36"E A DISTANCE OF 14.00', THENCE S88°10'21"E ALONG SAID DEEDED PARCEL A DISTANCE OF 173.00' POINT BEING ON THE NORTHERN BOUNDARY OF SAID LOT 1, THENCE S88°10'21"E ALONG THE NORTHERN BOUNDARY OF SAID LOT 1 A DISTANCE OF 149.00', THENCE S1°39'29"W ALONG THE NORTHERN BOUNDARY OF SAID LOT 1 A DISTANCE OF 22.15', THENCE S88°10'26"E ALONG THE NORTHERN BOUNDARY OF SAID LOT 1 A DISTANCE OF 253.04' TO A POINT BEING THE NORTH-EAST CORNER OF SAID LOT 1, THENCE S1°48'34"W ALONG THE EASTERN BOUNDARY OF SAID LOT 1 A DISTANCE OF 47.85' POINT ALSO BEING THE NORTH-EAST CORNER OF LOT 'B' OF SAID WESTERN SECOND ADDITION, THENCE N88°10'26"W ALONG THE NORTH LINE OF SAID LOT 'A' A DISTANCE OF 277.54' POINT BEING THE NORTH-EAST CORNER OF LOT 'A' OF SAID WESTERN SECOND ADDITION, THENCE S1°50'02"W ALONG THE EAST LINE OF SAID LOT 'A' A DISTANCE OF 210.09' POINT BEING THE SOUTH-EAST CORNER OF SAID LOT 'A', THENCE N88°10'26"W ALONG THE SOUTH LINE OF SAID LOT 'A' A DISTANCE OF 92.00', THENCE N1°50'02"E PARALLEL TO THE EAST LINE OF SAID LOT 'A' A DISTANCE OF 210.09', THENCE N88°10'26"W ALONG THE NORTH LINE OF SAID LOT 'A' A DISTANCE OF 185.54' TO THE POINT OF BEGINNING.

SAID TRACT NOW PLATTED AS 16TH ST BUSINESS PLAZA ADDITION CONTAINS 52858 SQFT (1.213 AC), MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, NICHOLAS R. JENSEN, REGISTERED LAND SURVEYOR, N.D. NO. 29362 DO HEREBY CERTIFY THAT 16TH ST PLAZA ADDITION 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.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

NICHOLAS R. JENSEN LS-29362

PROPRIETOR'S CERTIFICATE

WE, STEPHEN N. DUCHOCHER & DIANE J. DUCHOCHER OWNERS AND PROPRIETORS OF 16TH ST BUSINESS PLAZA ADDITION, TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT-OF-WAY AS SHOWN TO PUBLIC USE FOREVER. THE PROPOSED INGRESS/EGRESS EASEMENT SHOWN HEREON IS PRIVATE, CROSSING LOT 1 FOR THE BENEFIT OF LOT 2.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SUBSCRIBED OUR NAMES:

BY: _____ BY: _____
 STEPHEN N. DUCHOCHER DIANE J. DUCHOCHER

STATE OF _____ SS
 COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEPHEN N. DUCHOCHER AND DIANE J. DUCHOCHER, TO ME KNOWN TO BE THE SAME PERSON(S) DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FORGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME

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

PROPOSED PRIVATE INGRESS/EGRESS EASEMENT

THE CENTERLINE OF A 25 FOOT WIDE INGRESS/EGRESS EASEMENT (12.5 ON EACH SIDE OF THE CENTERLINE) LOCATED IN LOT 1, BLOCK 1 OF 16TH ST BUSINESS PLAZA ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH-WEST CORNER OF SAID LOT 1, THENCE N1°46'52"E ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 12.50' TO THE POINT OF BEGINNING, THENCE S88°10'26"E PARALLEL TO THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 155.36' TO A POINT BEING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 53.50', THENCE NORTH-EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°54'55" AN ARC LENGTH OF 25.13', THENCE N88°13'28"E A DISTANCE OF 11.93' TO THE POINT OF TERMINUS, POINT BEING 36.78' FROM THE NORTH-EAST CORNER OF SAID LOT 1.

SAID EASEMENT CONTAINS 192.42 LINEAR FEET, 0.110 AC. ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

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: _____

DRAWN BY: NRI SHEET: 1 OF 1
 PROJECT NO: 25-005 DATE: 3/5/2025
 WESTERN EDGE SURVEYING, PLLC
 1175 LINCOLN STREET
 DICKINSON, ND 58601
 PHONE: (701) 505-8209
 WWW.WESTERNEDGESURVEYING.COM

Minor Subdivision Application:

RE: 269 16th Street West, Suite A & B, 1570 3rd Avenue West and Parking Lot, Lot 1, Block 1 Dover

We hereby request approval for a Condominium Project for 269 16th St West Suite A & B with a portion of the parking lot, Lot 1 Block 1, Dover Addition and a division of lot 1570 3rd Ave West to consist of 12,000 sq ft with a perpetual driveway easement along the southern boundary to be fee simple ownership, not part of the condominium project.

Stephen and Diane Duchscher

Dickinson Parcel Map

Section 3. Item B.

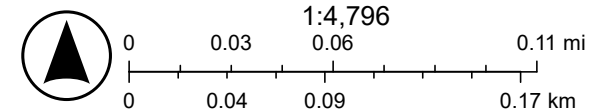


3/5/2025

- Public Street Names 8K
- Private Street Names
- Dickinson Tax Parcels
- Lots and Easements

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery

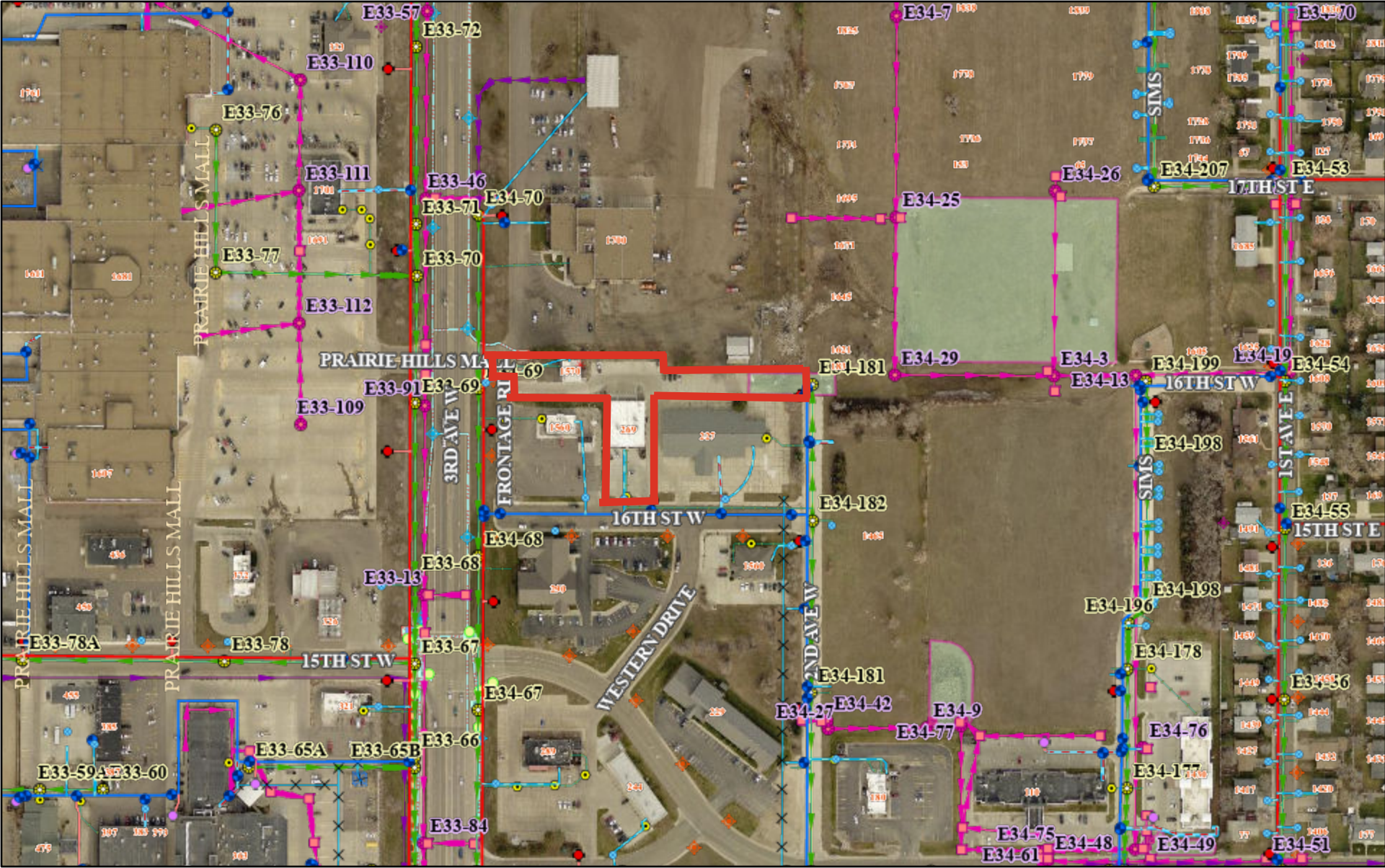
- Citations
- 1.2m Resolution Metadata



Pictometry International, Eagleview, City of Dickinson, Dickinson Engineering Department, Maxar

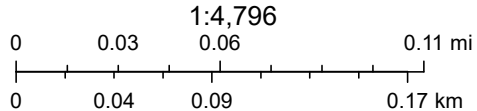
Dickinson Utility Information Map

Section 3. Item B.



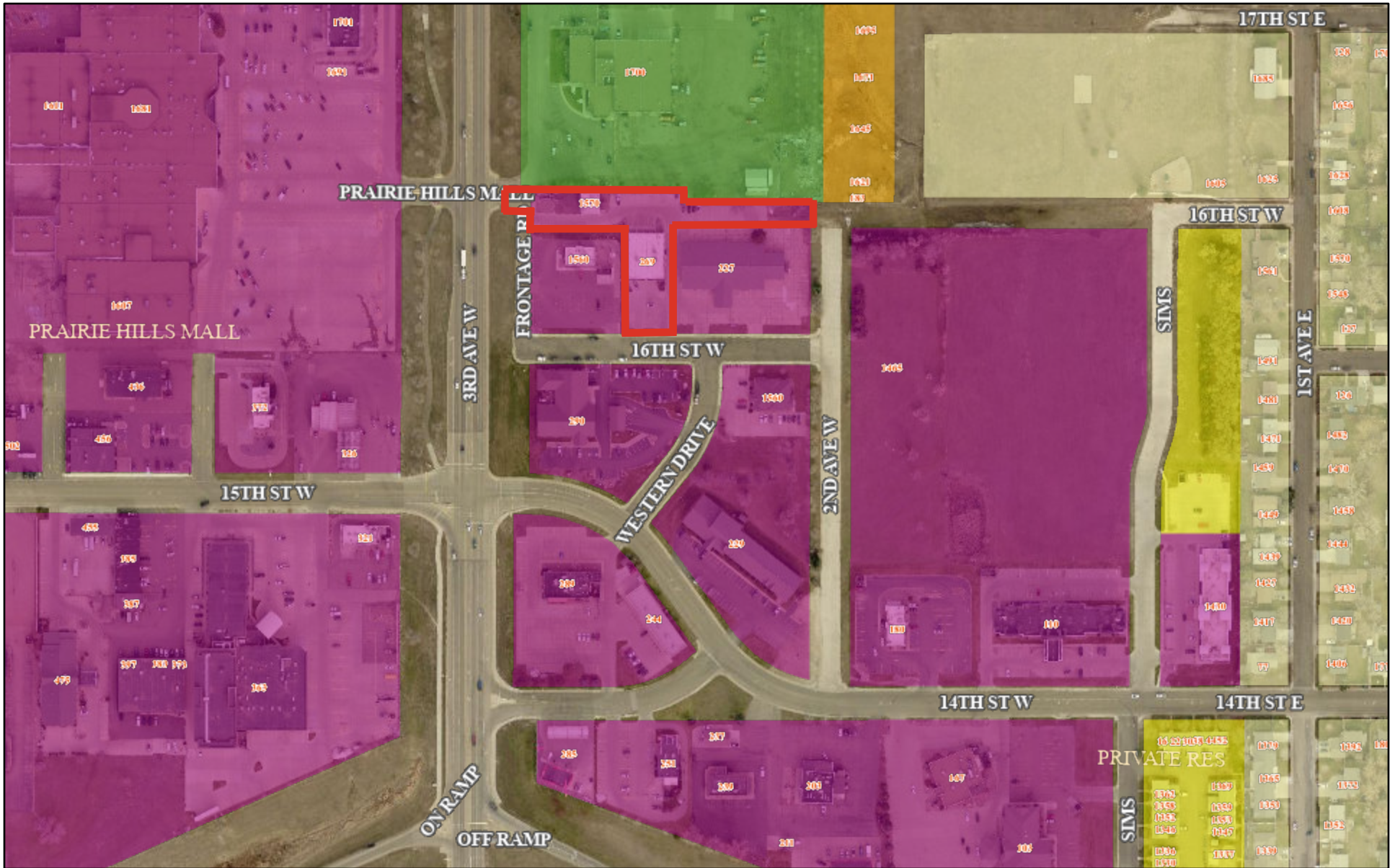
3/5/2025

- | | | | | | |
|------------------------|---------------------|----------------------------|------------------------------------|--|------------------------------|
| Public Street Names 8K | Water Lateral Lines | Water Abandoned Points | Storm Inlets | Street Lighting, Montana Dakota Utilities | Signal Controller |
| Private Street Names | Fire | Water Abandoned Lines | Storm Discharge | General Lighting, Montana Dakota Utilities | Electric Lines |
| Water Curb Stop Valve | Hydrant | Sanitary Clean Outs | Storm Manholes | Signal, City of Dickinson | Communication Lines |
| Water System Valve | Service | Sanitary Manhole | Storm Gravity Mains | Other Pole Categories | World Imagery |
| Water Hydrant | Water Main Lines | Sanitary Lateral Lines | Storm Detention Structures | Electric Access Points | Low Resolution 15m Imagery |
| City of Dickinson | Polyvinyl Chloride | Sanitary Gravity Mains | Poles | Pull Box | High Resolution 60cm Imagery |
| Private or Other | Asbestos Cement | Sanitary Pressurized Mains | Street Lighting, City of Dickinson | Service Box | High Resolution 30cm Imagery |



Pictometry International, Eagleview, City of Dickinson, Dickinson Engineering Department, Maxar

Dickinson Zoning Information Map

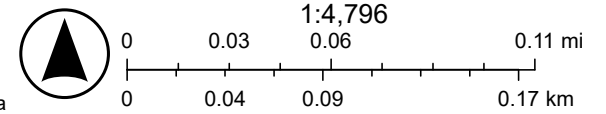


3/5/2025

- Public Street Names 8K
- Private Street Names
- Dickinson Zoning
- Community Commercial - CC
- Low Density Residential - R1
- Medium Density Residential - R2
- High Density Residential - R3
- Public - P

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery

- Citations
- 1.2m Resolution Metadata



Pictometry International, Eagleview, City of Dickinson, Dickinson Engineering Department, Maxar



16th Street Business Plaza Addition Final Minor Plat Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: April 2, 2025
Re: **FLP-001-2025 16th Street Business Plaza Addition Final Minor Plat**

OWNER/APPLICANT

Stephen & Diane Duchscher
 11015 40th Street SW
 Dickinson, ND, 58601
 dianeduchscher@homeandlandcompany.com
 (701) 290-7710

APPLICANT'S REPRESENTATIVE

Nick Jensen
 Western Edge Surveying, PLLC
 1175 Lincoln Street
 Dickinson, ND 58601
 nick.jensen@westernedgesurveying.com
 (701) 505-8209

Public Hearing	April 9, 2025	Planning and Zoning Commission
Final Action	April 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the 16th Street Business Plaza Addition Subdivision, located within the SW1/4 of the NW1/4 of Section 34, Township 140 North, Range 96 West, 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The proposed minor subdivision is a replat of Lot 1, Block 1 of the Dover Addition, and a replat of part of Lot A of the Western Second Addition. An unplatted portion of Section 34, Township 140 North, Range 96 West is also included as part of the proposed minor subdivision plat. According to the applicant, the purpose of the proposed subdivision is to divide the land into two separate lots with the intent of selling each lot. The site is zoned Community Commercial (CC), and the proposed subdivision is +/- 1.213 acres.

Staff Recommendation: Staff recommends approval of this plat.

LOCATION

The property is located within the SW1/4 of the NW1/4 of Section 34, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. This subdivision contains the existing businesses at 269 16th Street West and 1570 3rd Avenue West.

CURRENT ZONING	CC
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	+/- 1.213
LOTS PROPOSED	2

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	P	DOT Office
East	CC	Undeveloped
South	CC	Offices
West	CC	Commercial

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 52-1 of the Municipal Code, a minor subdivision is a subdivision that does meets the following requirements:

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

The proposed subdivision meets the above requirements and would be considered a minor plat.

According to Table 62-162-3b: Summary of Site Development Regulations, in the Zoning Ordinance, the minimum CC lot size is 12,000 square feet. Both of the proposed lots exceed the minimum lot size requirement of their respective zoning district. No existing structures violate any use or setback requirements laid out in the Zoning Ordinance.

Both currently existing buildings have parking requirements outlined in Table 62-589-1 of the Zoning Ordinance. The orientation of the proposed lots ensures the nearby parking lot is split in a way that provides adequate parking to both facilities.

A 10-foot utility easement and 10-foot ingress/egress access easement have been included in lot 1 to aid in access between the two lots and the surrounding road network.

PUBLIC COMMENT AND STAFF RECOMMENDATION

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

Staff Recommendation: Community Development staff recommends **approval** of this minor plat.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-001-2025: 16th Street Business Plaza Addition Final Minor Plat** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-001-2025: 16th Street Business Plaza Addition Final Minor Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: Jotform
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#)
Subject: Re: Unified Development Application
Date: Wednesday, March 5, 2025 10:15:27 AM



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: [Jerry Williams 12.17.2024 Pre-Application Letter.pdf](#)

Type of Development

Is this a Replat

Date of Final Plat Approval at Planning & Zoning Commission

Name

Applicant Email

Applicant Phone #

Applicant Representative (if applicable)

Applicant Representative Company

Applicant Representative Email

Applicant Representative Phone #

Owner Name

Owner Address

Owner Email djohnson_55@hotmail.com

Owner Phone # (701) 290-7710

Is the owner present to Sign Yes

Signature [Redacted]

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

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

A tract of land located in the Southeast Quarter (SE1/4) of Section Twenty-Two (22), Township 139 North (T139N), Range 96 West (R96W) of the 5th Principal Meridian (5th P.M.), Stark County, North Dakota being more particularly described as follows:

Commencing at the South Quarter (S1/4) Corner of said Section Twenty-Two (22); thence 91°41'13" along the south line of the Southeast Quarter a distance of 660.58' to the Point of Beginning, point also being the Centerline of a Private Access Easement described in Document No. 3081306 filed at the Stark County Courthouse, thence 1°50'50" along said Centerline a distance of 1309.04, point being the Southwest Corner of Shetler Subdivision of said Document No. 3081306, thence 91°43'33" along the South line of Shetler Subdivision a distance of 1000.93' to a point being the Southeast Corner of said Shetler Subdivision, also being the Southwest Corner of Parcel A as described in Document No. 3132372 filed at the Stark County Courthouse, thence 91°38'57" along the South line of said Parcel A a distance of 184.34', to a point also being the Northwest Corner of Williams Johnson Subdivision described in Document No. 3155815 filed at the Stark County Courthouse, thence 181°42'01" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 463.81', thence 181°42'41" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 272.35', thence 181°42'40" along the West line of Lot 3 Block 1 of said Williams Johnson Subdivision a distance of 272.21', thence 181°42'42" along the West line of Lot 4 Block 1 of said Williams Johnson Subdivision a distance of 299.97', point being on the South line of said Southeast Quarter (SE1/4), thence 271°40'47" along the South line of said Southeast Quarter (SE1/4) a distance of 794.71', point being the Southeast corner of a 2.03 Acre Tract described in Document No. 3109416 filed at the Stark County Courthouse, thence 271°38'41" along the South line of said 2.03 Acre Tract a distance of 184.41', point being the Southwest Corner of said 2.03 Acre Tract and the Southeast Corner of a 3.03 Acre Tract described in Document No. 3109415 filed at the Stark County Courthouse, thence 271°39'17" along the South line of said 3.03 Acre Tract a distance of 184.52' point being the Southwest Corner of said 3.03 Acre Tract, thence 272°10'23" a distance of 24.82' to the Point of Beginning.

Said tract contains 35.656 Acres, more or less, and is subject to any previous easements, agreements, conveyances, and surveys.

	1/4 Section	Township	Range
Description	SE1/4 Section 22	139	96

Property Address / General Project Location: 11015 40TH ST SW, Located on the North side of 40TH ST SW, about half a mile east of the County Fairgrounds.

Total Square Footage or Acreage of Subject Property: 35.656AC

Transmittal Letter (Explanation of Request & Proposed Operations): [24-036_Williams_Transmittal_Final_2479.pdf](#)

Rezone Calc Multiplier: 0

Minor Platting Multiplier: 0

Prelim Platting Multiplier: 0

Major Platting Multiplier: 1

Name of Final Plat: Jerry Williams Subdivision

Final Platted Lots: 1 to 10 Lots

Final Platted Block(s): 1

Name of Preliminary Plat: Jerry Williams Subdivision

Preliminary Number Lots: 1 to 10 Lots

Preliminary Number of Block(s): 0

3

Application Calc: 350

Required Documentation Upload: [24-036_Williams_Zoning_Map.pdf](#)
[24-036_Williams_Surrounding_Parcels.pdf](#)
[24-036_Williams_FEMA_MAP.png](#)
[24-036_Williams_City_Uilities.pdf](#)
[24-036_Williams_FINAL.pdf](#)

Deed for Property	24-036_Williams_Deeds.pdf	
Application Fees	Applicable Fees	500.00 USD
	Total:	\$500.00
	Transaction ID:	2a0971gr
	Payment Information	
	First Name:	Nicholas
	Last Name:	Jensen
	E-Mail	djohnson_55@hotmail.com
Applicant Signature	<input type="text" value=""/>	
Date	03-05-2025	

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.

JERRY WILLIAMS MAJOR PLAT (FLP-002-2025)





Western Edge Surveying, PLLC
1175 Lincoln Street
Dickinson, ND 58601

Phone: (701) 505-8209
Email: nick.jensen@westernedgesurveying.com
Website: www.westernedgesurveying.com

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND

Date: January 2nd, 2025

Regarding: Major Plat Preliminary Application – Jerry Williams Subdivision

Attached to the application form you will find the following Major Plat documents for Jerry Williams Subdivision being submitted for Consideration:

- Pre-submittal Meeting Letter
- Project Scope (see below)
- Legal Description
- Warranty Deed(s)
- Current Preliminary Plat Drawing
- Proposed Final Plat
- City Parcel Map (ETZ Zone)
- City Utility Map
- City Zoning Map
- FEMA Floodplain Map (Modified to show project location)

Project Scope:

The applicant is submitting this Major Plat application for Jerry Williams Subdivision. Currently, the area is unsubdivided except for two parcels (shown on the preliminary plat) which have been split out previously for family. The intent is to further subdivide the remaining land amongst the family residences that are already existing in a manner that complies with Agricultural Zoning (greater than 5 Acres). Currently, no other development is planned for this area.

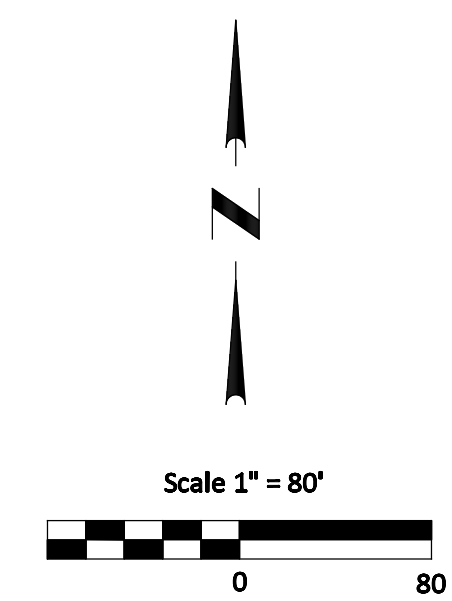
The existing driveway, which is accessed from 40th Street Southwest, is intended to remain private and incorporate a means for future utility development. They have already been maintaining this portion of road and have the equipment and means to continue to do so.

Thank you for your consideration of this request. Please let me know if there are any questions or additional information required.

Thanks,
Nicholas Jensen, PLS
Western Edge Surveying, PLLC

JERRY WILLIAMS SUBDIVISION

SE 1/4 Section 22, Township 139 North, Range 96W, 5th Principal Meridian
Stark County, North Dakota



Coordinate Table

Name	Northing	Easting
A	433464.25	1398769.44
B	434772.36	1398811.63
C	434736.92	1399996.14
D	433462.38	1399958.14

Legend

Subdivision Boundary Line	— G — G — G —	Buried Gas Line	— G — G — G —
Lot Lines	— E — E — E —	Buried Electric Line	— E — E — E —
Easement Lines	— F — F — F —	Buried Fiber Optic Line	— F — F — F —
Private Easement/Utility Lines	— H — H — H —	Overhead Electric Line	— H — H — H —
Adjacent Property Lines	— W — W — W —	Existing Water Line	— W — W — W —
Setback Lines	90°00'00" 45.00'	Existing Parcel Boundaries (Prelim Only)	— W — W — W —

Survey Notes

- 1) Jerry Williams Subdivision is in Zone X of FEMA FIRM Map No. 38089C0450E
- 2) All documents referenced are on file at the Stark County Courthouse
- 3) Utilities depicted are the result of a 811 Call Ticket# 24123346 & 24123347 and were either marked or electronically submitted to surveyor.
- 4) Private Water line is not locatable, location shown is approximate.

City of Dickinson Commission Approval

Printed Name: _____ Title: _____
 Signature: _____ Date: _____

City Engineer Approval

Printed Name: _____ Title: _____
 Signature: _____ Date: _____

City Planning And Zoning Commission Approval

Printed Name: _____ Title: _____
 Signature: _____ Date: _____

Stark County Commission Approval

Printed Name: _____ Title: _____
 Signature: _____ Date: _____

I, Scott Miller owner and proprietor of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that I have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever. The Ingress/egress easement shown hereon is a private crossing for the benefit of Lots 2, 3, 4, 5, 6 and Lot 1 Block 1 of Williams Johnson Subdivision Doc. No. 3155815. Furthermore, this ingress/egress easement shall also serve as a utility corridor for the installation, maintenance, and repair of utility infrastructure.

In witness whereof, I have hereunto subscribed my name:

BY: _____
 Scott Miller
 State of _____ SS
 County of _____

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Scott Miller, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
 Residing at County of _____ State of _____

Basis of Bearings

Basis of Bearings being the South line of the Southeast Quarter Section 22, Township 139 North, Range 96 West, 5th Principal Meridian

Survey based on North Dakota South Zone 1983 (2011), International Foot. Bearings are GRID, Distances are GROUND using a Scale Factor of 1.0001865491. Coordinates are GRID.

Surveyor's Certificate

I, Nicholas R. Jensen, Registered Land Surveyor, N.D. No. 29362 do hereby certify that Jerry Williams Subdivision 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 here unto subscribed my name:

Nicholas R. Jensen R.L.S. 29362

Proprietor's Certificates:

I, Jerry D. Williams owner and proprietor of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that I have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever. The Ingress/egress easement shown hereon is a private crossing for the benefit of Lots 2, 3, 4, 5, 6 and Lot 1 Block 1 of Williams Johnson Subdivision Doc. No. 3155815. Furthermore, this ingress/egress easement shall also serve as a utility corridor for the installation, maintenance, and repair of utility infrastructure.

In witness whereof, I have hereunto subscribed my name:

BY: _____
 Jerry D. Williams

State of _____ SS
 County of _____

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Jerry D. Williams, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
 Residing at County of _____ State of _____

We, Kole Kahm & Darcy Kahm owners and proprietors of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that we have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever.

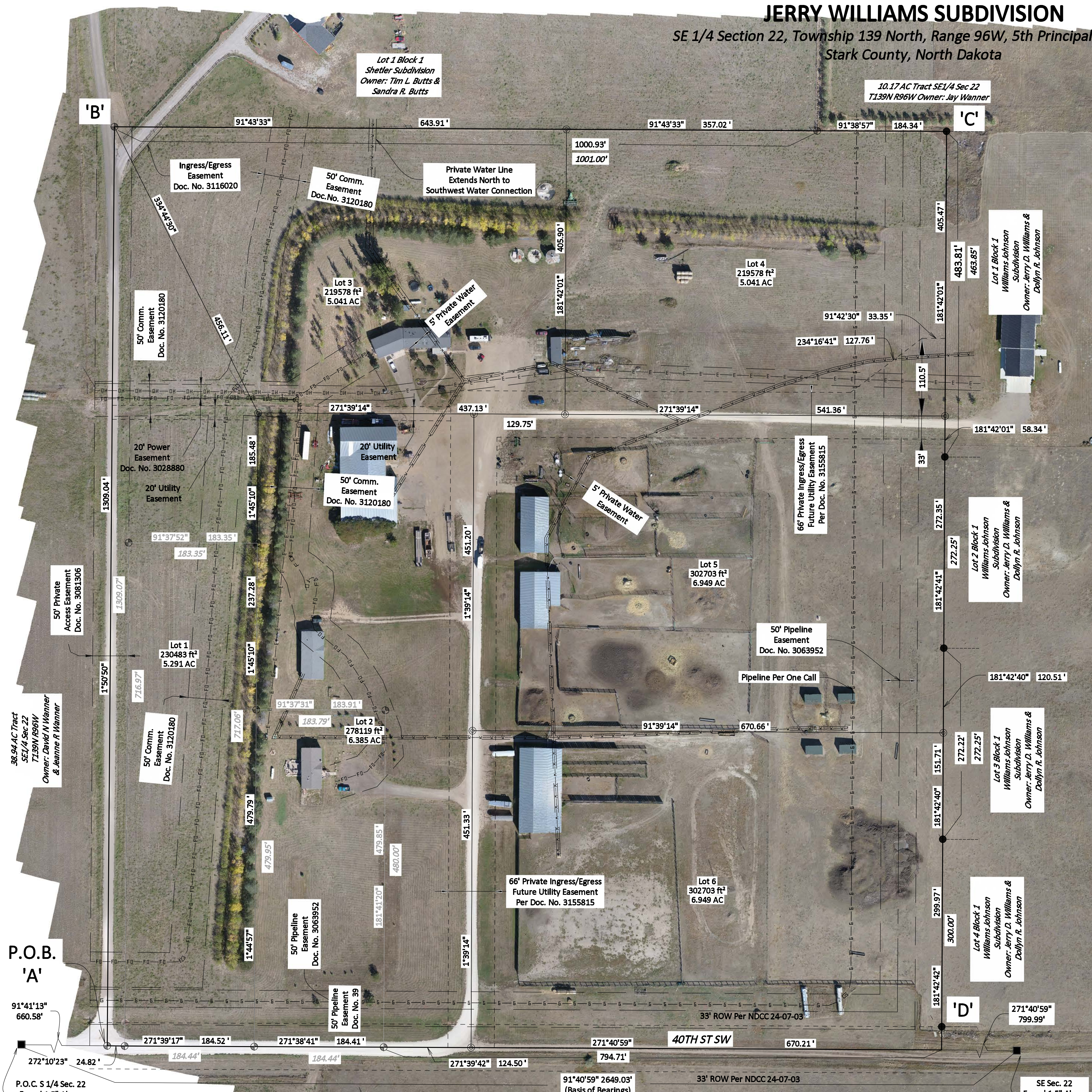
In witness whereof, I have hereunto subscribed my name:

BY: _____ BY: _____
 Kole Kahm Darcy Kahm

State of _____ SS
 County of _____

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Jerry D. Williams, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
 Residing at County of _____ State of _____



Boundary Description

A tract of land located in the Southeast Quarter (SE1/4) of Section Twenty-Two (22), Township 139 North (T139N), Range 96 West (R96W) of the 5th Principal Meridian (5th P.M.), Stark County, North Dakota being more particularly described as follows:

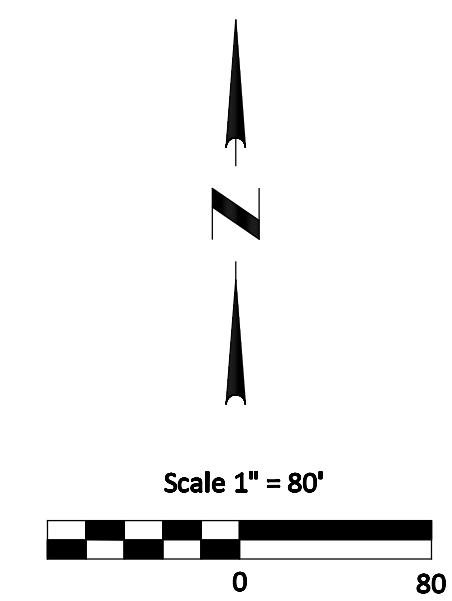
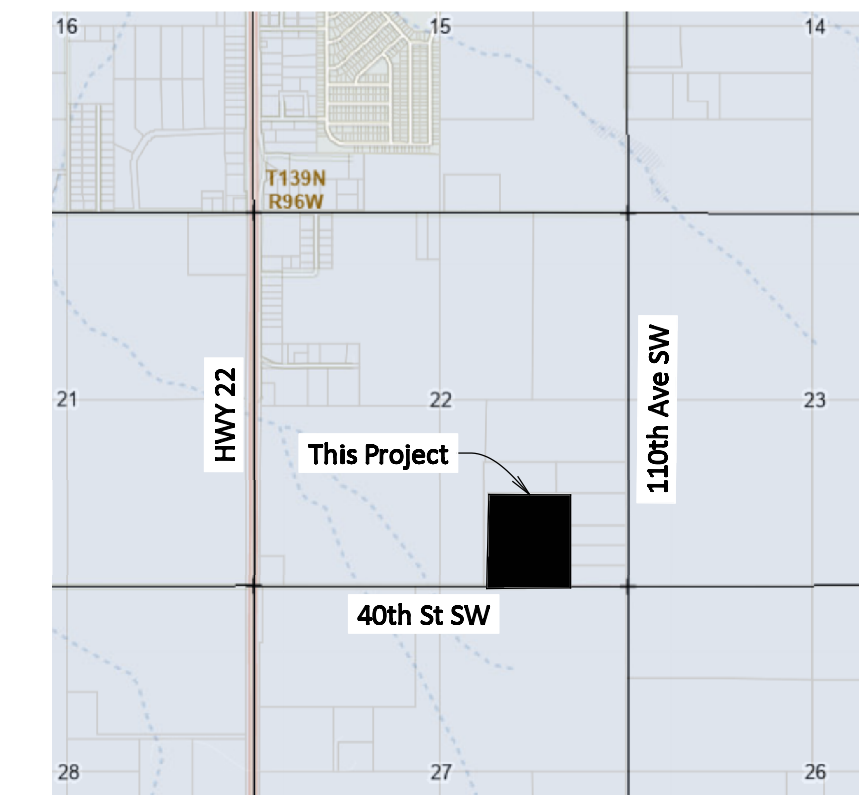
Commencing at the South Quarter (S1/4) Corner of said Section Twenty-Two (22); thence 91°41'13" along the south line of the Southeast Quarter a distance of 660.58' to the Point of Beginning, point also being the Centerline of a Private Access Easement described in Document No. 3081306 filed at the Stark County Courthouse, thence 1°50'50" along said Centerline a distance of 1309.04, point being the Southwest Corner of Shetler Subdivision of said Document No. 3081306, thence 91°43'33" along the South line of Shetler Subdivision a distance of 1000.93' to a point being the Southeast Corner of said Shetler Subdivision, also being the Southwest Corner of Parcel A as described in Document No. 3132372 filed at the Stark County Courthouse, thence 91°38'57" along the South line of said Parcel A a distance of 184.34', to a point also being the Northwest Corner of Williams Johnson Subdivision described in Document No. 3155815 filed at the Stark County Courthouse, thence 181°42'01" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 483.81', thence 181°42'41" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 272.22', thence 181°42'42" along the West line of Lot 4 Block 1 of said Williams Johnson Subdivision a distance of 299.97', point being on the South line of said Southeast Quarter (SE1/4) a distance of 794.71', point being the Southeast corner of a 2.03 Acre Tract described in Document No. 3109416 filed at the Stark County Courthouse, thence 271°38'41" along the South line of said 2.03 Acre Tract a distance of 184.41', point being the Southwest Corner of said 2.03 Acre Tract and the Southeast Corner of a 3.03 Acre Tract described in Document No. 3109415 filed at the Stark County Courthouse, thence 271°39'17" along the South line of said 3.03 Acre Tract a distance of 184.52' point being the Southwest Corner of said 3.03 Acre Tract, thence 272°10'23" a distance of 24.82' to the Point of Beginning.

Said tract contains 35.656 Acres more or less and is subject to any previous easements, agreements, conveyances, and surveys.

DRAWN BY: NRJ	SCALE: 1" = 80'
PROJECT NO: 24-036	DATE: 1/2/2024
WESTERN EDGE SURVEYING, PLLC	
1175 LINCOLN STREET DICKINSON, ND 58601 PHONE: (701) 505-8209	
WWW.WESTERNEDGESURVEYING.COM	

JERRY WILLIAMS SUBDIVISION

SE 1/4 Section 22, Township 139 North, Range 96W, 5th Principal Meridian
Stark County, North Dakota



Coordinate Table

Name	Northing	Easting
A	433464.25	1398769.44
B	434772.36	1398811.63
C	434736.92	1399996.14
D	433462.38	1399958.14

- Found Section Corner as Described
- Found 1/2" Rebar with Yellow Plastic Cap Stamped 2884
- ⊙ Found 1/2" Rebar
- ⊙ Property Corner

Legend

- Subdivision Boundary Line
- Lot Lines
- Easement Lines
- Private Easement/Utility Lines
- Adjacent Property Lines
- Setback Lines
- Buried Gas Line
- Buried Electric Line
- Buried Fiber Optic Line
- Overhead Electric Line
- Existing Water Line

Basis of Bearings

Basis of Bearings being the South line of the Southeast Quarter Section 22, Township 139 North, Range 96 West, 5th Principal Meridian

Survey based on North Dakota South Zone 1983 (2011), International Foot. Bearings are GRID, Distances are GROUND using a Scale Factor of 1.0001865491. Coordinates are GRID.

Surveyor's Certificate

I, Nicholas R. Jensen, Registered Land Surveyor, N.D. No. 29362 do hereby certify that Jerry Williams Subdivision 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 here unto subscribed my name:

Nicholas R. Jensen R.L.S. 29362

Proprietor's Certificates:

I, Jerry D. Williams owner and proprietor of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that I have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever. The Ingress/egress easement shown hereon is a private crossing for the benefit of Lots 2, 3, 4, 5, 6 and Lot 1 Block 1 of Williams Johnson Subdivision Doc. No. 3155815. Furthermore, this ingress/egress easement shall also serve as a utility corridor for the installation, maintenance, and repair of utility infrastructure.

In witness whereof, I have hereunto subscribed my name:

BY: Jerry D. Williams

State of _____
County of _____ SS

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Jerry D. Williams, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
Residing at County of _____ State of _____

We, Kole Kahm & Darcy Kahm owners and proprietors of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that we have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever.

In witness whereof, I have hereunto subscribed my name:

BY: Kole Kahm BY: Darcy Kahm

State of _____
County of _____ SS

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Jerry D. Williams, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
Residing at County of _____ State of _____

Survey Notes

- Jerry Williams Subdivision is in Zone X of FEMA FIRM Map No. 38089C0450E
- All documents referenced are on file at the Stark County Courthouse
- Utilities depicted are the result of a 811 Call Ticket# 24123346 & 24123347 and were either marked or electronically submitted to surveyor.
- Private Water line is not locatable, location shown is approximate.

City of Dickinson Commission Approval

Printed Name: _____ Title: _____
Signature: _____ Date: _____

City Engineer Approval

Printed Name: _____ Title: _____
Signature: _____ Date: _____

City Planning And Zoning Commission Approval

Printed Name: _____ Title: _____
Signature: _____ Date: _____

Stark County Commission Approval

Printed Name: _____ Title: _____
Signature: _____ Date: _____

I, Scott Miller owner and proprietor of Jerry Williams Subdivision to the City of Dickinson, Stark County, North Dakota, on this plat shown hereon and described in the Surveyor's Certificate, do hereby declare that I have caused the same to be surveyed as shown on the accompanying plat, and do hereby dedicate all utility easements as shown to public use forever. The Ingress/egress easement shown hereon is a private crossing for the benefit of Lots 2, 3, 4, 5, 6 and Lot 1 Block 1 of Williams Johnson Subdivision Doc. No. 3155815. Furthermore, this ingress/egress easement shall also serve as a utility corridor for the installation, maintenance, and repair of utility infrastructure.

In witness whereof, I have hereunto subscribed my name:

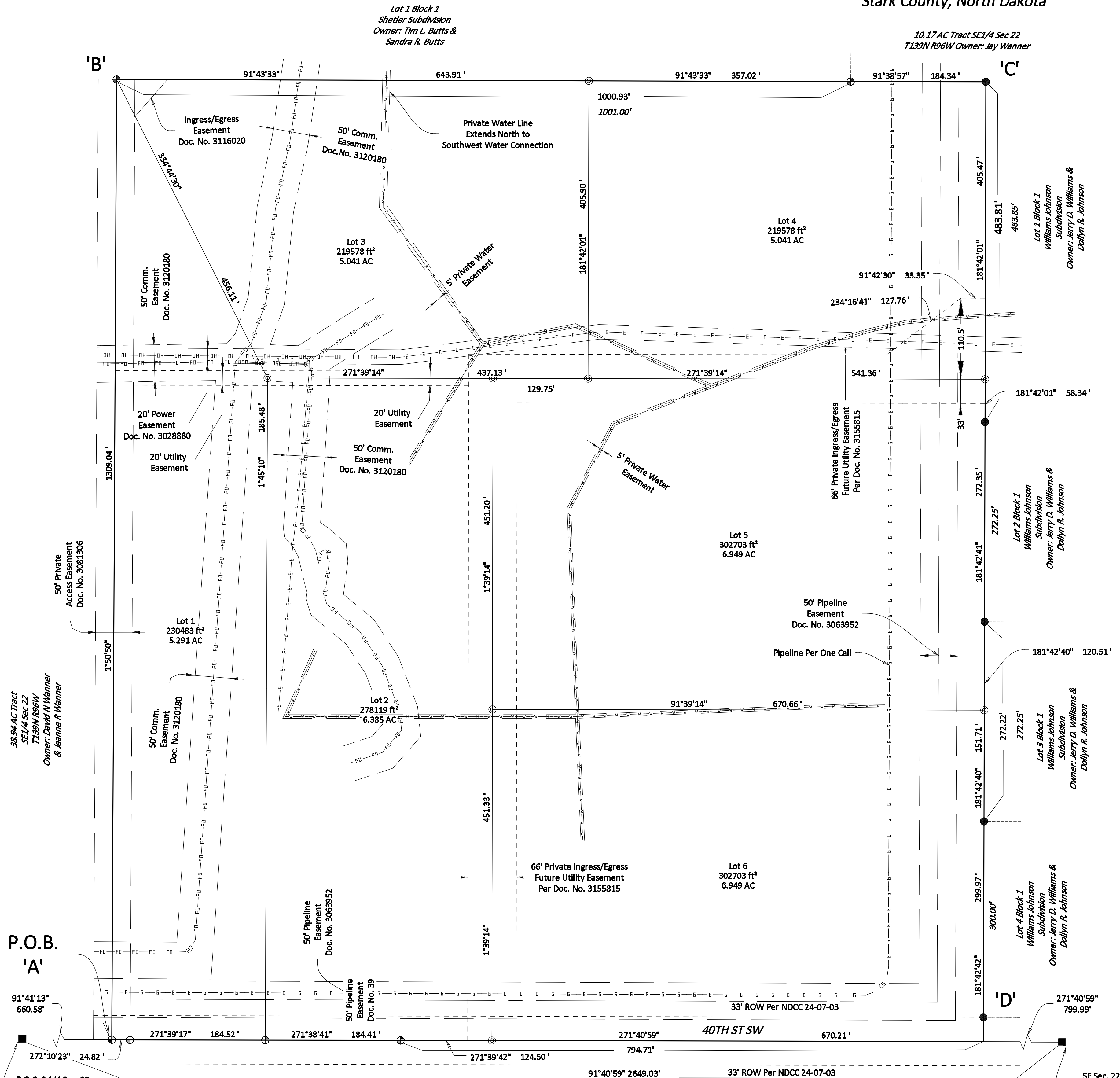
BY: Scott Miller

State of _____
County of _____ SS

On this _____ Day of _____, 20____, Before me, a notary public in and for said county and State, Personally appeared Scott Miller, to me known to be the same person(s) described in and that executed the within and foregoing instrument and severally acknowledged to me that they executed the same.

Notary Public _____ My Commission Expires: _____
Residing at County of _____ State of _____

DRAWN BY: NRJ	SCALE: 1" = 80'
PROJECT NO: 24-036	DATE: 1/2/2024
WESTERN EDGE SURVEYING, PLLC	
1175 LINCOLN STREET DICKINSON, ND 58601 PHONE: (701) 505-8209	
WWW.WESTERNEDGESURVEYING.COM	



Boundary Description

A tract of land located in the Southeast Quarter (SE1/4) of Section Twenty-Two (22), Township 139 North (T139N), Range 96 West (R96W) of the 5th Principal Meridian (5th P.M.), Stark County, North Dakota being more particularly described as follows:

Commencing at the South Quarter (S1/4) Corner of said Section Twenty-Two (22); thence 91°41'13" along the south line of the Southeast Quarter a distance of 660.58' to the Point of Beginning, point also being the Centerline of a Private Access Easement described in Document No. 3081306 filed at the Stark County Courthouse, thence 1°50'50" along said Centerline a distance of 1309.04, point being the Southwest Corner of Shetler Subdivision of said Document No. 3081306, thence 91°43'33" along the South line of Shetler Subdivision a distance of 1000.93' to a point being the Southeast Corner of said Shetler Subdivision, also being the Southwest Corner of Parcel A as described in Document No. 3132372 filed at the Stark County Courthouse, thence 91°38'57" along the South line of said Parcel A a distance of 184.34', to a point also being the Northwest Corner of Williams Johnson Subdivision described in Document No. 3155815 filed at the Stark County Courthouse, thence 181°42'01" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 483.81', thence 181°42'41" along the West line of Lot 2 Block 1 of said Williams Johnson Subdivision a distance of 272.22', thence 181°42'42" along the West line of Lot 4 Block 1 of said Williams Johnson Subdivision a distance of 299.97', point being on the South line of said Southeast Quarter (SE1/4), thence 271°40'59" along the South line of said Southeast Quarter (SE1/4) a distance of 794.71', point being the Southeast corner of a 2.03 Acre Tract described in Document No. 3109416 filed at the Stark County Courthouse, thence 271°38'41" along the South line of said 2.03 Acre Tract a distance of 184.41', point being the Southwest Corner of said 2.03 Acre Tract and the Southeast Corner of a 3.03 Acre Tract described in Document No. 3109415 filed at the Stark County Courthouse, thence 271°39'17" along the South line of said 3.03 Acre Tract a distance of 184.52' point being the Southwest Corner of said 3.03 Acre Tract, thence 272°10'23" a distance of 24.82' to the Point of Beginning.

Said tract contains 35.656 Acres more or less and is subject to any previous easements, agreements, conveyances, and surveys.

Road Maintenance Agreement

Owners of Jerry Williams Subdivision & Lot 1, Block 1, Williams Johnson Subdivision

Located in the SE 1/4, Section 22, Township 139 North, Range 96W
Stark County, North Dakota

WHEREAS, the undersigned owners and proprietors (hereinafter "Owners") of the lots within Jerry Williams Subdivision, as legally described above, desire to establish a mutual agreement for the maintenance of the private roads within said subdivision; and

WHEREAS, the Owners intend for this agreement to ensure safe and accessible roads for all residents and emergency services, with responsibilities and costs shared equitably;

NOW, THEREFORE, the Owners agree to the following terms:

Road Maintenance Responsibility:

Road maintenance within Jerry Williams Subdivision shall be performed by the Owners or their designated representatives. Maintenance includes, but is not limited to, grading, surfacing, mowing, culvert replacement, and snow removal.

Cost Sharing:

All expenses related to road maintenance, including materials, labor, equipment, and other necessary costs, shall be divided equally among the Owners of record at the time the expense is incurred. A designated Owner or committee, selected by majority vote of the Owners, shall provide an annual accounting of expenses and collect contributions within 30 days of notice.



Snow Removal:


Snow removal shall be completed promptly to ensure continuous access for residents and emergency services, with efforts commencing no later than 24 hours following a snowfall event, weather permitting. Snow removal is the sole responsibility of the owners of the subdivision.


Binding Nature of Agreement:


This agreement run with the land, binding upon all current and future Owners of lots within Jerry Williams Subdivision. The terms herein shall be disclosed to all prospective buyers.

IN WITNESS WHEREOF, the undersigned Owners execute this agreement on the dates set forth below:

Name:  
 Kole & Darcy Kahm, Owners Lot(s) 1
 Date: 3-25-2025

Name: 
 Rodney Williams, Owner Lot(s) 2
 Date: 3-25-2025

Name: 
 Scott Miller, Owner Lot(s) 2
 Date: 3/21/25

Name: 
 Jerry Williams, Owner Lot(s) _____ & Lot 1, Block 1, Williams Johnson Subdivision
 Date: 3-25-25

Name: 
 Jamie Miller, Owner Lot(s) 3+4
 Date: 3-25-25



**JERRY WILLIAMS FINAL
MAJOR PLAT STAFF
REPORT**

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: April 2, 2025
Re: **FLP-001-2025 Jerry Williams Subdivision Final Major Plat**

OWNER/APPLICANT

Jerry Williams
 11015 40th Street SW
 Dickinson, ND, 58601
 djohnson_55@hotmail.com
 (701) 290-7710

APPLICANT'S REPRESENTATIVE

Nick Jensen
 Western Edge Surveying, PLLC
 1175 Lincoln Street
 Dickinson, ND 58601
 nick.jensen@westernedgesurveying.com
 (701) 505-8209

Public Hearing	February 12, 2025	Planning and Zoning Commission
Public Hearing	April 9, 2025	Planning and Zoning Commission
Final Action	April 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a final Major Subdivision Plat for the Jerry Williams Subdivision, located within the SE1/4 of Section 22, Township 139 North, Range 96 West, 5th Principal Meridian, Stark County, North Dakota; in the City of Dickinson's Extra-Territorial Zone. According to the applicant, the purpose of the proposed subdivision is to divide the land into appropriate-sized lots for each of the residents currently living on the tract. The site is zoned Agriculture (AG), and the proposed subdivision is +/- 35.66 acres.

A public hearing in front of the Planning and Zoning Commission on the preliminary plat was held on February 12, 2025 (PLP-001-2025). The Planning and Zoning Commission recommended approval without conditions of the preliminary plat.

Staff Recommendation: Staff recommends approval of this plat.

LOCATION

The property is a previously unplatted tract located within the SE1/4 of Section 22, Township 139 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota in the City of Dickinson’s Extra-Territorial Zone. This subdivision contains the existing residences at 11025, 11027, and 11029 40th Street SW.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 35.66
LOTS PROPOSED	6

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

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 34.030 of the Municipal Code, a major subdivision is a subdivision that does not meet the following requirements:

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

The proposed subdivision does not meet the fourth requirement as it plans to create six lots. This means the proposed plat must be considered a major subdivision and is subject to the major subdivision process as outlined in Section 34.040.

According to Section 39.04 of the Municipal Code, the minimum AG lot size is 5 acres. The six proposed lots all exceed the minimum lot size requirement of their respective zoning district. No existing structures violate any use or setback requirements laid out in the Zoning Ordinance.

There is a road located in a 66-foot private access/future utility easement. This road provides access to the proposed lots 3, 4, & 5, as well as to the applicant's residence at 11015 40th Street SW. Maintenance of this road will continue to be the responsibility of the property owners, and the property owners have submitted to the City of Dickinson a road maintenance contract that outlines the responsibilities of residents along the road and avoid future confusion. This agreement has been reviewed by the Stark County Road Department and will be recorded with the City Recorder prior to the recording of the final plat.

Staff reviewed the proposed final subdivision and found no changes from the preliminary plat heard on February 12, 2025.

PUBLIC COMMENT AND STAFF RECOMMENDATION

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

Staff Recommendation: The Community Development staff recommends **approval** of this major plat.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-002-2025: The Jerry Williams Subdivision Final Major Plat** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-002-2025: The Jerry Williams Subdivision Final Major Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: Jotform
To: [Sylvia Miller](#); [Sylvia Miller](#); [Steven Josephson](#); [Dustin D. Dassinger](#); [Leonard W. Schwindt](#); [Joshua Skluzacek](#); [Nicole Snyder](#); [Nicole Snyder](#); [Natalie Birchak](#)
Subject: Re: Unified Development Application
Date: Friday, March 7, 2025 10:04:14 AM
Attachments: [Five Star Storage Pre-Application Letter.pdf](#)
[Badlands Storage 2nd Add - Transittal Letter - Project Narrative 3-7-25.pdf](#)
[24168 Badlands Storage 2nd Addition - Minor Plat.pdf](#)
[Five Star Storage -Special Use Exhibit.pdf](#)
[3119841.pdf](#)
[3119848.pdf](#)
[ILSE Permission to apply.pdf](#)
[6171761768324618289_signature_23.png](#)



Unified Development Application

Have you met with Planning Staff regarding your application? Yes

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

Type of Development

Is this a Replat

Name

Company

Applicant Email

Applicant Phone #

Applicant Representative (if applicable)

Applicant Representative Company

Applicant Representative Email

Applicant Representative Phone #

Owner Name Badlands Storage LLC Jacob Hendricks - President

Owner Address 3255 43rd Street SW, Fargo, ND, 58104

Owner Email jake@fivestorstorage.biz

Owner Phone # (612) 439-0600

Is the owner present to Sign

Owner Signature Upload [ILSE Permission to apply.pdf](#)

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

	1/4 Section	Township	Range
Description	NE 28	T140N	R96W

Property Address / General Project Location 430 29th Street W. Dickinson, ND 58601

Five Star Storage is proposing to combine 2 lots into 1 lot using the Minor Plat Process.
Combination of Lot 1, Block 1, Badlands Storage Subdivision and Lot 1, Block 1, Tweeten's 3rd Addition

Total Square Footage or Acreage of Subject Property 6.04 Acres

Transmittal Letter (Explanation of Request & Proposed Operations) [Badlands Storage 2nd Add - Transittal Letter - Project Narrative 3-7-25.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat Badlands Storage 2nd Addition

Number Lots

Number of Block(s) 1

0

Application Calc

500

Required Documentation Upload

[24168 Badlands Storage 2nd Addition - Minor Plat.pdf](#)
[Five Star Storage -Special Use Exhibit.pdf](#)

Deed for Property

[3119841.pdf](#)
[3119848.pdf](#)

Application Fees

Applicable Fees

350.00 USD

Total:

\$350.00

Transaction ID:

kjae5t17

Payment Information

First Name: Abrahm

Last Name: Ulmer

E-Mail: jacob@fivestorstorage.biz

Applicant Signature



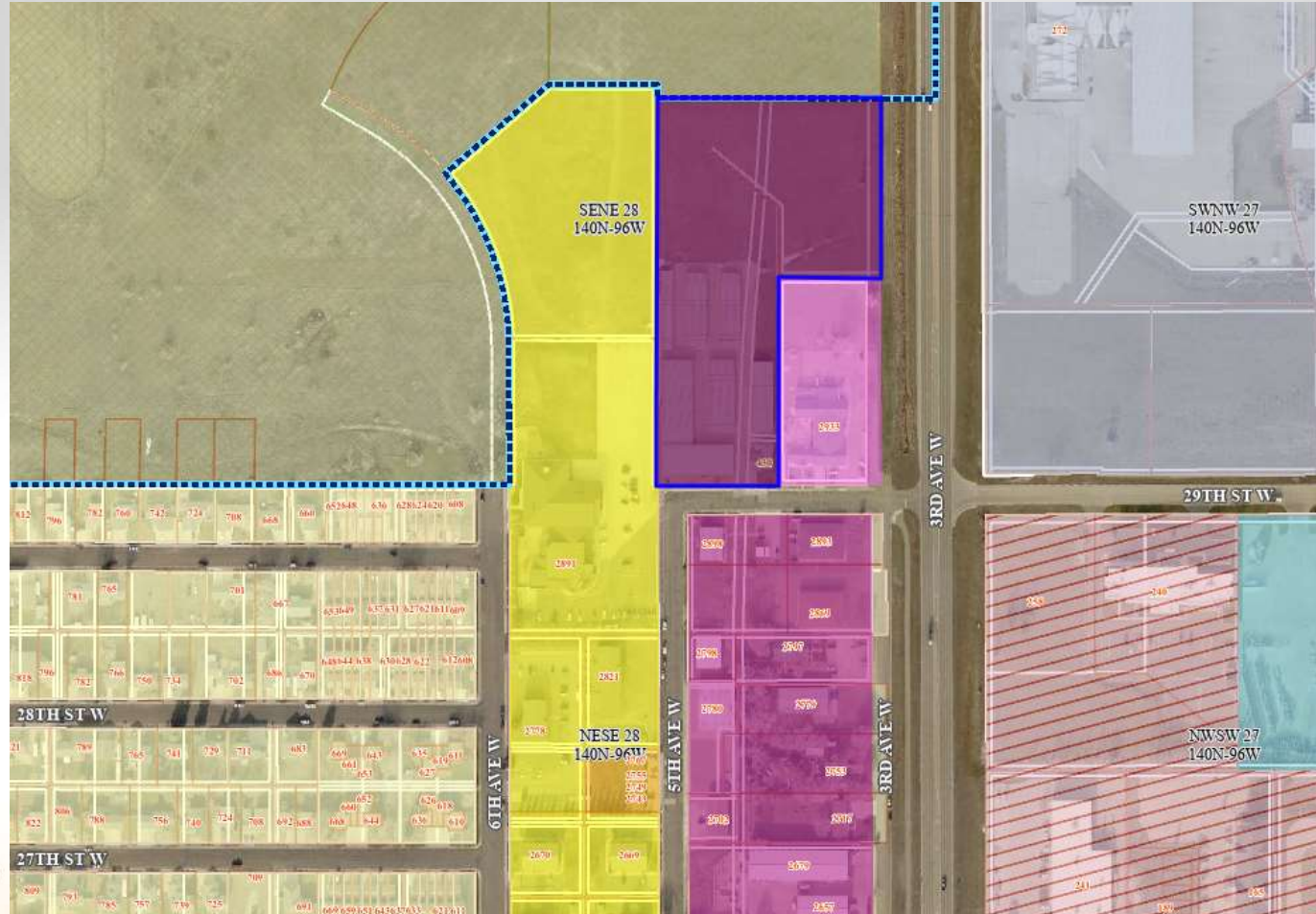
Date

03-07-2025

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

BADLANDS STORAGE 2ND ADDITION MINOR SUBDIVISION (FLP-003-2025)

Section 3. Item D.



PLAT OF BADLANDS STORAGE 2ND ADDITION

LOT 1 BLOCK 1, TWEETEN'S 3RD ADDITION AND LOT 1 BLOCK 1, BADLANDS STORAGE SUBDIVISION. IN THE NE 1/4 SECTION 28, T140N, R96W, 5TH P.M., CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

PROPERTY DESCRIPTION

ALL OF LOT 1, BLOCK 1 IN TWEETEN'S 3RD ADDITION AND ALL OF LOT 1, BLOCK 1 IN BADLANDS STORAGE SUBDIVISION, SITUATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN IN STARK COUNTY, NORTH DAKOTA, SAID TRACT OF LAND CONTAINS 6.04 ACRES.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE SURVEY OF BADLANDS STORAGE 2ND ADDITION AS SHOWN HEREON WAS CONDUCTED BY ME, THAT THE EXTERIOR BOUNDARY OF SAID SUBDIVISION IS DELINEATED ON THE GROUND BY MONUMENTS SHOWN HEREON; AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

MARK R. ISAACS, RLS 9628

CERTIFICATE OF OWNERS AND GRANT OF EASEMENTS

I, JACOB BARNEY OF BADLANDS STORAGE, LLC, OWNERS AND PROPRIETORS OF BADLANDS STORAGE SECOND ADDITION, HEREBY DECLARE THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND HEREBY DEDICATE ALL EASEMENTS SHOWN HEREON AS "UTILITY EASEMENT" AND PUBLIC ACCESS AND UTILITY EASEMENT SHOWN HEREON TO THE PUBLIC USE FOREVER.

DATED THIS _____ DAY OF _____, 2025.

JACOB HENDRICKS - PRESIDENT
BADLANDS STORAGE LLC

STATE OF _____)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____, 2025, BEFORE ME PERSONALLY APPEARED JACOB BARNEY OF BADLANDS STORAGE, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE WITHIN INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

CITY OF DICKINSON COMMISSION APPROVAL

PRESIDENT _____ DATE: _____

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE: _____

CITY PLANNING COMMISSION APPROVAL

SECRETARY _____ DATE: _____

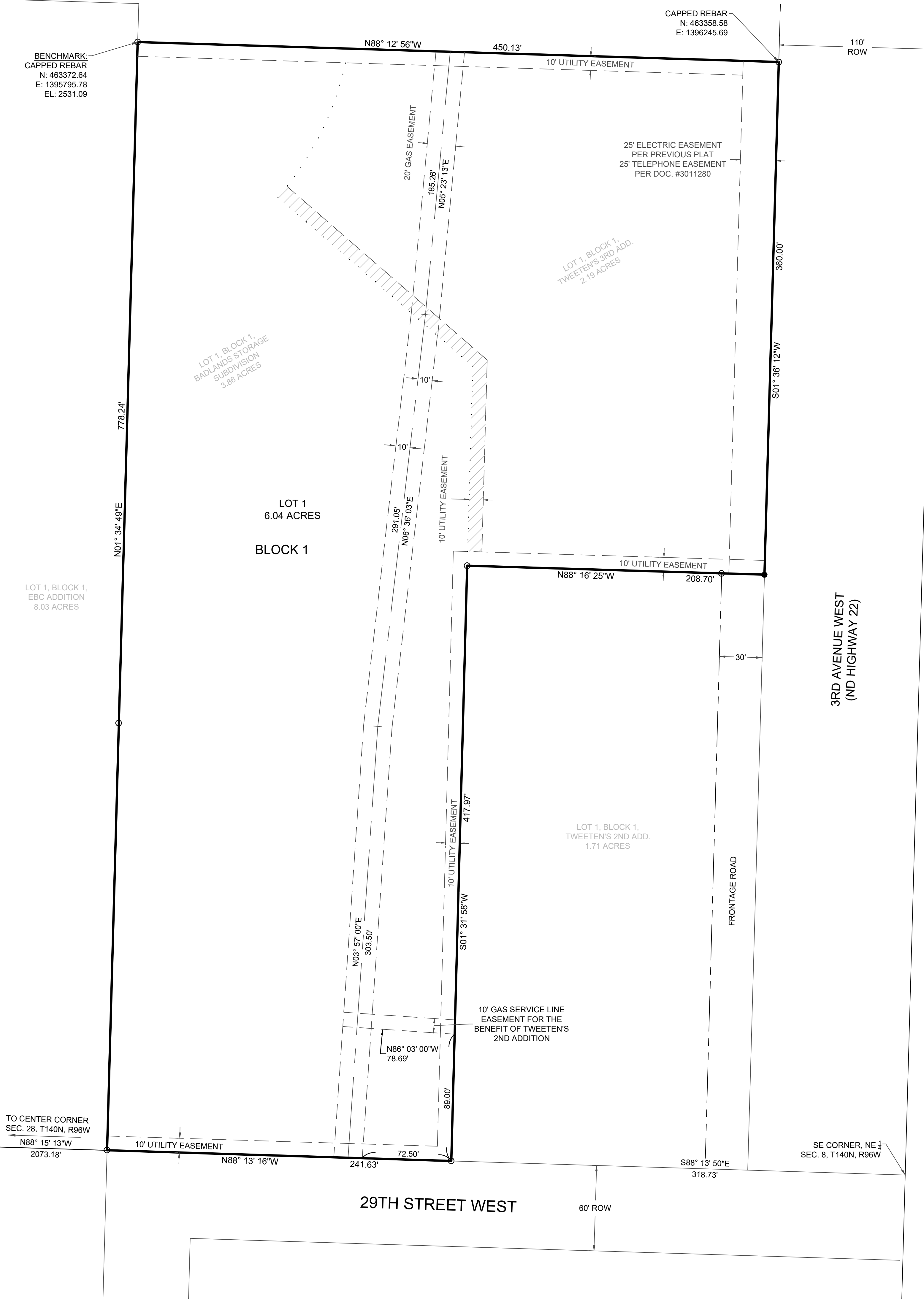
PROFESSIONAL LAND SURVEYOR
MARK R. ISAACS, LS-9628

BADLANDS STORAGE 2ND ADDITION PART OF THE NE 1/4 SECTION 28, T140N, R96W DICKINSON, NORTH DAKOTA	I n d e p e n d e n t L a n d S u r v e y i n g & E n g i n e e r i n g
--	---

SHEET: 1 OF 1	JOB NUMBER: 24168
SCALE: 1" = 40'	DWG REVISION DATES
DRAWN BY: MRI	3/7/25 -
DWG DATE: 1/15/25	-
DWG NAME: 24168_Minor_Plat.dwg	

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-695-2079
mark@isurveynd.com

NOTES:
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
2. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

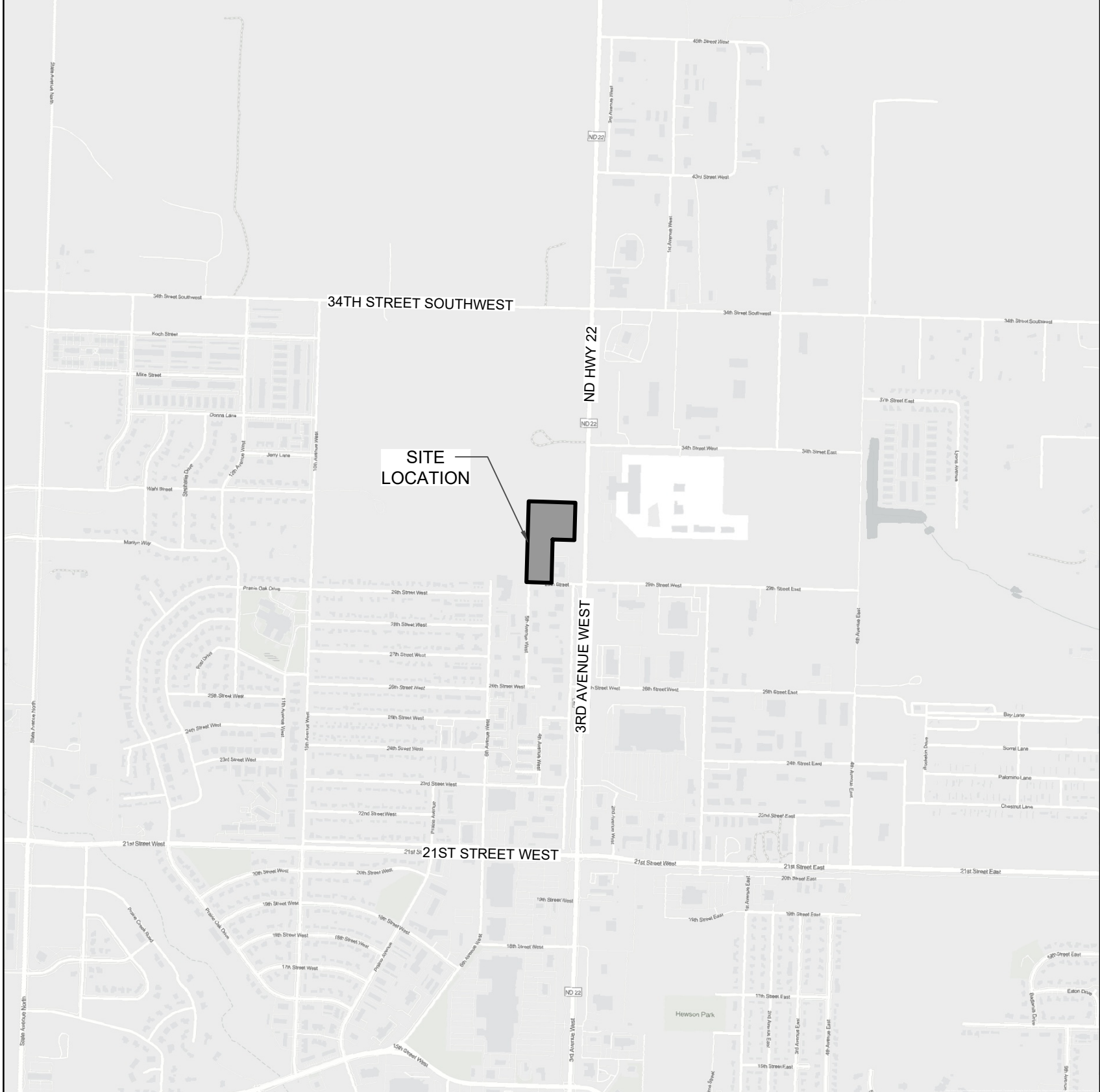


ACREAGE TABLE

LOT 1	6.04 ACRES
TOTAL	6.04 ACRES

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR - LS9628
 - ▨ UTILITY EASEMENT VACATED VIA SEPARATE PETITION
 - ⋯ VACATED PARCEL LINE
 - - - UTILITY EASEMENT AS NOTED
 - - - RIGHT OF WAY
 - ADJACENT PARCEL LINE
 - SECTION LINE
 - - - QUARTER SECTION LINE

VICINITY MAP



OWNER:
BADLANDS STORAGE LLC
3255 43RD ST. SW
FARGO, ND 58104

March 7, 2025

Josh Skluzacek
Community Development Director
City of Dickinson
Department of Engineering
99 2nd Street East
Dickinson, ND 58601

Re: Badlands Storage 2nd Addition Minor Plat & Special Use Permit

Dear Mr. Skluzacek,

On behalf of the applicant, Badlands Storage LLC, please find enclosed the following items for your review of the Five Star Storage Facility at 430 29th Street West. The following documents are for the final phase of the Five Star convenience storage development:

- Minor Subdivision Plat
- Special Use Permit
- Petition for Easement Vacation

Project Location

- Address: 430 29th Street West, Dickinson, ND 58601
- Legal Description:
 - a. Lot 1, Block 1, Badlands Storage Subdivision & Lot 1, Block 1, Tweeten’s 3rd Addition
 - i. A Minor Plat is in process for this lot modification to combine the two lots into one lot will be submitted.
 - ii. Lot Area: 6.04 acres+/-

Project Description

- The applicant intends to construct the second and final phase of the master planned convenience storage facility at 430 29th Street West.
- A Minor Subdivision Plat is required to combine the two lots into one. The intent is to remove the west boundary line of lot 2, block 1, Tweeten’s 3rd Addition and vacate the existing utility easement to allow for construction of a convenience storage facility.
- A Special Use Permit is required for the proposed convenience storage use. An existing special use permit was granted for this project in 2014. A new special use permit will be required for this convenience storage facility due to site layout changes from the original master plan layout.

- A petition for Easement Vacation will be required to vacate a portion of an existing easement found on Lot 1, Block 1, of Tweeten's 3rd Addition. Vacation of this easement is necessary for the construction of the convenience storage facility.

Existing & Proposed Site Conditions

- The existing site is currently being utilized as a convenience storage facility. Phase 1 of this project was constructed in 2014/2015.
- Current Land Use and Zoning:
 - The current zoning of this property is CC – Community Commercial.
- Neighboring Uses:
 - East neighboring property is zoned LC-Limited Commercial and is currently a childcare center.
 - West neighboring property is zoned R2-Medium Density Residential and is currently a church/school.
- Floodplain/Floodway/100-year Floodplain
 - The project site is not located within the 100-year floodplain.
- Special Use Permit:
 - A special use permit will be required for this convenience storage facility due to site changes from the original master plan layout.
 - Land Use Compatibility:
 - The south half of the existing property is an existing convenience storage facility.
 - The proposed buildings will be similar in nature to the existing convenience storage facility buildings.
 - Site Development:
 - The current site fronts along 29th Street West with a single access.
 - Parking will be provided onsite at a minimum ration of 1 stall per 20 units.
 - All structures will be accessible to public safety vehicles.
 - The existing site has security gated access. Emergency vehicles have access through the security gate with the provided code.
 - The proposed site has ample turning radius around the proposed buildings to allow emergency service vehicle movements.
 - Site lighting will be provided from building mounted lights along the access lanes and parking areas.
 - Landscaping/Street Trees:
 - The proposed site will combine existing landscape areas with proposed landscape areas.

- A landscape buffer of 20' is required along the western side of the property due to the neighboring R2 zoning. A 6' tall fence shall be installed within the buffer yard area.
 - The landscape depth along 29th Street is 20' in depth, and the proposed landscape depth along 3rd Avenue is 72' in depth.
 - The adjacent area along 3rd Avenue will be utilized for a stormwater detention pond. This pond will be a dry detention pond. Landscape trees will be planted to help buffer the site from the view of 3rd Avenue.
- Site Operating Characteristics:
 - Due to the nature of convenience storage, minimal traffic is expected to utilize site per day.
 - The proposed layout of the site keeps the interior drive isles inside the site with multiple buildings shielding traffic view from the neighboring properties.
 - No additional sanitary sewer improvements are necessary for the proposed buildings.
 - The existing watermain will need to be extended to the north end of the property with placement of a fire hydrant for required fire coverage.
 - Proposed Drainage:
 - Existing Storm Water Facilities include existing storm inlets and piping that flows to an existing underground stormwater detention system.
 - The current site generally drains to the Northeast toward 3rd Ave. West (ND HWY 22) The proposed site will generally follow the existing drainage patterns.
 - The existing site currently has an existing underground detention system which outlets through the site to the Northeast.
 - The proposed site will collect both onsite and offsite flows including the underground detention system flows and route the stormwater through the proposed stormwater pond located on the property adjacent to Highway 22. An outlet structure will be installed as a pond outlet to control stormwater flows. The outlet will flow into the western ditch of 3rd Avenue, and flow north to an existing culvert under 3rd Avenue.

Construction Plan

- General Description of work to occur:
 - Development will consist of Construction of an 8 multi-unit storage buildings
 - Relocation of existing Century Link/Lumen underground utility line
 - Site Grading to include stormwater pond construction
 - Watermain installation for fire hydrant coverage
 - Storm sewer and pond outlet construction
 - No sanitary sewer is required for this phase of construction
 - Concrete Pavement Installation
 - Parking striping
 - Landscape seeding/mulching, and tree plantings

Independent Land Surveying
& Engineering Inc.

- Construction Schedule/Sequence:
 - Construction will begin in the summer of 2025 and will be completed as soon as possible.
 - Construction will start at the east end of the project area in order to screen the west portion of construction from the 3rd Ave. West corridor view.

Please contact me if you have any questions or require further information.

Respectfully Submitted,



Abe Ulmer, PE# 6693
Independent Land Surveying & Eng. Inc.
4215 Old Red Trail
Mandan ND, 58554
Office 701-663-5184



Badlands Storage 2nd Addition Final Minor Plat Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: April 2, 2025
Re: **FLP-003-2025 Badlands Storage 2nd Addition Final Minor Plat**

OWNER/APPLICANT

Jacob Barney / Five Star Storage
 3255 43rd Street SW
 Fargo, ND, 58104
 jake@fivestarstorage.biz
 (612) 439-0600

APPLICANT’S REPRESENTATIVE

Abe Ulmer
 Independent Land Surveying & Engineering Inc
 4215 Old Red Trail NW
 Mandan, ND 58554
 abe.ilsurveynd.com
 (701) 220-0968

Public Hearing	April 9, 2025	Planning and Zoning Commission
Final Action	April 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Badlands Storage 2nd Addition Subdivision, being a replat of Lot 1 in Block 1 of the Badlands Storage Subdivision and Lot 1 in Block 1 of Tweeten’s 3rd Addition Subdivision, located within the SE1/4 of the NE1/4 of Section 28, Township 140 North, Range 96 West, 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. According to the applicant, the purpose of the proposed subdivision is to combine the existing lots to expand the existing convenience storage operations. The site is zoned Community Commercial (CC), and the proposed subdivision is +/- 6.04 acres.

Staff Recommendation: Approval.

The applicant has submitted an associated Special Use Permit application for a convenience storage facility (SUP-001-2025). Approval of the SUP is contingent on approval of this minor subdivision plat.

LOCATION

The property is located within the SE1/4 of the NE1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. This subdivision contains the existing businesses at 430 29th Street W.

CURRENT ZONING	CC
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	+/- 6.04
LOTS PROPOSED	1

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	LC & GI	Daycare, Auto Work
South	CC	Offices
West	R-2	Church

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

According to Section 52-1 of the Municipal Code, a lot combination requires that affected lots have boundaries coinciding with lot lines on the existing plat. The proposed subdivision involves the combination of one lot from the Badlands Storage Subdivision and one lot from the Tweeten’s 3rd Addition, the lot lines do not coincide with a single existing subdivision and an administrative lot modification would not be permitted.

According to Section 52-1 of the Municipal Code, a minor subdivision is a subdivision that does meets the following requirements:

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

The proposed subdivision meets the above requirements and would be considered a minor plat.

A 10-foot utility easement is present on the Southwest edge of Lot 1 of Tweeten's 3rd Addition. The applicant is submitting a petition of vacation in order to vacate this easement.

PUBLIC COMMENT AND STAFF RECOMMENDATION

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

Staff Recommendation: Community Development staff recommends **approval** of this minor plat.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-003-2025: Badlands Storage 2nd Addition Final Minor Plat** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-003-2025: Badlands Storage 2nd Addition Final Minor Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Nicole Snyder; Nicole Snyder; Natalie Birchak
Subject: Re: Unified Development Application
Date: Friday, March 7, 2025 10:43:47 AM
Attachments: [Five Star Storage Pre-Application Letter.pdf](#)
[ILSE Permission to apply.pdf](#)
[Five Star Storage -Special Use Exhibit.pdf](#)
[Badlands Storage 2nd Add - Transittal Letter - Project Narrative 3-7-25.pdf](#)
[FSS Dickinson ARCH 25-0307 - Site Layout showing building layouts.pdf](#)
[RENDERING.pdf](#)
[3119848.pdf](#)
[3119841.pdf](#)
[6171785618323670333_signature_23.png](#)



Unified Development Application

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

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

Type of Development **Special Use Permit**

Name **Jacob Barney**

Company **Five Star Storage**

Applicant Email **jacob@fivestorstorage.biz**

Applicant Phone # **(701) 739-6862**

Applicant Representative (if applicable) **Abe Ulmer**

Applicant Representative Company **Independent Land Surveying & Engineering Inc.**

Applicant Representative Email **abe@ilsurveynd.com**

Applicant Representative Phone # **(701) 220-0968**

Owner Name **Badlands Storage LLC Jacob Hendricks - President**

Owner Address 3255 43rd Street SW, Fargo, ND, 58104

Owner Email jake@fivestarstorage.biz

Owner Phone # (612) 439-0600

Is the owner present to Sign

Owner Signature Upload [ILSE Permission to apply.pdf](#)

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

	1/4 Section	Township	Range
Description	NE 28	T140N	R96W

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	1	1	Tweeten's 3rd Addition & Badlands Storage Subdivision

Property Address / General Project Location 430 29th Street W. Dickinson, ND 58601

Five Star Storage is proposing to expand the existing Convenience Storage Facility located on this property. A Special use permit was approved back when phase 1 of the site was constructed in 2014/2015. A new special use permit is required due to some changes to proposed layout of the phase 2 facility. We are looking to combine 2 lots into one with a minor plat process. We will also need an easement vacation to vacate an existing easement located on lot 1, block 1, Tweeten's 3rd Addition.

Total Square Footage or Acreage of Subject Property 6.04 Acres

Existing Future Land Use Map Category

Existing Zoning

Existing Use

Overlay District Description This project is located along the Highway 22 / 3rd Avenue Corridor overlay district.

Special Use Permit for the following Use: Special use permit is being requested to allow for expansion of the existing Convenience Storage Facility.

Site Exhibit - Not Less than 1" = 20' Scale [Five Star Storage -Special Use Exhibit.pdf](#)

Transmittal Letter (Explanation of Request & Proposed Operations) [Badlands Storage 2nd Add - Transittal Letter - Project Narrative 3-7-25.pdf](#)

Floor Plan if Accessory Dwelling Unit [FSS_Dickinson_ARCH_25-0307 - Site Layout showing building layouts.pdf](#)
[RENDERING.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property [3119848.pdf](#)
[3119841.pdf](#)

Application Fees Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: 3jy460e7

Payment Information

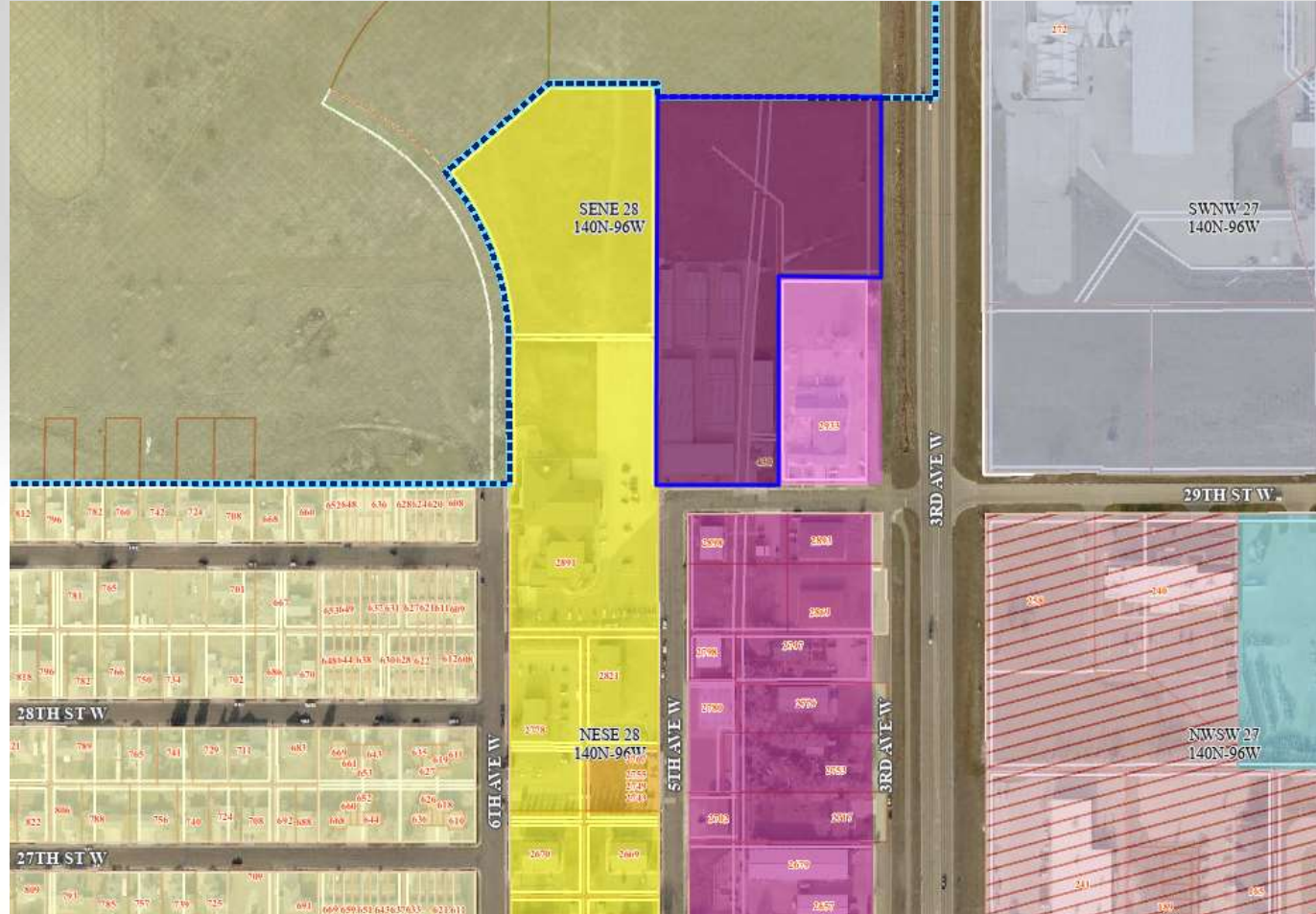
First Name: Mark
Last Name: Isaacs
E-Mail: jacob@fivestorstorage.biz

Applicant Signature

Date 03-07-2025



FIVE STAR STORAGE SUP (SUP-001-2025)



March 7, 2025

Josh Skluzacek
Community Development Director
City of Dickinson
Department of Engineering
99 2nd Street East
Dickinson, ND 58601

Re: Badlands Storage 2nd Addition Minor Plat & Special Use Permit

Dear Mr. Skluzacek,

On behalf of the applicant, Badlands Storage LLC, please find enclosed the following items for your review of the Five Star Storage Facility at 430 29th Street West. The following documents are for the final phase of the Five Star convenience storage development:

- Minor Subdivision Plat
- Special Use Permit
- Petition for Easement Vacation

Project Location

- Address: 430 29th Street West, Dickinson, ND 58601
- Legal Description:
 - a. Lot 1, Block 1, Badlands Storage Subdivision & Lot 1, Block 1, Tweeten’s 3rd Addition
 - i. A Minor Plat is in process for this lot modification to combine the two lots into one lot will be submitted.
 - ii. Lot Area: 6.04 acres+/-

Project Description

- The applicant intends to construct the second and final phase of the master planned convenience storage facility at 430 29th Street West.
- A Minor Subdivision Plat is required to combine the two lots into one. The intent is to remove the west boundary line of lot 2, block 1, Tweeten’s 3rd Addition and vacate the existing utility easement to allow for construction of a convenience storage facility.
- A Special Use Permit is required for the proposed convenience storage use. An existing special use permit was granted for this project in 2014. A new special use permit will be required for this convenience storage facility due to site layout changes from the original master plan layout.

- A petition for Easement Vacation will be required to vacate a portion of an existing easement found on Lot 1, Block 1, of Tweeten's 3rd Addition. Vacation of this easement is necessary for the construction of the convenience storage facility.

Existing & Proposed Site Conditions

- The existing site is currently being utilized as a convenience storage facility. Phase 1 of this project was constructed in 2014/2015.
- Current Land Use and Zoning:
 - The current zoning of this property is CC – Community Commercial.
- Neighboring Uses:
 - East neighboring property is zoned LC-Limited Commercial and is currently a childcare center.
 - West neighboring property is zoned R2-Medium Density Residential and is currently a church/school.
- Floodplain/Floodway/100-year Floodplain
 - The project site is not located within the 100-year floodplain.
- Special Use Permit:
 - A special use permit will be required for this convenience storage facility due to site changes from the original master plan layout.
 - Land Use Compatibility:
 - The south half of the existing property is an existing convenience storage facility.
 - The proposed buildings will be similar in nature to the existing convenience storage facility buildings.
 - Site Development:
 - The current site fronts along 29th Street West with a single access.
 - Parking will be provided onsite at a minimum ration of 1 stall per 20 units.
 - All structures will be accessible to public safety vehicles.
 - The existing site has security gated access. Emergency vehicles have access through the security gate with the provided code.
 - The proposed site has ample turning radius around the proposed buildings to allow emergency service vehicle movements.
 - Site lighting will be provided from building mounted lights along the access lanes and parking areas.
 - Landscaping/Street Trees:
 - The proposed site will combine existing landscape areas with proposed landscape areas.

- A landscape buffer of 20' is required along the western side of the property due to the neighboring R2 zoning. A 6' tall fence shall be installed within the buffer yard area.
 - The landscape depth along 29th Street is 20' in depth, and the proposed landscape depth along 3rd Avenue is 72' in depth.
 - The adjacent area along 3rd Avenue will be utilized for a stormwater detention pond. This pond will be a dry detention pond. Landscape trees will be planted to help buffer the site from the view of 3rd Avenue.
- Site Operating Characteristics:
 - Due to the nature of convenience storage, minimal traffic is expected to utilize site per day.
 - The proposed layout of the site keeps the interior drive isles inside the site with multiple buildings shielding traffic view from the neighboring properties.
 - No additional sanitary sewer improvements are necessary for the proposed buildings.
 - The existing watermain will need to be extended to the north end of the property with placement of a fire hydrant for required fire coverage.
 - Proposed Drainage:
 - Existing Storm Water Facilities include existing storm inlets and piping that flows to an existing underground stormwater detention system.
 - The current site generally drains to the Northeast toward 3rd Ave. West (ND HWY 22) The proposed site will generally follow the existing drainage patterns.
 - The existing site currently has an existing underground detention system which outlets through the site to the Northeast.
 - The proposed site will collect both onsite and offsite flows including the underground detention system flows and route the stormwater through the proposed stormwater pond located on the property adjacent to Highway 22. An outlet structure will be installed as a pond outlet to control stormwater flows. The outlet will flow into the western ditch of 3rd Avenue, and flow north to an existing culvert under 3rd Avenue.

Construction Plan

- General Description of work to occur:
 - Development will consist of Construction of an 8 multi-unit storage buildings
 - Relocation of existing Century Link/Lumen underground utility line
 - Site Grading to include stormwater pond construction
 - Watermain installation for fire hydrant coverage
 - Storm sewer and pond outlet construction
 - No sanitary sewer is required for this phase of construction
 - Concrete Pavement Installation
 - Parking striping
 - Landscape seeding/mulching, and tree plantings

Independent Land Surveying
& Engineering Inc.

- Construction Schedule/Sequence:
 - Construction will begin in the summer of 2025 and will be completed as soon as possible.
 - Construction will start at the east end of the project area in order to screen the west portion of construction from the 3rd Ave. West corridor view.

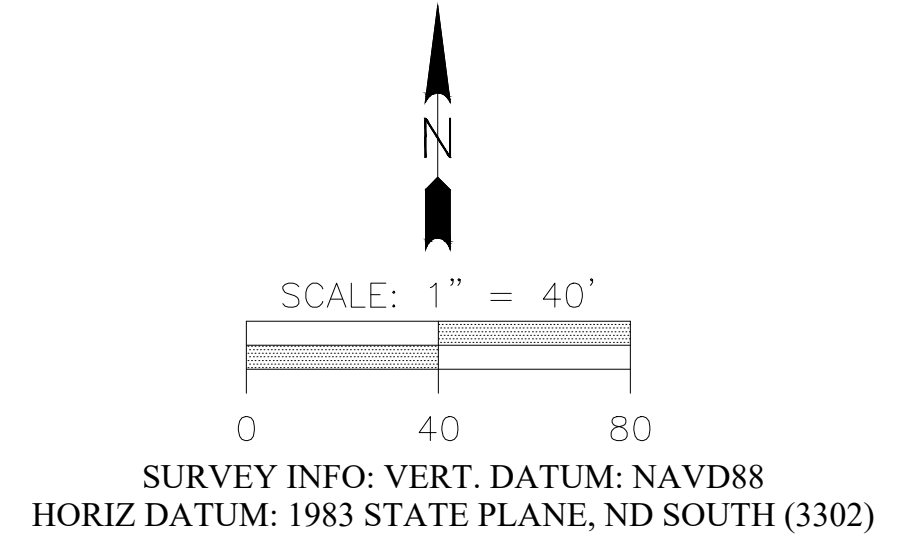
Please contact me if you have any questions or require further information.

Respectfully Submitted,



Abe Ulmer, PE# 6693
Independent Land Surveying & Eng. Inc.
4215 Old Red Trail
Mandan ND, 58554
Office 701-663-5184

REV#	DESCRIPTION	BY	DATE



LEGEND

	PROPOSED BUILDING ADDITION		PROPOSED CONTOUR
	PROPOSED CONCRETE PAVEMENT		EXISTING TREE / SHRUB
	PROPOSED STORM SEWER		PROPOSED PARKING STALL COUNT
	PROPOSED STORM INLET / MANHOLE		PROPOSED LANDSCAPE / TREES
	PROPOSED WATER SERVICE		PROPOSED CURB & GUTTER
	PROPOSED GATE VALVE		PROPOSED 6' CHAIN LINK FENCE
	PROPOSED FIRE HYDRANT		PROPOSED 6' VINYL SOLID FENCE
			PROPOSED LANDSCAPE/GRASS

TOTAL LOT AREA:	263,019 SF = 6.04 ACRES
EXISTING ZONING:	CC - COMMUNITY COMMERCIAL
MAX BUILDING HEIGHT (MAX. 40'):	PROPOSED MAX BUILDING HEIGHT = 20'
BUILDING COVERAGE (MAX. 60%):	105,215 SF = 40.0% IMPERVIOUS COVERAGE
IMPERVIOUS COVERAGE (MAX. 80%):	202,988 SF = 77.2% IMPERVIOUS COVERAGE
EXISTING UNITS:	297 UNITS
NEW UNITS:	312 UNITS
TOTAL UNITS:	609 UNITS
REQUIRED PARKING:	609 UNITS @ 20 UNITS = 31 REQUIRED PARKING SPACES
TOTAL PROVIDED PARKING:	SPACES PROVIDED = 31

LANDSCAPE REQUIREMENTS:	CONVENIENCE STORAGE
BUFFER YARD PROVISION:	20' ALONG WEST NEIGHBOR ZONING OF R2
PROPOSED BUFFER SCREENING:	6' TALL DECORATIVE FENCE
REQUIRED LANDSCAPE DEPTH:	MIN. 10' ADJACENT TO STREET
29TH STREET:	EXISTING 20' WIDTH WITH TREES
3RD AVENUE:	PROPOSED 72' WIDTH WITH TREES

**FIVE STAR STORAGE
BUILDING ADDITIONS**
430 29TH STREET WEST
DICKINSON, NORTH DAKOTA

Independent Land Surveying
& Engineering Inc.
4215 OLD RED TRAIL NW, Mandan, ND 58554
Phone: 701-663-5184 PROJ # 24168



**SPECIAL
USE PERMIT
EXHIBIT**

SHEET
C100

LEGAL: _____ ZONING: _____
430 29TH STREET WEST
LOT 1 OF BLOCK 1,
BADLANDS STORAGE 2ND ADDITION
TOTAL LOT AREA: 263,019 SF (+/-)
OWNER: _____
BADLANDS STORAGE LLC
3255 43RD ST. SW
FARGO, ND 58104

CC - COMMUNITY COMMERCIAL
SETBACKS: _____
FRONT: 20'
SIDE: 0'
REAR: 0'

CAUTION
CONTRACTOR IS RESPONSIBLE FOR
VERIFYING LOCATION OF ALL
UTILITIES PRIOR TO EXCAVATION



3RD AVENUE WEST

29TH STREET WEST

LOT 1, BLOCK 1,
EBC ADDITION
8.03 ACRES
ZONE: R2-MEDIUM
DENSITY
RESIDENTIAL

LOT 1, BLOCK 1,
TWEETEN'S 2ND ADD.
1.71 ACRES
ZONE: LC - LIMITED COMMERCIAL

PROPOSED MINOR PLAT TO
COMBINE PROPERTIES
PROPOSED LEGAL:
LOT 1, BLOCK 1,
BADLANDS 2ND ADDITION

EXISTING
UNDERGROUND
STORMWATER
DETENTION SYSTEM

PROPOSED
STORMWATER
POND
DETENTION
SYSTEM

EXISTING
SIGNAGE
TO REMAIN

EXISTING
LANDSCAPE
ROCK

EXISTING
LANDSCAPE
ROCK





Five Star Storage SUP Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: April 2, 2025
Re: **SUP-003-2025 Five Star Storage Special Use Permit**

OWNER/APPLICANT

Jacob Barney / Five Star Storage
 3255 43rd Street SW
 Fargo, ND, 58104
 jake@fivestarstorage.biz
 (612) 439-0600

APPLICANT'S REPRESENTATIVE

Abe Ulmer
 Independent Land Surveying & Engineering Inc
 4215 Old Red Trail NW
 Mandan, ND 58554
 abe.ilsurveynd.com
 (701) 220-0968

Public Hearing	April 9, 2025	Planning and Zoning Commission
Final Action	April 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Special Use Permit (SUP) application for a convenience storage facility for 609 units. The convenience storage facility would be located on a 6.04-acre parcel at 430 29th Street W in the City of Dickinson. The property is zoned Community Commercial (CC).

Staff Recommendation: Approval subject to conditions and contingent on approval of FLP-003-2025.

LOCATION

The property is located within the SE1/4 of the NE1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. Currently, the property is legally described as Lot 1 in Block 1 of the Badlands Storage Subdivision.

CURRENT ZONING	CC
-----------------------	-----------

FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	+/- 6.04
LOTS PROPOSED	1

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	LC & GI	Daycare, Auto Work
South	CC	Offices
West	R-2	Church

STAFF ANALYSIS

BACKGROUND

An existing 297-unit convenience storage facility is located on Lot 1, Block 1 of the Badlands Storage Subdivision. The City approved the SUP for that facility. The applicant’s plan is to increase the number of units to 609. The additional 312 units would be located on Lot 1, Block 1 of Tweeten’s 3rd Addition. A new SUP is required for the following reasons;’

- The applicant is increasing the total number of units
- The applicant is increasing the number of parking spaces;
- The expansion would occur on a lot that is not part of the existing SUP; and
- The site plan for the existing operating requires modification.

There is an associated Final Minor Plat application for Badlands Storage 2nd Addition Subdivision was submitted with this application (FLP-003-2025). Approval of this SUP is contingent upon approval of the proposed Badlands Storage 2nd Addition Subdivision.

CURRENT ORDINANCE REVIEW

The proposed development is located within a CC-zoned district. Since the property is not zoned Agriculture (AG), General Commercial (GC), or Limited Industrial (LI), the development regulations for convenience storage uses, as outlined in Municipal Code Section 39.06.005(f) shall not apply.

The property is within 400 feet of the 3rd Avenue W right-of-way and is subject to the requirements of the Corridor Overlay District. The applicant has submitted a rendering for the building elevation for all buildings facing the corridor, as well as a landscaping plan. The buildings along 3rd Avenue West shall be constructed prior to any interior buildings in order to screen them during construction.

COMPATIBILITY WITH LOCAL USES

The lots to the south and east have all developed either commercially or industrially, which is compatible with the proposed convenience storage use.

The lot to the West of the proposed property is zoned Medium-Density Residential (R-2). For all expansion and new construction, a landscape buffer of 20 feet is required, and opaque screening of the rear elevation of the development is required. The site plan submitted by the applicant includes both of these requirements. The existing buildings do not have to be adjusted unless significant reconstruction of said buildings takes place.

PUBLIC COMMENT AND STAFF RECOMMENDATION

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

Staff Recommendation: Community Development staff recommends **approval** of this special use permit subject to the conditions listed below and contingent on approval of FLP-003-2025.

- **The maximum number of storage units shall be limited to 609.**
- **Operation of the convenience storage facility shall be as described in this staff report as well as in the site plan and other material found in Attachment A.**
- **Prior to the issuance of any building permits, the developer shall obtain approval from the City Planning Department for site and building designs in accordance with the City's Corridor Overlay District.**
- **Prior to the issuance of any building permits, the Badlands Storage 2nd Addition Subdivision plat must be recorded with the County Recorder's office.**
- **In the event of a change in ownership or controlling interest in this convenience storage facility and the transfer of this special use permit, any successors and assigns of the original permittee shall comply with the requirements and conditions of this SUP. Within 30 days of such change in ownership or controlling interest of any entity owning the convenience storage facility, the parties to the transaction shall notify the City by letter. The letter shall be signed by the authorized representatives or agents of both the original permittee and the entity to which the permit is being transferred.**

- **Development and operation of the convenience storage facility shall comply with all applicable City, County, State and Federal regulations.**

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-001-2025: Five Star Storage SUP** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **SUP-001-2025: Five Star Storage SUP** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

Corridor Overlay District Update

Presented by: City Planner, Natalie Birchak



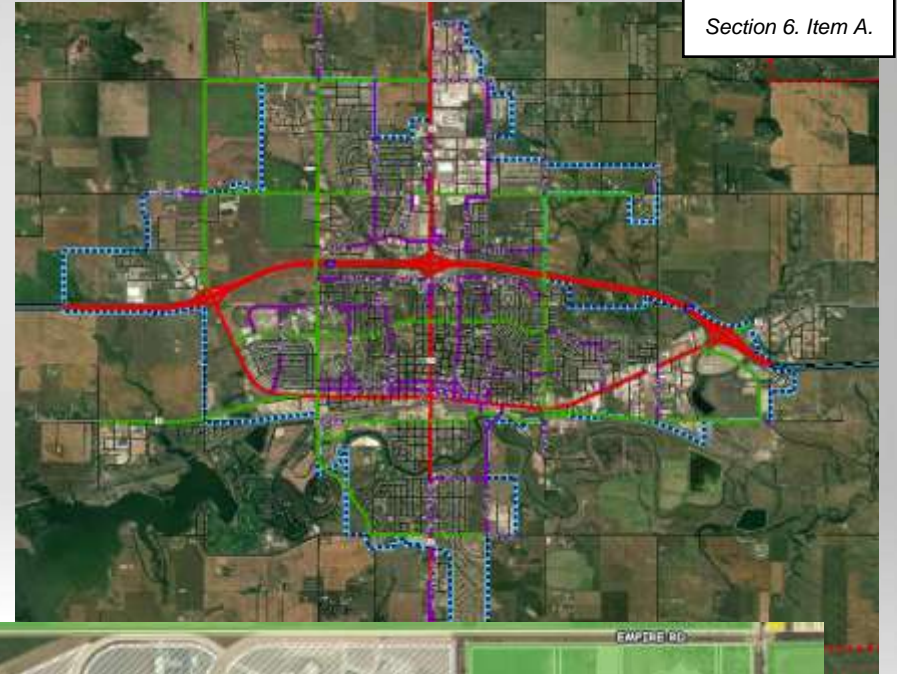
Corridor Overlay District

- The purpose of the Corridor Overlay District is to promote public health, safety, and welfare as well as encourage higher aesthetic quality along major transportation corridors
- Applies to major constructions along the corridor. Single-family homes are exempt
- Current roads in Overlay District are listed to the right

- (1) Highway 22 a/k/a Third Avenue West.
- (2) I-94 Highway Corridor.
- (3) Villard Street.
- (4) I-94 Business Loop (East and West).
- (5) State Avenue.
- (6) 10th Avenue East.
- (7) 21st Street (East and West).
- (8) 34th Street SW a/k/a 40th Street.
- (9) 30th Avenue West.
- (10) 33rd Street SW one-mile west of the intersection of Hwy 22 and 33 Street SW.
- (11) Exit 56 Truck Bypass.
- (12) Highway 10.
- (13) 116th Avenue SW.
- (14) 15th Street West.
- (15) 12th Street West.
- (16) Museum Drive West.
- (17) 14th Street (East and West).
- (18) Second Avenue West, north of I-94.
- (19) 16th Street West.
- (20) Western Drive.

Fairway Street

- Fairway Street is not currently listed as a corridor
- Currently designated Minor Arterial, serves as only alternate route directly connecting I-94 BL and Highway 22
- As the West side of Fairway continues to develop commercially, new construction should comply with Corridor Overlay District regulations
- District could also be applied to 9th Street W, 9th Street E, and a future Fairway extension



Questions?

DATA CENTER PRESENTATION

CITY OF DICKINSON PLANNING AND ZONING COMMISSION MEETING

APRIL 9, 2025

DATA CENTERS

- ▶ Data centers are the physical facilities where the internet lives.
- ▶ Consists of networked computer systems used for data storage and processing, along with supporting equipment, such as batteries, back-up power generators, and cooling devices.
- ▶ While data centers have historically been clustered around major internet access points, information technology companies, and government employment centers, higher and more spread out demand means more data centers in smaller metropolitan and nonmetropolitan areas.
- ▶ Big technology companies are likely to continue looking for sites that can accommodate new, large single-story structures. But operators that specialize in leasing space in the same facility to multiple companies (i.e., collocated data centers) may be more open to infill sites and existing structures, especially if those sites have access to fiber optic infrastructure.

RENO NEVADA





DATA CENTER LOCATIONAL CRITERIA

- ▶ Data centers use a lot of electricity and water to power processing and storage hardware and to keep that hardware cool.
- ▶ The amount of electricity (and often water) needed for cooling is higher in warm, humid climates than in cool, dry areas.
- ▶ Consequently, developers favor locations with low electricity rates and cooler climates.
- ▶ As these facilities operate continuously, developers often look for sites that are less vulnerable to natural hazards.

Source: Zoning for Data Centers and Cryptocurrency Mining, Zoning Practice June 2022, American Planning Association

CRYPTOMINING FACILITIES

- ▶ Facilities dedicated in whole or part to “mining” cryptocurrency.
- ▶ A cryptocurrency is a decentralized digital currency that uses encrypted data strings to denote individual units, or coins, and a peer-to-peer database known as a blockchain to maintain a secure ledger of transactions.
- ▶ Several of the most popular cryptocurrencies require extremely complex computations to verify each transaction and add a record, or block, for that transaction to the blockchain.
- ▶ Reserved for large-scale cryptocurrency production. Theoretically, small-scale cryptocurrency production can be done anywhere.
- ▶ Cryptocurrency miners are also looking for locations with cheap electricity and low hazard risk; however, dedicated mining facilities are not concerned about proximity to customers and are less likely to invest in backup power. While there seems to be a widespread consensus that data centers are essential to global communications and the global economy, cryptocurrency miners.

Source: Zoning for Data Centers and Cryptocurrency Mining, Zoning Practice June 2022, American Planning Association

ELLENDALE NORTH DAKOTA



CURRENT TRENDS

- ▶ Micro Data Centers are smaller versions of data centers, ranging in size from a kitchen cabinet to 10,000 square-foot office.
 - ▶ Often appear in unconventional areas near users (such as utility poles, parking garages, etc.) in order to increase network traffic capacity and minimize information processing time.
- ▶ This new type of data center is already popping up next to cellular towers, on light and utility poles, in office buildings, and in parking garages, primarily in major cities and metropolitan areas. This level of dispersal is happening with the goal of minimizing application latency (the time it takes for data to go from a user device to the data center, process the information requested, and return it), as well as to increase capacity for higher levels of network traffic.
- ▶ Colo Data Centers are buildings containing multiple service and application providers, often through leasing out space.
 - ▶ More cost-effective for companies, consolidates where centers are located, and encourages faster spread to edge regions.
- ▶ Facilities are often monitored remotely, requiring physical security measures like access control, fencing, cameras, and outdoor lighting.
- ▶ Cooling fan systems and backup generators often produce significant noise.

Source: Data Centers Evolved: A Primer for Planners American Planning Association, July 2021

ATLANTA GEORGIA



ATLANTA GEORGIA



DATA CENTER IMPACTS

- ▶ Require high water and electricity use
- ▶ Cooling systems generate excessive noise
- ▶ Have enhanced Safety and Security Needs
- ▶ Provide low employment density
- ▶ Potentially increase surrounding land value

ZONING CONSIDERATIONS

- ▶ Do these uses need new use definitions?
- ▶ Where should these uses be permitted?
- ▶ Do these uses need special development or performance standards?
- ▶ How should decommissioning data centers be handled?

Source: Zoning for Data Centers and Cryptocurrency Mining, Zoning Practice June 2022, American Planning Association

PROPOSED ZONING CODE TEXT AMENDMENTS

- ▶ Adds definitions of Micro data centers and data centers
- ▶ Designates Data Centers would be allowed as Special Uses in the General Commercial and General Industrial zoning districts
- ▶ Includes Application Requirements
- ▶ Provides Development Standards
- ▶ Addresses Abandonment or Cessation of Operations and Decommissioning

PROPOSED ZONING CODE TEXT AMENDMENTS

- ▶ Adds definitions of Micro data centers and data centers
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CITY OF DICKINSON COMMUNITY DEVELOPMENT

- ▶ JOSHUA SKLUZACEK-ENGINEER, COMMUNITY DEVELOPMENT DIRECTOR
- ▶ NATALIE BURCHAK-CITY PLANNER
- ▶ STEVE JOSEPHSON, AICP-CITY/COUNTY PLANNER

