PLANNING AND ZONING COMMISSION MEETING AGENDA

Wednesday, June 11, 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
Matthew Rothstein

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. **ORDER OF BUSINESS:**
2. **MINUTES**
   - A. **MAY 14TH 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.

F. **REZONING (REZ-004-2025)** - *Presented by City Planner, Natalie Birchak*

To consider a Zoning Map Amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lot 1 of Block 14 of the Koch's Meadow Hills 4th Addition Subdivision in the SW ¼ of the NW ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.573 acres.

G. **FINAL MINOR PLAT (FLP-004-2025)** - *Presented by City Planner, Natalie Birchak*

To consider a Minor Subdivision Plat for the Reddish Corner Addition located in the NE ¼ of the NW ¼ of Section 3, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.385 acres.

H. **SPECIAL USE PERMIT (SUP-002-2025)** - *Presented by: City Planner, Natalie Birchak*

To consider a Special Use Permit for a group living facility in Community Commercial zoning at 2143 6th Avenue West. The property is legally described as the south 117 feet of Lot 3 and all of Lot 4 in Block 5 of Lutz's 1st Addition Subdivision, in the SE ¼ of the SE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.25 acres.

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

A. **AG - DISTRICT MINIMUM TEXT AMENDMENT** - *Presented by City Planner, Natalie Birchak*

B. **LOT MODIFICATIONS** - *Presented by City Planner, Natalie Birchak*

7. **ADJOURNMENT**

Planning and Zoning Commission Meeting:

Teams Meeting: https://tinyurl.com/4xkvcb5b
Teams Meeting ID: 217 095 790 724 7 **Meeting Passcode:** uf337iQ6
Teams Phone #: 1-701-506-0320 **Phone Conference ID:** 305 477 887#
Local Phone #: 701-456-7006

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

PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, May 14, 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
PRESENT
Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Val Decker
Commissioner Zach Keller
Commissioner Mathew Rothstein
ABSENT
Commissioner Mike Schwab

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE
ADDITION: OATH OF OFFICE FOR ZACH KELLER

1. ORDER OF BUSINESS:

Motion to approve Order of Business

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

2. MINUTES

A. APRIL 9TH, 2025 MINUTES

Motion to approve as presented.

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

3. REGULAR AGENDA:

A. REZONING (REZ-002-2025) - *Presented by City Planner, Natalie Birchak*
To consider a Zoning Map Amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lots 2-4 of Block 14 of the Koch's Meadow Hills 4th Addition Subdivision in the SW ¼ of the NW ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.51 acres.

City Planner Natalie Birchak explained that the applicant is requesting the rezoning to allow for construction of single family attached residence which would not be permitted in R1 zoning. The applicant has also submitted an associated Irregular Plat that will be considered if this rezone is approved. There will also be another map amendment submitted in June to rezone the area to the west. Staff has not received any public comment and believes the request is compatible with surrounding land uses.

Applicant, Calvin Wahl presents his request. He states he would like to build twin homes.

Chairman Fridrich opens the public hearing.

Jan Prchal came forward and voiced concern about increased density and how that might affect neighborhood character. She noted that when this was zoned in 2021 there was going to be buffer zones and approving of this rezone would eliminate that buffer. She noted a preference for single-family homes but acknowledged that twin homes were already present nearby. She is concerned this will be turned into rental properties. She would not have a problem if they were duplexes that were individually owned – she has an issue with rental properties.

Mr. Wahl states these will be duplexes that are individually owned. Ms. Birchak states that the lot width of the lots as is proposed in the associated irregular plat would not allow for rental duplexes to be constructed. Ms. Prchal states that does ease her fears.

Chairman Fridrich closes the public hearing.

Motion to add that they will be sold and not for rent.

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

B. FUTURE LAND USE MAP AMENDMENT (FLM-001-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Future Land Use Map Amendment from Residential to Agricultural for Blocks 1 & 2, and Lots 1-4 of Blocks 3 & 4 of the Greenvale 3rd Addition Subdivision located in the E ½ of Section 9, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 26.467 acres.

Ms. Birchak presents the FLUM amendment. She explains that the purpose is to rezone the property from RR (Rural Residential) to AG (Agricultural), and that a FLUM amendment is required to do so. She notes that the surrounding properties on the map are all residential. Staff has received public comments in support of the request; however, staff recommends denial due to the lack of AG land in the area.

The applicant, Eric Jolliffe, is present. He states that his main reason for requesting the rezone is to reduce his property taxes by having it classified as AG. He plans to build one home on the property. Chairman Fridrich asks if leaving the zoning as RR would complicate his plans. Mr. Jolliffe responds that it would not—it is solely for tax purposes. Fridrich then asks if there is an intention to vacate the plat. Birchak clarifies that there is a plat that will be addressed after this, but it cannot be vacated. Mr. Jolliffe states he could proceed with the zoning remaining as RR.

Mr. Skluzacek recommends denying the FLUM amendment and the rezone. Chairman Fridrich suggests a withdrawal. The applicant agrees to withdraw the request.

C. REZONING (REZ-003-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Zoning Map Amendment from Rural Residential (RR) to Agriculture (AG) for Blocks 1 & 2, and Lots 1-4 of Blocks 3 & 4 of the Greenvale 3rd Addition Subdivision located in the E ½ of Section 9, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 26.467 acres.

Applicant has agreed to withdraw this application.

D. PRELIMINARY MAJOR PLAT (PLP-002-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Preliminary Major Subdivision Plat for the Jolliffe Acres Subdivision, being a replat of Blocks 1 & 2, and Lots 1-4 of Blocks 3 & 4 of the Greenvale 3rd Addition Subdivision located in the E ½ of Section 9, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 26.467 acres.

Ms. Birchak presents the major plat request, explaining that the purpose of the plat is to combine smaller residential lots to construct a single-family home and use the remaining land as a hobby farm. She notes that one comment in support of the request has been received.

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

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

Commissioner Johansen, Commissioner Haugen, Commissioner Decker, Commissioner Keller, Commissioner Rothstein

E. SPECIAL USE PERMIT (SUP-002-2025) - *Presented by: City Planner, Natalie Birchak*
To consider a Special Use Permit for a group living facility in Community Commercial zoning at 2143 6th Avenue West. The property is legally described as the south 117 feet of Lot 3 and all of Lot 4 in Block 5 of Lutz's 1st Addition Subdivision, in the SE ¼ of the SE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.25 acres.

Ms. Birchak presents the Special Use Permit (SUP) request, explaining that the purpose of the SUP is to allow a group living facility in a property currently zoned Community Commercial (CC). She notes that the City has concerns with the application, specifically the lack of a clear list of organizations that will operate within the facility, a detailed funding plan, and a day-to-day operations plan. Based on these deficiencies, staff considers the application insufficient at this time.

Ms. Birchak adds that the City has received numerous letters of opposition, as well as some letters of support for companies proposed to operate in the facility. Staff recommends either denying the application as presented, or tabling the item to the next meeting to allow time for additional information and review.

Dakota Gant, representing United Way and serving as the applicant, is present. Tracy Tooz, who is also involved in the project, is also present and provides a handout to the commissioners. Mr. Gant states that he has submitted all additional information requested by the City. He presents an overview of the project and its intended purpose, referencing the following documents included in the handout (to be attached to the packet):

- Facility Use Plan
- Operations Summary
- Executive Summary
- Executive Summary: Financial Plan

Mr. Gant also states that House of Manna will operate out of the same location. He addresses concerns raised by residents.

Chairman Fridrich asks Ms. Birchak if the submitted materials meet the City's request. Ms. Birchak responds that it is a step in the right direction but emphasizes that staff needs time to review the new information thoroughly.

Chairman Fridrich opens the public hearing.

Al Webster, a Dickinson resident who has lived in the community for 24 years, speaks in support of the project. He states that he sees a need for this type of facility, believes the location is appropriate, and expresses confidence in the leadership behind the

project. He reads a letter of support from Sherry Adams with the Southwest District Health Unit.

Alison Wanner and Melissa Ward, representatives of SWMCC, speak in support of the project. They note that they work closely with Mr. Gant and support the mission and operations proposed.

Bruce Koppinger, representing the North Hills Townhome Association, shares concerns about the project. He cites safety, traffic, garbage, and visitor management as major issues and expresses disagreement with the proposed location.

Trevor Ernst speaks in opposition. He expresses concerns about setting a precedent and feels the location is inappropriate due to its proximity to schools. He also voices concerns about negative impacts on property values.

Jackie Miller, who lives three houses away from the proposed facility, says she agrees a facility like this is needed, but wants more clarity and accountability. She questions what will happen if “all these promises go south,” and asks how many law enforcement calls would be needed to trigger revocation of the SUP. She raises concerns about property values, safety, and staffing, stating that having only one or two staff members present at night is not enough. She does not feel reassured after hearing the current plan and reiterates that her primary concern is the location.

Ms. Birchak responds that the City reserves the right to revoke the SUP and that it will be subject to annual review. Revocation can occur at any time if issues arise. Chairman Fridrich adds that the Planning and Zoning Commission only makes a recommendation; the final decision will be made by the City Commission.

Jonathan Holth offers general comments of support, aligning the project with priorities under Governor Armstrong’s administration, particularly in behavioral health and recovery.

Miki Thompson, who lives on 22nd Street near the project site, shares safety concerns. She references a previously sent email and highlights issues with the intersection near the facility. She believes pedestrian traffic will increase and that safety will be impacted. She also expresses concern about potential loitering at Kostelecky Park and increased panhandling. She requests economic and safety impact reports specific to this location.

Amanda Engelstad, Stark County State’s Attorney, speaks in support of the facility. She notes that services in southwestern North Dakota are inadequate and emphasizes the regional need for this type of housing and support.

Tracy Tooz of Tooz Construction explains that he has been assisting Mr. Gant with the building and was the initial investor so that grant funding could be secured. He references his involvement with Hopes Landing since 2012, which helped formerly incarcerated individuals find employment. He challenges concerns about the economic impact and states that traffic and parking should not be major issues, as many residents will not have vehicles. He adds that visitors are not allowed, and this facility would provide individuals with an address and a place to live and work. He also notes

that Mr. Gant has not asked for any City funds and that the project is entirely grant-funded. Regarding the location, he acknowledges that no location will be perfect but emphasizes that this site is in good condition. The only major code concern so far is fire suppression. A loading and unloading area will need to be added for House of Manna. He also discusses the rationale for including House of Manna in the facility, citing improved centralization of services for the residents.

Commissioner Johansen questions why the required documents were not submitted earlier. He expresses concern about whether City staff have had adequate time to review the materials and shares his own concerns about location, traffic, and property values.

Commissioner Decker asks whether confirmation letters for funding have been submitted, which they have not. She questions the financial procedures with the City and requests clarification on operating expenses and required documentation. Ms. Birchak responds that the City is looking for detailed expenses and revenue projections, particularly for the first year, and how the operation will be sustained long-term.

Mr. Ernst comments that the House of Manna would involve outside visitors, potentially complicating the no-visitors policy.

Commissioner Rothstein asks whether individuals from outside the immediate area would be accepted. Mr. Gant confirms that if there is an available bed, services would be provided regardless of the individual's origin.

The public hearing is closed.

Following the hearing:

Commissioner Decker inquires about whether IDs are required and whether background checks would be conducted. Mr. Gant replies that case management will assist residents in obtaining necessary documents, as some of them do not currently have ID's. Decker also asks about pets, and Mr. Gant states that pets will be allowed but must have current vaccinations. It is discussed while residents are encouraged to follow certain rules, they may not be required to due to ARPA grant stipulations.

Commissioner Keller expresses interest in giving City staff more time to review the newly submitted documents. He acknowledges the concerns of nearby homeowners but believes no neighborhood would be perfect for this use. He believes the facility is well-suited to the proposed purpose.

Chairman Fridrich agrees that there will never be a "right" location. He adds that if the building remains vacant and boarded up, that too could negatively affect property values. While he does not state a position for or against the application, he believes the appropriate next step is to table the request and recommends a public forum be held between the applicant and community members. Keller adds that outside agencies should attend that forum as well.

Motion is made to table the item.

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

F. ZONING TEXT AMENDMENT (ZTA-001-2025) - *Presented by City Planner, Natalie Birchak*

To consider a zoning text amendment to Section 62-318 “Boundaries” of the City of Dickinson North Dakota Zoning Ordinance regarding adding Fairway Street to the Corridor Overlay District.

Ms. Birchak presents the zoning text amendment, explaining that the proposed change would incorporate Fairway Street into the Corridor Overlay District. This amendment would impact multifamily and commercial properties located along Fairway Street by applying design and development standards consistent with those in other overlay areas. She clarifies that single-family properties would be excluded from the requirements.

Chairman Fridrich asks whether existing properties undergoing renovations would be required to come into compliance with the overlay standards. Ms. Birchak responds that compliance would only be triggered if a renovation involves more than 50% of the property’s value or square footage.

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

Commissioner Bullinger asks how far the overlay extension will apply. Ms. Birchak confirms that it will apply only to the portion of the corridor specifically identified as Fairway Street and will extend to 5th.

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

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. AG MINIMUM LOT SIZE - *Presented by City Planner, Natalie Birchak*

Ms. Birchak presents the work session item and reviews a PowerPoint outlining agricultural zoning minimum lot sizes in other cities for comparison. The presentation includes a range of standards across numerous communities with findings that show:

- Communities often indicate the purpose of AG-zoning is to preserve the character of rural land and uses.
- Dickinson has the smallest minimum lot size requirement for AG districts. Minimum lot size averages around 10 acres.

Chairman Fridrich asks about the County's minimum lot size for agricultural zoning. City/County Planner, Steve Josephson, responds that Stark County requires a minimum of 40 acres.

City staff recommends increasing the City's minimum lot size for AG-zoned parcels to 10 acres.

Chairman Fridrich expresses agreement with the recommendation.

There is general consensus among the Commission that the ordinance should be updated to reflect the proposed 10-acre minimum.

B. DATA CENTERS TEXT REVIEW - *Presented by City/County Planner, Steve Josephson*

Mr. Josephson presents the zoning text amendment related to data centers for review. He explains that the proposed language would allow for a reduction in separation requirements if a hardship can be demonstrated. He notes that most cities in North Dakota do not currently address data centers in their zoning codes.

Chairman Fridrich brings up AI-focused data centers and notes that the nature of the use—such as crypto mining versus office-based AI operations—should influence the distance requirements. He emphasizes the need for flexibility in the zoning language to account for different types of data centers.

It is noted that data centers located within city limits would be connected to the fiber optic network.

Commissioner Haugen adds that the key factors seem to be related more to power requirements, facility size, and operational characteristics than to the specific use.

Mr. Josephson states that staff will consider adding a threshold to the language and will proceed with advertising the proposed amendment for the next Planning and Zoning Commission meeting.

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 Decker, Commissioner Keller, Commissioner Rothstein
Absent: Commissioner Johansen

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

Jotform

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	Rezoning - Zoning Map Amendment
Name	Craig Pearson
Applicant Email	cpearson@dickinsonparks.org
Applicant Phone #	(530) 616-0027
Applicant Representative (if applicable)	Natalie Birchak
Applicant Representative Email	natalie.birchak@dickinsongov.com
Applicant Representative Phone #	(701) 456-7812
Owner Name	Dickinson Parks & Recreation
Owner Address	2004 Fairway Street, Dickinson, ND, 58601
Owner Email	dprd@dickinsonparks.org
Owner Phone #	(701) 456-2074
Is the owner present to Sign	No
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

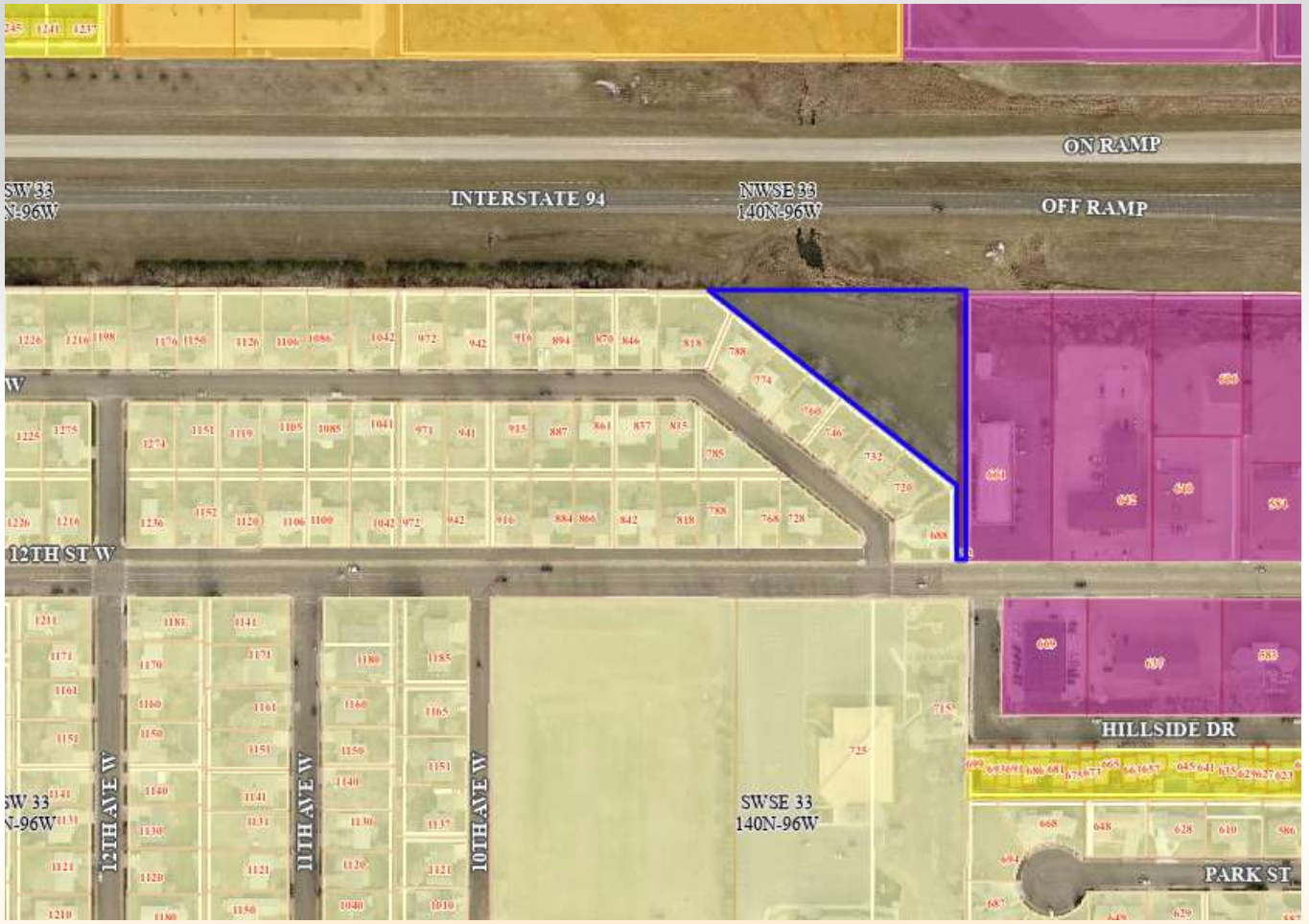
Applicant Signature

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)



CITY OF Dickinson North Dakota

Dickinson PARKS & RECREATION

2004 Fairway St, Dickinson ND, 58601
701.456.2074
dprd@dickinsonparks.org
dickinsonparks.org

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,

Craig G. 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)

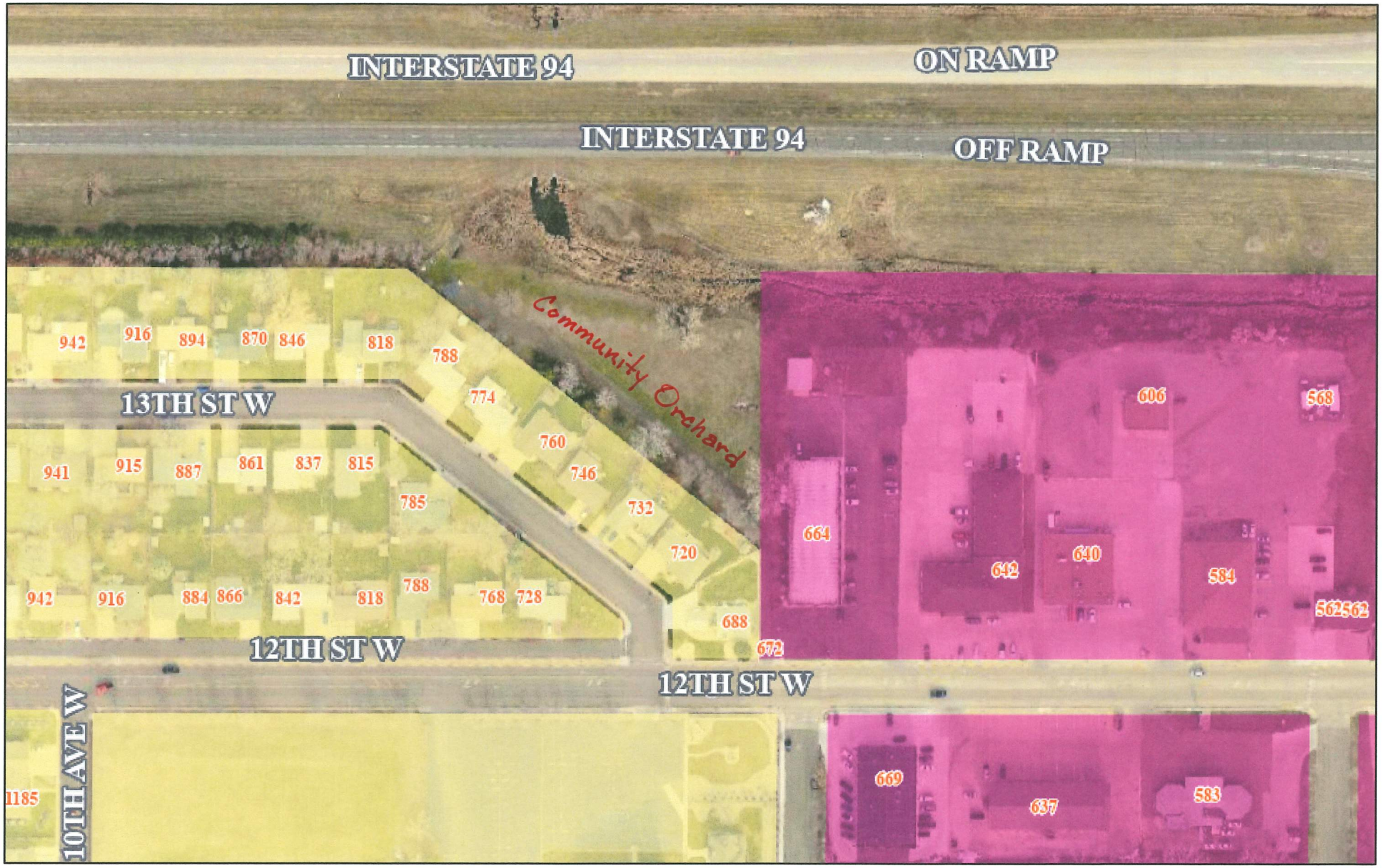


Dickinson Community Orchard Planting Plan

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

1:2,895

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Pictometry International, Eagleview, City of Dickinson, Maxar, Micro[illegible]
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: June 4, 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	June 11, 2025	Planning and Zoning Commission
Public Hearing	June 17, 2025	City Commission
Final Consideration	July 1, 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

Jotform

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	Minor Subdivision Plat
Is this a Replat	No
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	Yes

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

	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	1 to 10 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

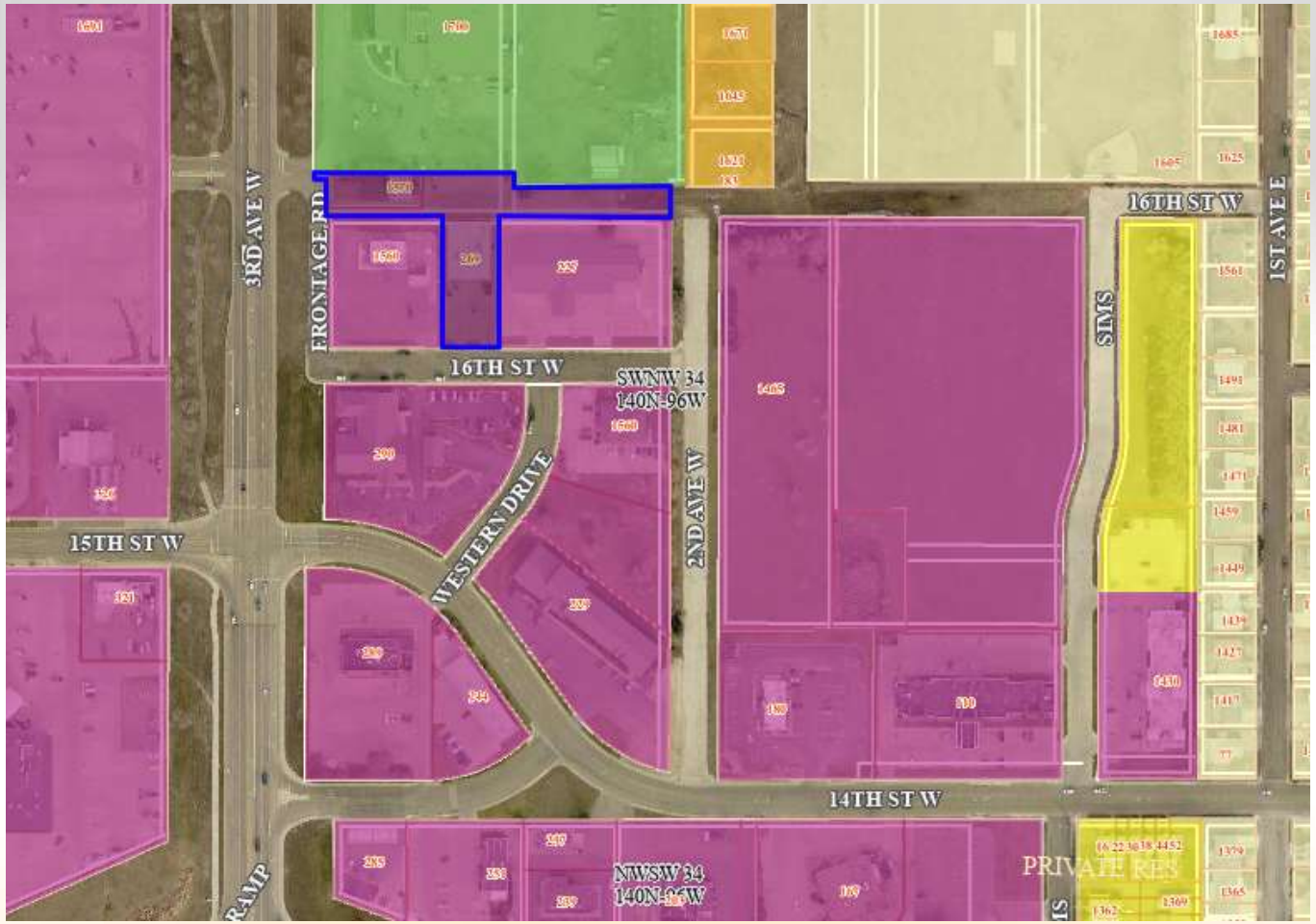
Applicant Signature

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)



CITY OF Dickinson North Dakota

Minor Subdivision Application:

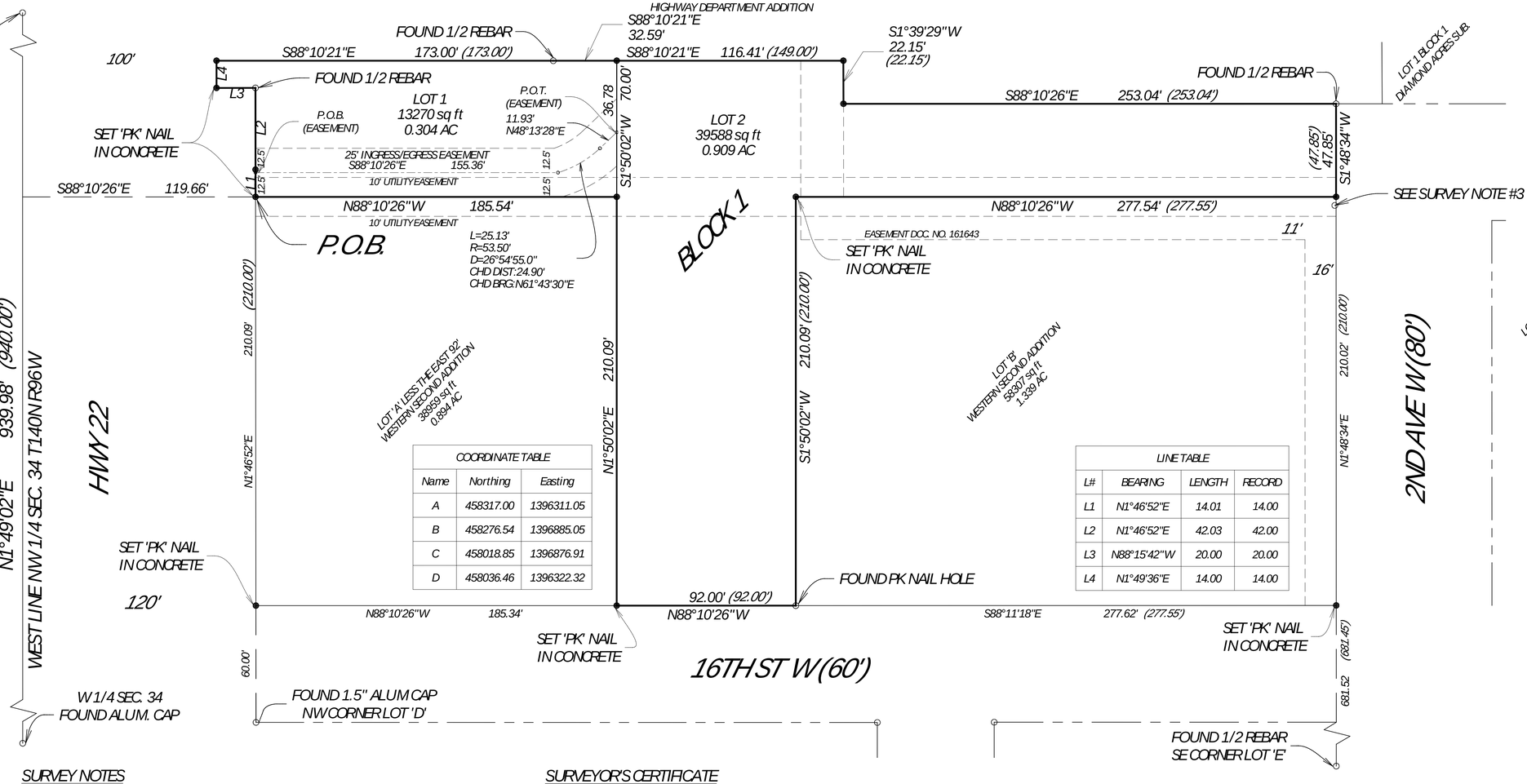
RE: 269 16th Street West, Suite A & B, 1570 3rd Avenue West and Parking Lot, Lot 1, Block 1 Dover

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

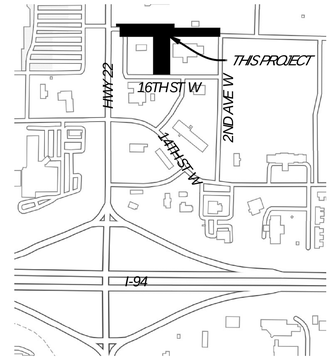
16TH ST BUSINESS PLAZA ADDITION

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



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

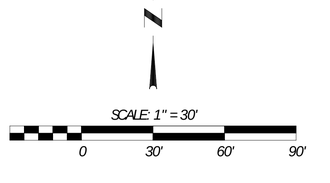
LINE TABLE			
L#	BEARING	LENGTH	RECORD
L1	N1°46'52"E	14.01	14.00
L2	N1°46'52"E	42.03	42.00
L3	N88°15'42"W	20.00	20.00
L4	N1°49'36"E	14.00	14.00



VICINITY MAP

LEGEND

- FOUND CORNER (AS DESCRIBED)
- SET 5/8" REBAR W/ ALUM CAP STAMPED "WES LS-29362" (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



SURVEY NOTES

1) 16TH ST BUSINESS PLAZA ADDITION IS IN ZONE X OF FEMA FIRM MAP NO. 38089C0193F DATED AUG. 28TH 2024
2) ALL DOCUMENTS ARE ON FILE AT THE STARK COUNTY COURTHOUSE
   A) DOVER ADDITION DOCUMENT# 6980396
   B) WESTERN SECOND ADDITION DOCUMENT# 6980394
   C) PART OF THE NW 1/4 SECTION 34 DOCUMENT# 195808
3) 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 CONVOLUTED. 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 NORTHWEST 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 NORTHWEST 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 SOUTHWEST CORNER OF 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 NORTHEAST 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 NORTHEAST CORNER OF LOT 'B' OF SAID WESTERN SECOND ADDITION, THENCE N88°10'26"W ALONG THE NORTH LINE OF SAID LOT 'B' A DISTANCE OF 277.54' POINT BEING THE NORTHEAST CORNER OF LOT A OF WESTERN SECOND ADDITION, THENCE S1°50'02"W ALONG THE EAST LINE OF SAID LOT 'A' A DISTANCE OF 210.09' POINT BEING THE SOUTHEAST 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 SQ FT (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

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 SOUTHWEST 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 NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°54'55" AN ARC LENGTH OF 25.13', THENCE N48°13'28"E A DISTANCE OF 11.93' TO THE POINT OF TERMINUS, POINT BEING 36.78' FROM THE NORTHEAST 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.

PROPRIETOR'S CERTIFICATE

WE, STEPHEN N. DUCHSCHER & DIANE J. DUCHSCHER 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 DUCHSCHER DIANE J DUCHSCHER

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 DUCHSCHER AND DIANE J DUCHSCHER, 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 _____

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: NRJ	SHEET: 1 OF 1
PROJECT NO: 25-005	DATE: 3/5/2025

WESTERN EDGE SURVEYING, P.L.L.C.
1175 LINCOLN STREET
DICKINSON, ND 58601
PHONE:(701) 505-8209
WWW.WESTERNEDGESURVEYING.COM

Parking allocation and utilization plan for 16th Street Business Plaza Addition:

Section 62-589-1 of the city of Dickinson Municipal Code: Requires Restaurants (general) to provide 1 space per 3-person capacity in the dining area. Office or administration to provide 1 space per 300 square feet.

Proposed new minor subdivision:

Lot 1: Property Address: 1570 3rd Ave West with building square footage of 1,440. Proposed land site 13,270 Square Feet with 5 parking spaces on the west side of the building and 3 parking spaces on the north side of the building. A proposed 25' Ingress and Egress Easement on the southern most boundary. Fee Simple ownership. Lot 1 to be independent from Lot 2 Condominium designation.

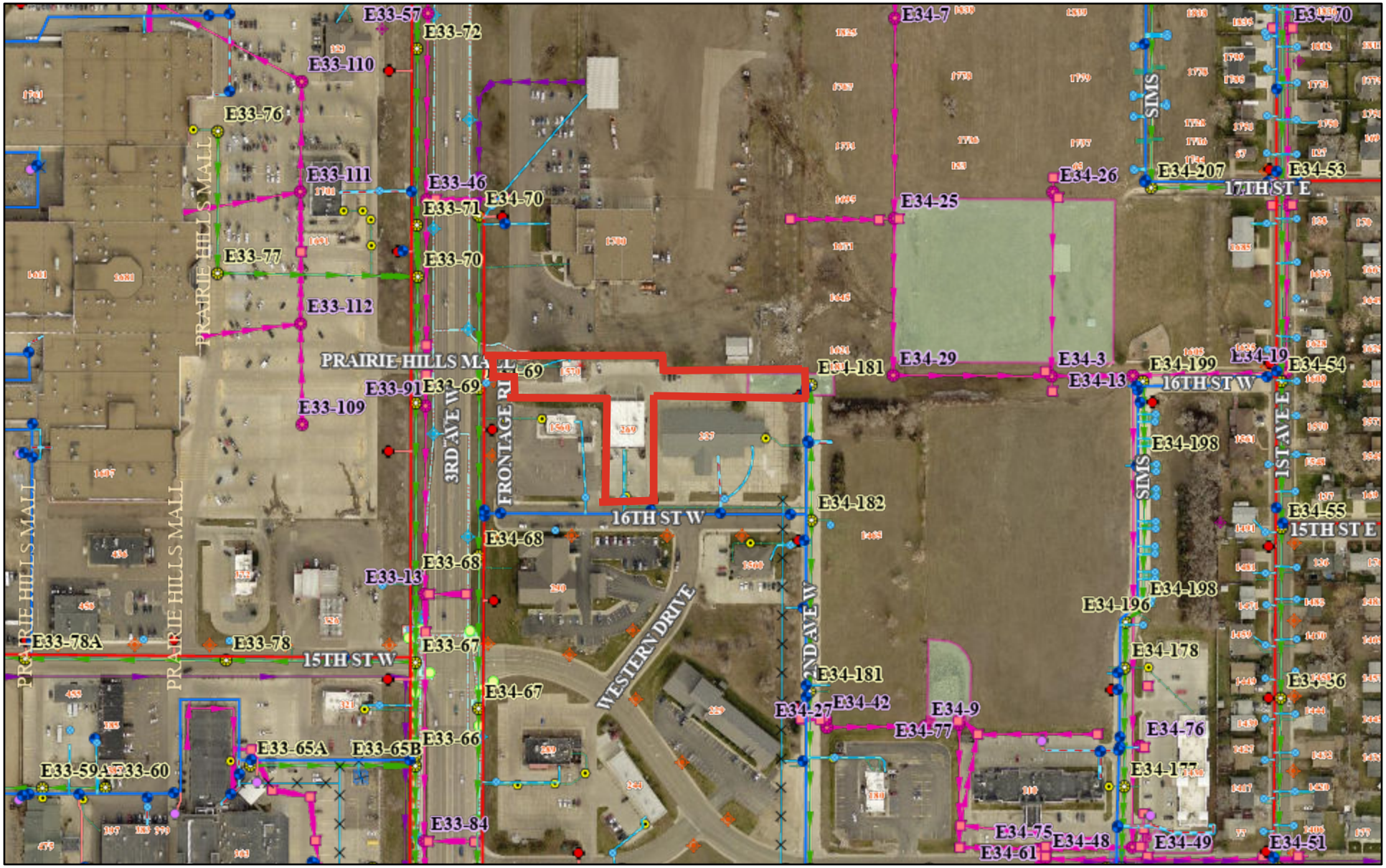
Lot 2: Property Address: 269 16th Street West, Suite A: Current usage as a real estate office and Suite B: as general restaurant usage with a drive-through service. The building has a total of 6,576 Square Feet with approximately 3,288 each for Suite A and Suite B. Suite B currently has a capacity of 99. Proposed use for Lot 2 to be condominium ownership.

Proposed land site for lot 2 to be 39,588 Square Feet. The front parking lot offers 15 parking spaces, 3 of which are handicap accessible spaces in front of the building. The north parking lot offers 31 parking spaces. 269 St West offers a total of 46 parking spaces for customer and employee parking. There is currently a storm water retention pond on the NE portion of Lot 2.

We do not believe 227 16th Street West should require egress or ingress easement or parking from Lot 2. 227 16th Street West has two entrances/exits on the south side of their property and already has access for parking for their property.

We have not informed the adjacent property owners of the request to replat our property as the current physical layout of parking, as well as the ingress/egress for proposed Lot 1 and Lot 2 are not changing.

Dickinson Utility Information Map



3/5/2025

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

1:4,796

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

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

Dickinson Parcel Map



3/5/2025

Public Street Names 8K	World Imagery	Citations
Private Street Names	Low Resolution 15m Imagery	1.2m Resolution Metadata
Dickinson Tax Parcels	High Resolution 60cm Imagery	
Lots and Easements	High Resolution 30cm Imagery	

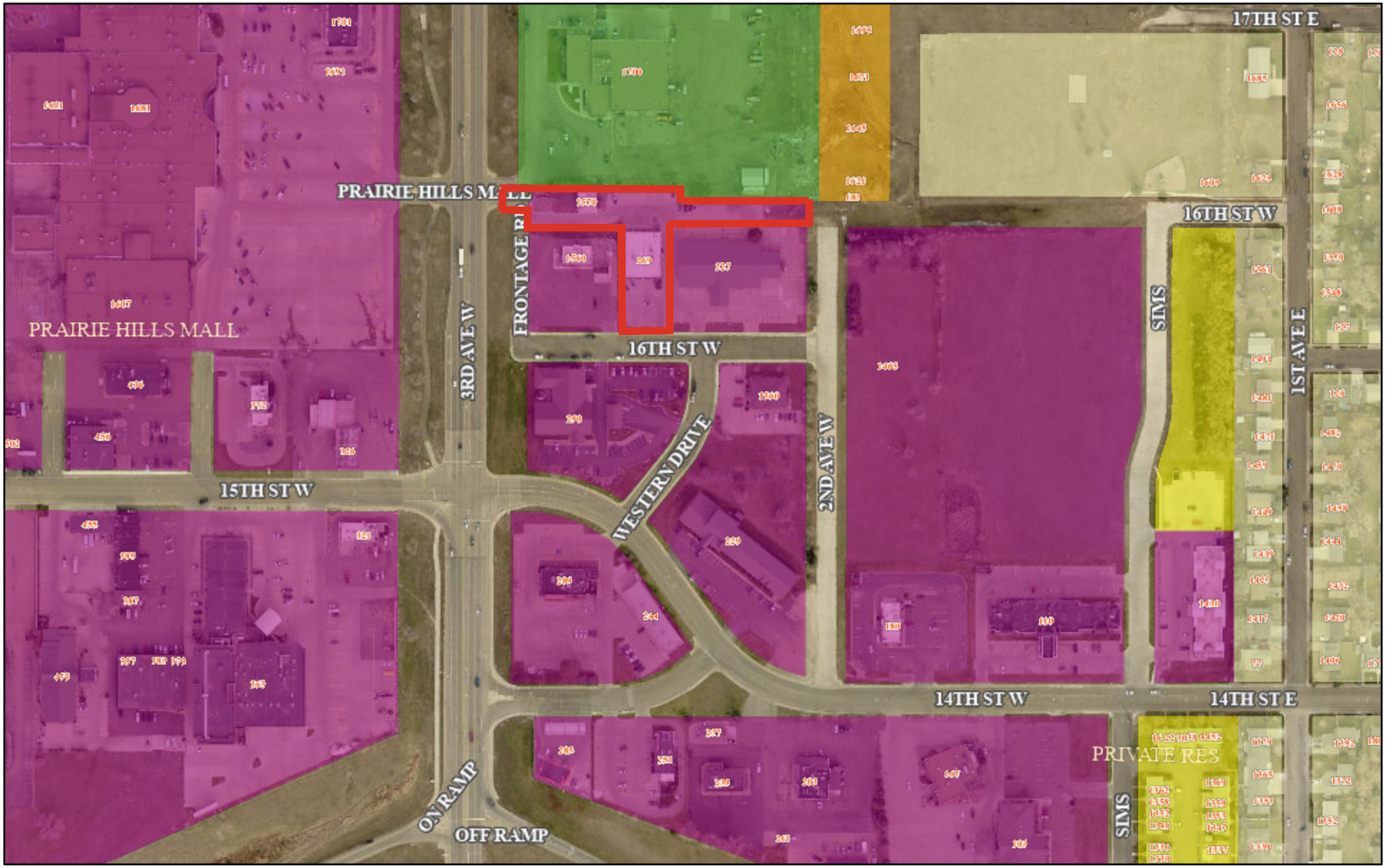
1:4,796

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

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

Dickinson Zoning Information Map



3/5/2025

1:4,796

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

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

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

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: June 4, 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	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 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 aide 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

Jotform

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	Major Subdivision Final Plat
Is this a Replat	No
Date of Final Plat Approval at Planning & Zoning Commission	02-12-2025
Name	Jerry Williams
Applicant Email	djohnson_55@hotmail.com
Applicant Phone #	(701) 290-7710
Applicant Representative (if applicable)	Nick Jensen
Applicant Representative Company	Western Edge Surveying, PLLC
Applicant Representative Email	nick.jensen@westernedgesurveying.com
Applicant Representative Phone #	(701) 505-8209
Owner Name	Jerry Williams
Owner Address	11015 40TH ST SW, Dickinson, North Dakota, 58601

Owner Email	djohnson_55@hotmail.com
Owner Phone #	(701) 290-7710
Is the owner present to Sign	Yes
Signature	
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

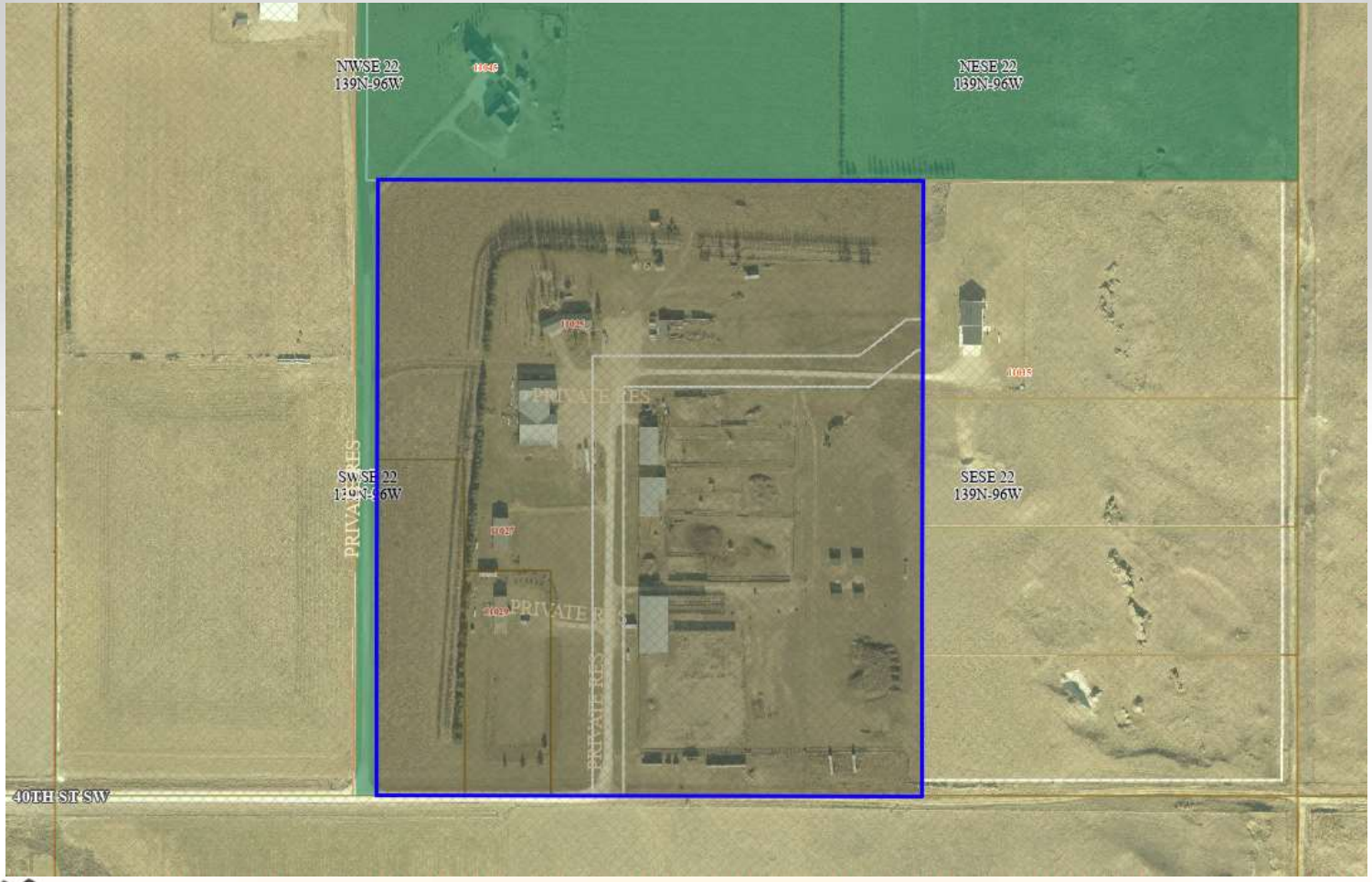
Property Address / General Project Location	11015 40TH ST SW, Located on the North side of 40TH ST SW, about half a mile east of the County Fairgrounds.
Total Square Footage or Acreage of Subject Property	35.656AC
Transmittal Letter (Explanation of Request & Proposed Operations)	24-036_Williams_Transmittal_Final_2479.pdf
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_Utilities.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	
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 SUBDIVISION (FLP-002-2025)



CITY OF Dickinson North Dakota

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.

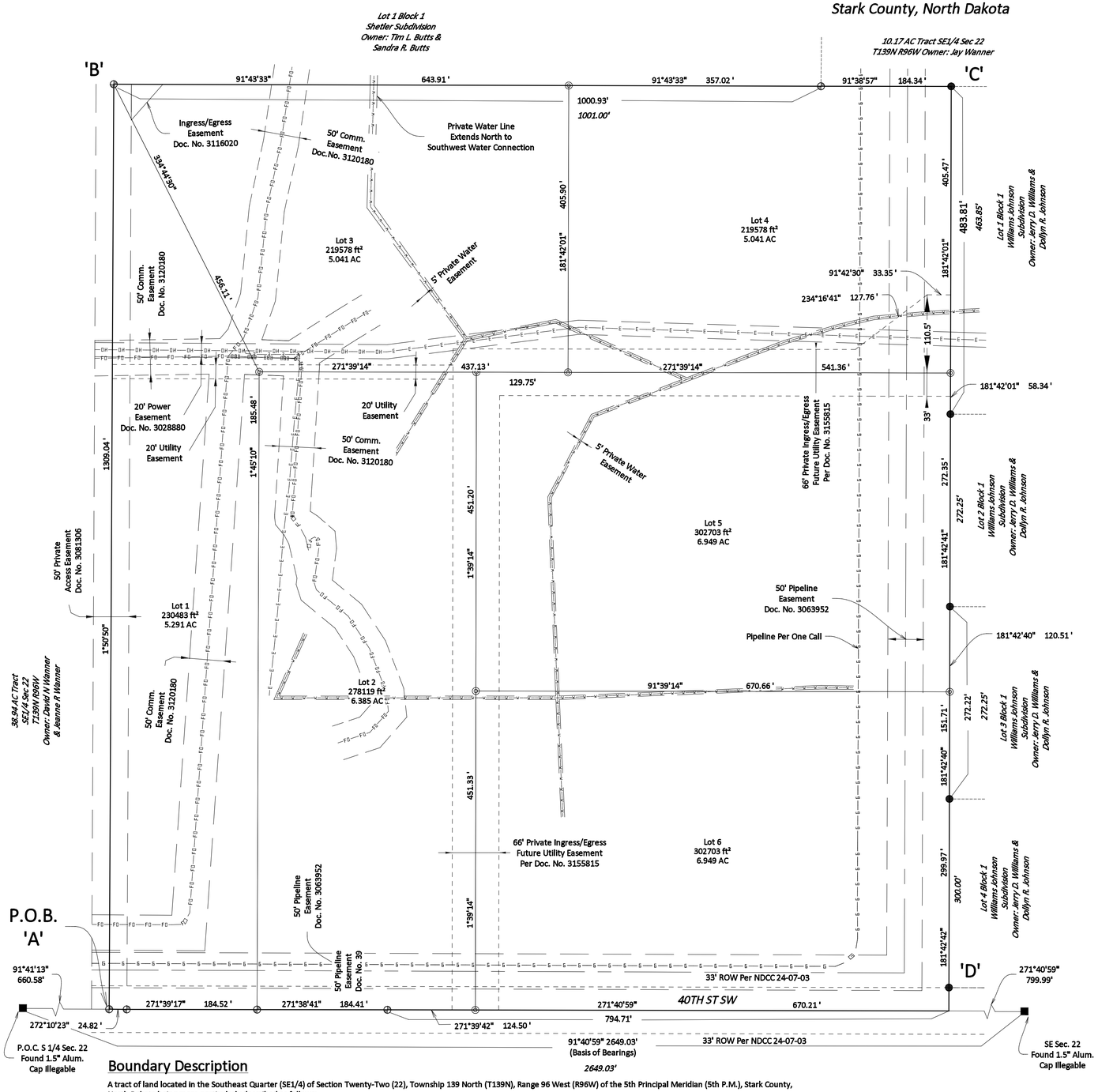
The existing driveway, which is accessed from 40th Street Southwest, is intended to remain private and incorporate a means for future utility development. They have already been maintaining this portion of road and have the equipment and means to continue to do so.

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

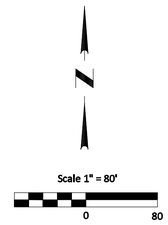
JERRY WILLIAMS SUBDIVISION

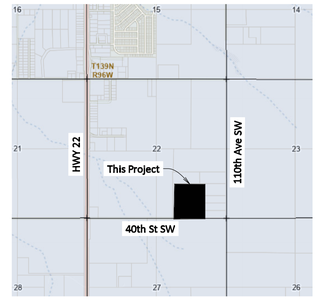
SE 1/4 Section 22, Township 139 North, Range 96W, 5th Principal Meridian
Stark County, North Dakota



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





Vicinity Map

Legend

- Found Section Corner as Described
- Found 1/2" Rebar with Yellow Plastic Cap Stamped 2884
- Found 1/2" Rebar
- Property Corner
- 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 Prinicpal 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 acknowleged to me that they executed the same.

_____ My Commision Expires:_____
Notary Public

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 acknowleged to me that they executed the same.

_____ My Commision Expires:_____
Notary Public

Residing at County of_____, State of_____

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 acknowleged to me that they executed the same.

_____ My Commision Expires:_____
Notary Public

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 272.35', thence 181°42'40" along the West line of Lot 3 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.

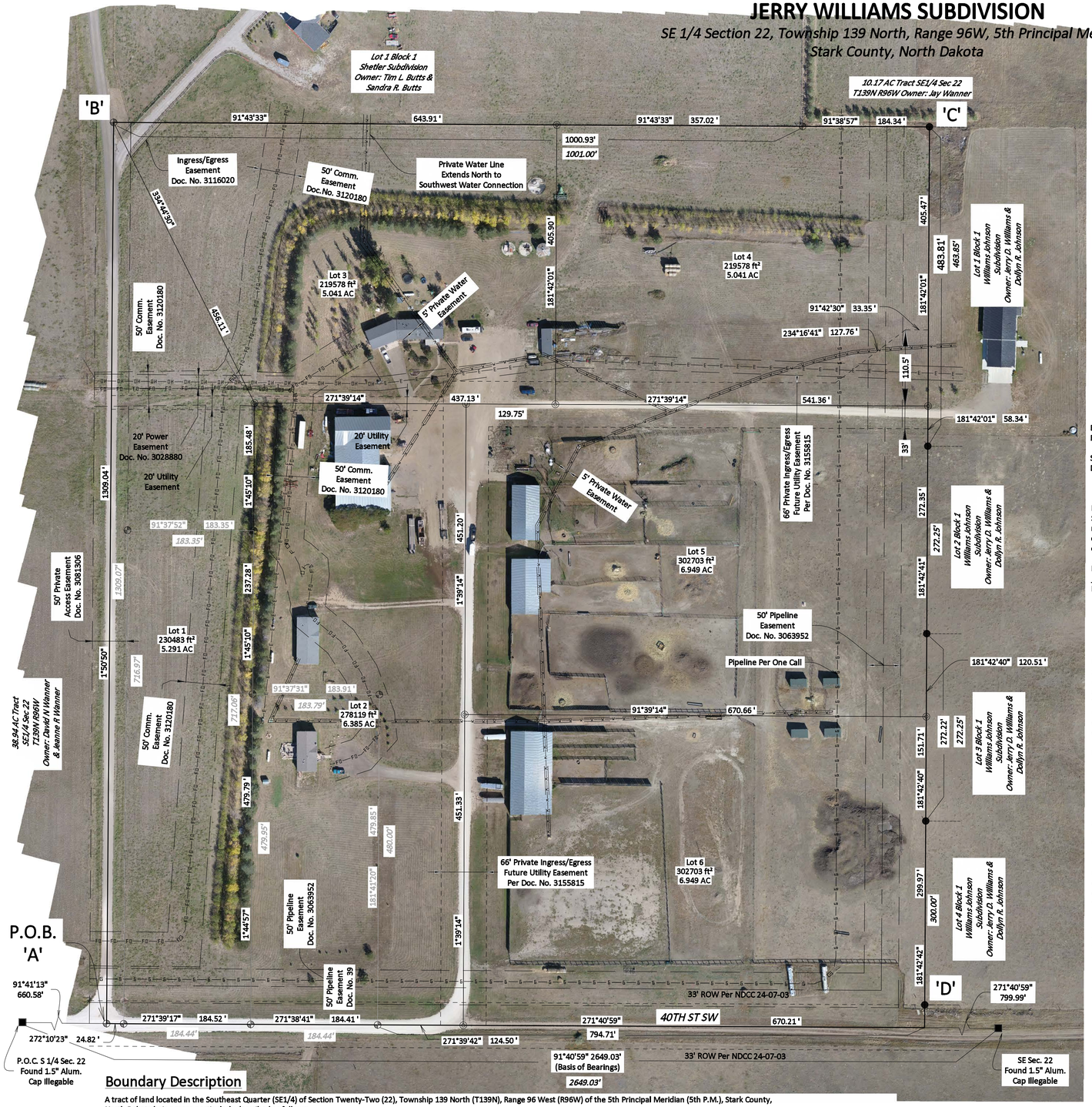
Said tract contains 35.656 Acres more or less and is subject to any previous easements, agreements, conveyances, and surveys.

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

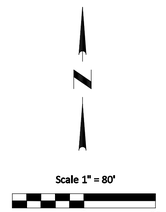
JERRY WILLIAMS SUBDIVISION

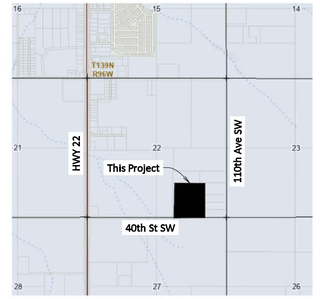
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D	433462.38	1399958.14





Vicinity Map

Legend

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- Property Corner
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- Setback Lines (90°00'00" 45.00')
- Buried Gas Line
- Buried Electric Line
- Buried Fiber Optic Line
- Overhead Electric Line
- Existing Water Line
- Existing Parcel Boundarys (Prelim Only)

Basis of Bearings

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

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In witness whereof, I have here unto subscribed my name:

Nicholas R. Jensen R.L.S. 29362

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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 acknowleged to me that they executed the same.

_____ My Commision Expires:_____
Notary Public

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 acknowleged to me that they executed the same.

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Residing at County of_____, State of_____

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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:_____

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Scott Miller

State of _____
SS
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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

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: 3-26-2025

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: June 4, 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	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 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

Jotform

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	Minor Subdivision Plat
Is this a Replat	No
Name	Jacob Barney
Company	Five Star Storage
Applicant Email	jacob@fivestarstorage.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	No
Owner Signature Upload	ILSE Permission to apply.pdf
Will this application require any other action to complete the development?	Yes

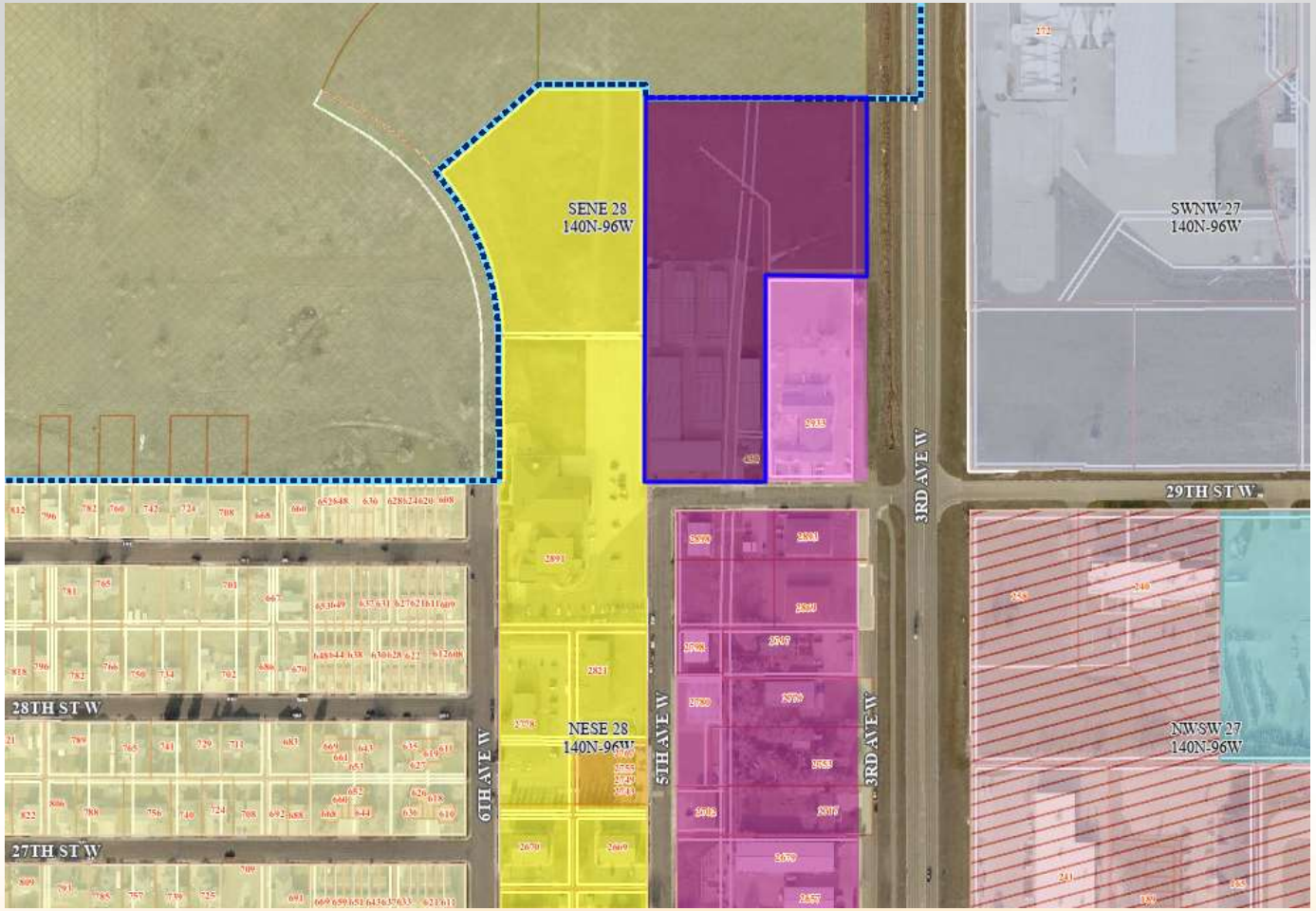
	1/4 Section	Township	Range
Description	NE 28	T140N	R96W

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	1 to 10 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@fivestarstorage.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)



CITY OF Dickinson North Dakota

Independent Land Surveying & Engineering Inc.

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.

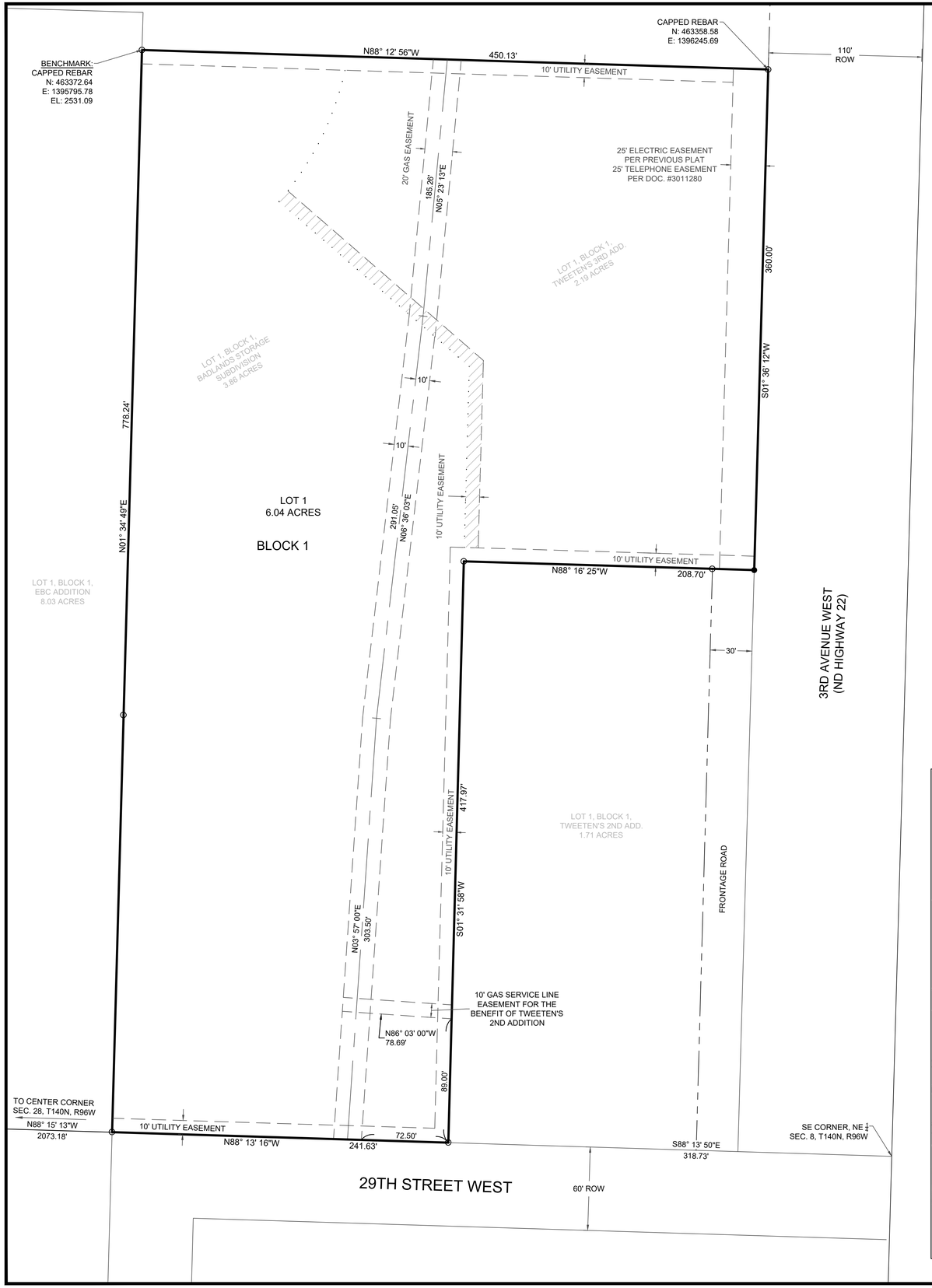
Please contact me if you have any questions or require further information.

Respectfully Submitted,



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

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



NORTH

SCALE: 1" = 40'

0 20 40

DATE: FEBUARY 3RD, 2025

VERTICAL DATUM - NAVD 1988(GEOID 18)

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83(2011), INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED
BY RTK AND ARE REPORTED IN GRID.

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

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.

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 _____)
) SS
COUNTY OF _____)

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

_____ DATE:_____
PRESIDENT

CITY ENGINEER APPROVAL

_____ DATE:_____
CITY ENGINEER

CITY PLANNING COMMISSION APPROVAL

_____ DATE:_____
SECRETARY

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

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		

Independent Land Surveying & Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@ilsurveynd.com



N

SCALE: 1" = 40'

0 40 80

SURVEY INFO: VERT. DATUM: NAVD88
HORIZ DATUM: 1983 STATE PLANE, ND SOUTH (3302)

LEGEND

	PROPOSED BUILDING ADDITION	1810	PROPOSED CONTOUR
	PROPOSED CONCRETE PAVEMENT		EXISTING TREE / SHRUB
SS SS	PROPOSED STORM SEWER	#	PROPOSED PARKING STALL COUNT
	PROPOSED STORM INLET / MANHOLE		PROPOSED LANDSCAPE / TREES
W W	PROPOSED WATER SERVICE		PROPOSED CURB & GUTER
	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 @ $\frac{1}{20 \text{ UNITS}}$ = 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

LEGAL:

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

ZONING:

CC - COMMUNITY COMMERCIAL

SETBACKS:

FRONT: 20'
SIDE: 0'
REAR: 0'

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

REVISIONS

REV#	DESCRIPTION	BY	DATE

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

REGISTERED PROFESSIONAL ENGINEER
ABRAHM E. LUNDEEN
PE-9884
NOT FOR CONSTRUCTION
DATE:
NORTH DAKOTA

PRELIMINARY

SPECIAL USE PERMIT EXHIBIT

SHEET
C100

Badlands Storage 2nd Addition Final Minor Plat Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: June 4, 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	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 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
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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

Jotform

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@fivestarstorage.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	No
Owner Signature Upload	ILSE Permission to apply.pdf
Will this application require any other action to complete the development?	Yes

	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	Commercial
Existing Zoning	CC - Community Commercial
Existing Use	Commercial

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@fivestarstorage.biz

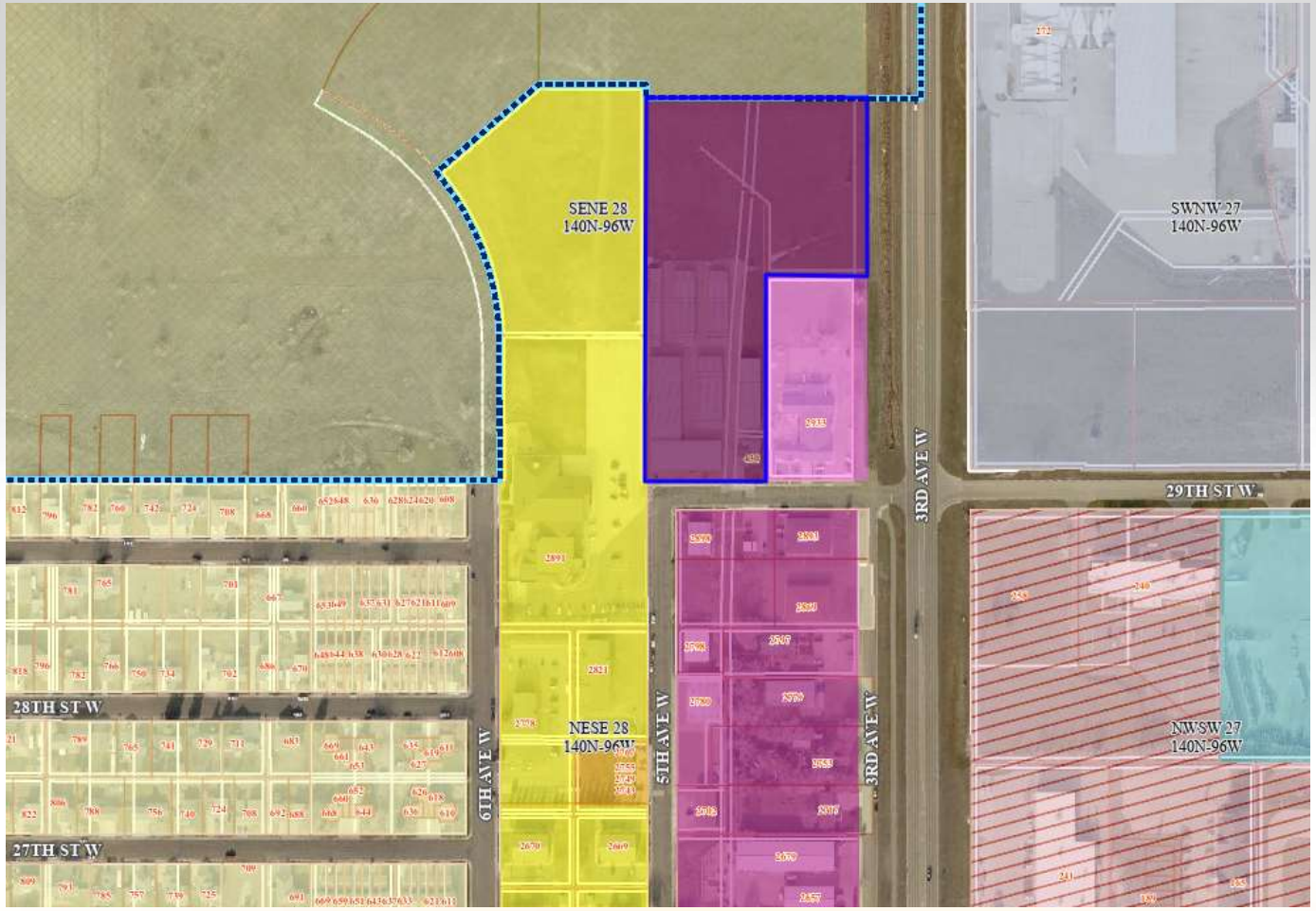
Applicant Signature



Date 03-07-2025

You can edit this submission and view all your submissions easily.

FIVE STAR STORAGE SUP (SUP-001-2025)



CITY OF Dickinson North Dakota

Independent Land Surveying & Engineering Inc.

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.

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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.

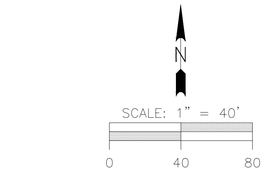
Please contact me if you have any questions or require further information.

Respectfully Submitted,



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





SURVEY INFO: VERT. DATUM: NAVD88
HORIZ DATUM: 1983 STATE PLANE, ND SOUTH (3302)

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 & GUTER
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 @ $\frac{1}{20 \text{ UNITS}}$ = 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

LEGAL:

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

ZONING:

CC - COMMUNITY COMMERCIAL

SETBACKS:

FRONT: 20'
SIDE: 0'
REAR: 0'

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

REVISIONS

REV#	DESCRIPTION	BY	DATE

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

REGISTERED PROFESSIONAL ENGINEER
ABRAHM E. LANGE
PE-9584
NOT FOR CONSTRUCTION
DATE:
NORTH DAKOTA

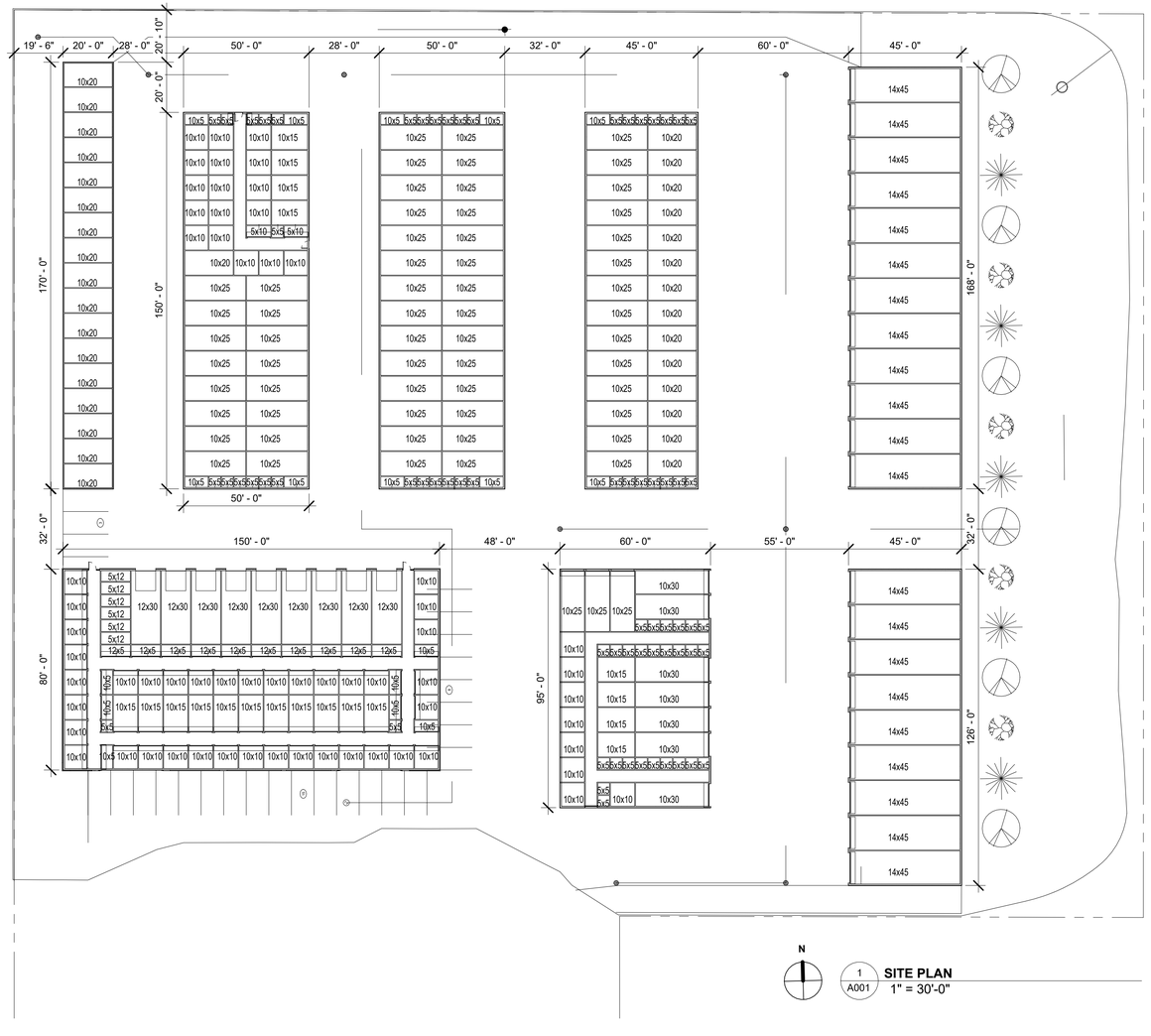
PRELIMINARY

SPECIAL USE PERMIT EXHIBIT

SHEET
C100

UNIT SUMMARY

UNIT	COUNT	AREA	TOTAL
CONTITIONED (EXT.)			
12x30	9	360 SF	3240 SF
9			3240 SF
CONTITIONED (INT.)			
5x5	2	25 SF	50 SF
5x12	6	60 SF	360 SF
10x5	7	50 SF	350 SF
10x10	37	100 SF	3700 SF
10x15	11	150 SF	1650 SF
12x5	10	60 SF	600 SF
73			6710 SF
RV			
14x45	21	630 SF	13230 SF
21			13230 SF
UNCONITIONED (EXT.)			
5x5	35	25 SF	875 SF
10x5	10	50 SF	500 SF
10x10	6	100 SF	600 SF
10x15	4	150 SF	600 SF
10x20	32	200 SF	6400 SF
10x25	61	250 SF	15250 SF
10x30	7	300 SF	2100 SF
155			26325 SF
UNCONITIONED (INT.)			
5x5	29	25 SF	725 SF
5x10	2	50 SF	100 SF
10x10	19	100 SF	1900 SF
10x15	4	150 SF	600 SF
54			3325 SF
TOTAL UNITS: 312			52830 SF



RHET ARCHITECTURE
27 11th ST. N. FARGO, ND 58102
701.715.8232
WWW.RHET-ARCH.COM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Signature: Rhet Fiskness

Date: 03/07/2025 REG. NO. : 1811

PROJECT NAME:

FIVE STAR STORAGE DICKINSON

430 29TH ST. W.
DICKINSON, ND 58601

OWNER:

FIVE STAR STORAGE
ATTN: JACOB BARNEY
3255 43RD ST. S.
FARGO, ND 58104
PHONE: 701.739.6862
EMAIL: jacob@fivestarstorage.biz

MARK	DESCRIPTION	DATE
SP	SITE PLAN	03/07/2025

REVISION SCHEDULE

COPYRIGHT:

All plans, specifications, computer files, field data, notes and other documents and instruments prepared by RHET FISKNESS ARCHITECT, as instruments of service shall remain the property of RHET FISKNESS ARCHITECT. RHET FISKNESS ARCHITECT shall retain all common law, statutory and other reserved rights, including the copyright thereto.

PROJECT NO:	24-105801
DRAWN BY:	DN
CHECKED BY:	RF

DRAWING TITLE:
SITE PLAN

A001

File Location: C:\Users\Dylan\Desktop\FSS-Dickinson (24-105801).rvt
Plot Date: 3/7/2025 10:39:03 AM


FIVESTAR
STORAGE

Five Star Storage SUP Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: June 4, 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	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 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."*

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Date: Thursday, May 15, 2025 9:42:12 AM
Attachments: Calvin Wahl Pre-Application Letter.pdf
Transmittal Letter - Koch 2.pdf
Tract 2 & 3 of NW Section 28 Deeds.pdf
6231328576216928017_signature_23.png

Jotform

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:	Calvin Wahl Pre-Application Letter.pdf
Type of Development	Rezoning - Zoning Map Amendment
Name	Marilyn Koch
Applicant Email	marilynk@bis.midco.net
Applicant Phone #	(701) 400-5624
Applicant Representative (if applicable)	Natalie Birchak
Applicant Representative Company	City of Dickinson
Applicant Representative Email	natalie.birchak@dickinsongov.com
Applicant Representative Phone #	(701) 456-7812
Owner Name	Koch Property Investments
Owner Address	4804 Southbay Drive SE, Mandan, North Dakota, 58554
Owner Email	marilynk@bis.midco.net
Owner Phone #	(701) 400-5624

Is the owner present to Sign	No
Owner Signature Upload	Marilyn Koch Signature.jpeg
Will this application require any other action to complete the development?	No

	1/4 Section	Township	Range
Description	NW 1/4 Section 28	140N	96W

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	1	14	Koch's Meadow Hills Fourth Addition

Property Address / General Project Location	Lot 1 of Block 14 of the Koch's Meadow Hills Fourth Addition.
Total Square Footage or Acreage of Subject Property	0.57 acres
Transmittal Letter (Explanation of Request & Proposed Operations)	Transmittal Letter - Koch 2.pdf
Existing Zoning	R1 - Low Density Residential
Proposed Zoning	R2 - Medium Density Residential
Rezone Calc Multiplier	1
Overlay District Description	N/A
Map of Area to be Rezoned	Lot 1 Block 14 Koch's Meadow Hills Fourth.jpeg
Minor Platting Multiplier	0
Prelim Platting Multiplier	0
Major Platting Multiplier	0

Application Calc	350
Deed for Property	Tract 2 & 3 of NW Section 28 Deeds.pdf
Applicant Signature	
Date	05-15-2025

You can edit this submission and view all your submissions easily.

MARILYN KOCH ZONING MAP AMENDMENT (REZ-004-2025)



CITY OF Dickinson North Dakota

Transmittal Letter

We are interested in rezoning the property from Low Density Residential (R-1) to Medium Density Residential (R-2) in order to match the existing zoning in the area. There are no current plans to develop this lot.

Marilyn Koch & Calvin Wahl

Marilyn Koch Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
From: City of Dickinson Community Development Services
Date: June 4, 2025
Re: REZ-004-2025 Marilyn Cook Zoning Map Amendment

OWNER/APPLICANT
Marilyn Koch/Koch Property Investments
4808 Southbay Drive SE
Mandan ND 58554
marilynk@bis.midco.net
(701) 400-5624

Public Hearing	June 11, 2025	Planning and Zoning Commission
Public Hearing	June 17, 2025	City Commission
Final Consideration	July 1, 2025	City Commission

The applicant is requesting the approval of a zoning map amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lot 1 of Block 14 of the Koch's Meadow Hills Fourth Addition Subdivision, located within the City of Dickinson. The purpose of this rezoning is to ensure lot development conforms with the R-2 zoning in the surrounding area.

Staff recommendation: Approval.

LOCATION

CURRENT ZONING	**R1**
FUTURE LAND USE MAP DESIGNATION	**RESIDENTIAL**
GROSS SITE ACREAGE	**+/- 0.573 acres**
LOTS PROPOSED	**One**

DRAFT

ADJACENT ZONING & LAND USE		
Direction	**Zoning**	**Land Use**
North	R-2	Undeveloped
East	R-2	Undeveloped
South	RR	Single-family residential
West	R-2	Undeveloped

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 RESIDENTIAL. This zoning map amendment request is consistent with this FLUM designation.

Compliance with The Zoning Ordinance

The site is currently zoned R-1, and the City is proposing to rezone the site to R-2. This rezone is intended to prevent this lot from being an isolated R-1 zoning district surrounded by R-2. The applicant has signed in support of the application.

The lots directly to the North, East, and West of the site are currently zoned R-2. This is consistent with the requested rezone from R-1 to R-2.

PUBLIC INPUT AND STAFF RECOMMENDATION

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

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-004-2025.

MOTIONS:

*****Approval*****

"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-004-2025: The Marilyn Koch 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-004-2025: The Marilyn Koch 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; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Date: Wednesday, May 14, 2025 6:22:35 AM
Attachments: Dickinson Utility Information Map.pdf
Zoning Map.pdf
38089C0193F.pdf
25-018 Reddish_MINOR_SUB_PLAT.pdf
25-018 Reddish_IMAGE.pdf
Reddish Letter.pdf
Deeds.pdf
Reddish Minor Plat Transmittal.pdf
CCF_000088.pdf
6230345027021720943_signature_23.png

Jotform

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:	Reddish Letter.pdf
Type of Development	Minor Subdivision Plat
Is this a Replat	Yes
Subdivision Being Re-platted	Hillard and Manning's Third Addition
Name	Jenna Reddish
Applicant Email	j.loraeperfection@gmail.com
Applicant Phone #	(701) 595-2889
Applicant Representative (if applicable)	Nick Jensen
Applicant Representative Company	Western Edge Surveying, PLLC
Applicant Representative Email	nick.jensen@westernedgesurveying.com
Applicant Representative	(701) 505-8209

Phone #	
Owner Name	Aaron & Jenna Reddish
Owner Address	872 Sims Street, Dickinson, ND, 58601
Owner Email	j.loraeperfection@gmail.com
Owner Phone #	(701) 595-2889
Is the owner present to Sign	No
Owner Signature Upload	CCF_000088.pdf
Will this application require any other action to complete the development?	No
Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)	A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 6, HILLIARD AND MANNING'S 3RD ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 139 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE S88°18'11"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 50.13 FEET TO THE NORTHWEST CORNER OF A PARCEL RECORDED AT THE STARK COUNTY RECORDER'S OFFICE PER DOCUMENT NO. 3141141; THENCE S1°43'25"W ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 125.02 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE S88°17'03"E ALONG THE SOUTH LINE OF SAID PARCEL AND A PARCEL RECORDED PER DOCUMENT NO. 3110289, A DISTANCE OF 97.79 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL PER DOCUMENT NO. 3110289; THENCE S1°43'25"W ALONG THE WEST LINE OF A PARCEL RECORDED PER DOCUMENT NO. 3168496, A DISTANCE OF 71.00 FEET TO THE NORTHEAST CORNER OF A PARCEL RECORDED PER DOCUMENT NO. 3143422; THENCE N88°17'03"W ALONG THE NORTH LINE OF SAID PARCEL PER DOCUMENT NO. 3143422, A DISTANCE OF 147.92 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N1°43'25"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 196.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.385 ACRES (16,768 SQUARE FEET), MORE OR LESS, AND IS SUBJECT TO ANY

PREVIOUS
EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

	1/4 Section	Township	Range
Description	3	Dickinson	96

Property Address / General Project Location	872 Sims, to the East of Sanford East Clinic
Total Square Footage or Acreage of Subject Property	16768 sq ft. 0.385 acres
Transmittal Letter (Explanation of Request & Proposed Operations)	Reddish Minor Plat Transmittal.pdf
Rezone Calc Multiplier	0
Minor Platting Multiplier	1
Prelim Platting Multiplier	0
Major Platting Multiplier	0
Name of Plat	Reddish Corner Addition
Number Lots	1 to 10 Lots
Number of Block(s)	1
	1
Application Calc	500
Required Documentation Upload	Dickinson Utility Information Map.pdf Zoning Map.pdf 38089C0193F.pdf 25-018 Reddish_MINOR_SUB_PLAT.pdf 25-018 Reddish_IMAGE.pdf
Deed for Property	Deeds.pdf

Application Fees

Applicable Fees	500.00 USD
Total:	$500.00
Transaction ID:	53awf7nr

Payment Information

First Name:	Nicholas
Last Name:	Jensen
E-Mail	j.loraeperfection@gmail.com

Applicant Signature



Date 05-14-2025

You can edit this submission and view all your submissions easily.

REDDISH CORNER ADDITION MINOR SUBDIVISION (FLP-004-2025)



CITY OF Dickinson North Dakota

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: May 13th, 2025

Subject: Reddish Corner Addition – Minor Subdivision Plat

Attached to the application form you will find the following Minor Subdivision Plat documents for the area of the Reddish Corner Addition being submitted for consideration:

- Pre-submittal Meeting Letter
- Project Scope (see below)
- Legal Description
- Warranty Deed(s)
- Minor Plat Drawing
- Minor Plat Drawing – With image, showing current land usage.
- City Zoning Map
- City Utility Map
- FEMA Floodplain Map

Minor Subdivision Plat Request:

The applicants respectfully request approval to consolidate two previously deeded parcels within the City of Dickinson. Historically, this area of the city permitted larger lots, which were later subdivided into smaller parcels. One of the parcels in this proposal currently contains a garage without a residence. To ensure compliance with city regulations, this parcel must be merged with the adjacent deeded parcel, which includes a residence. No other actions are being requested as part of this process.

Project Description:

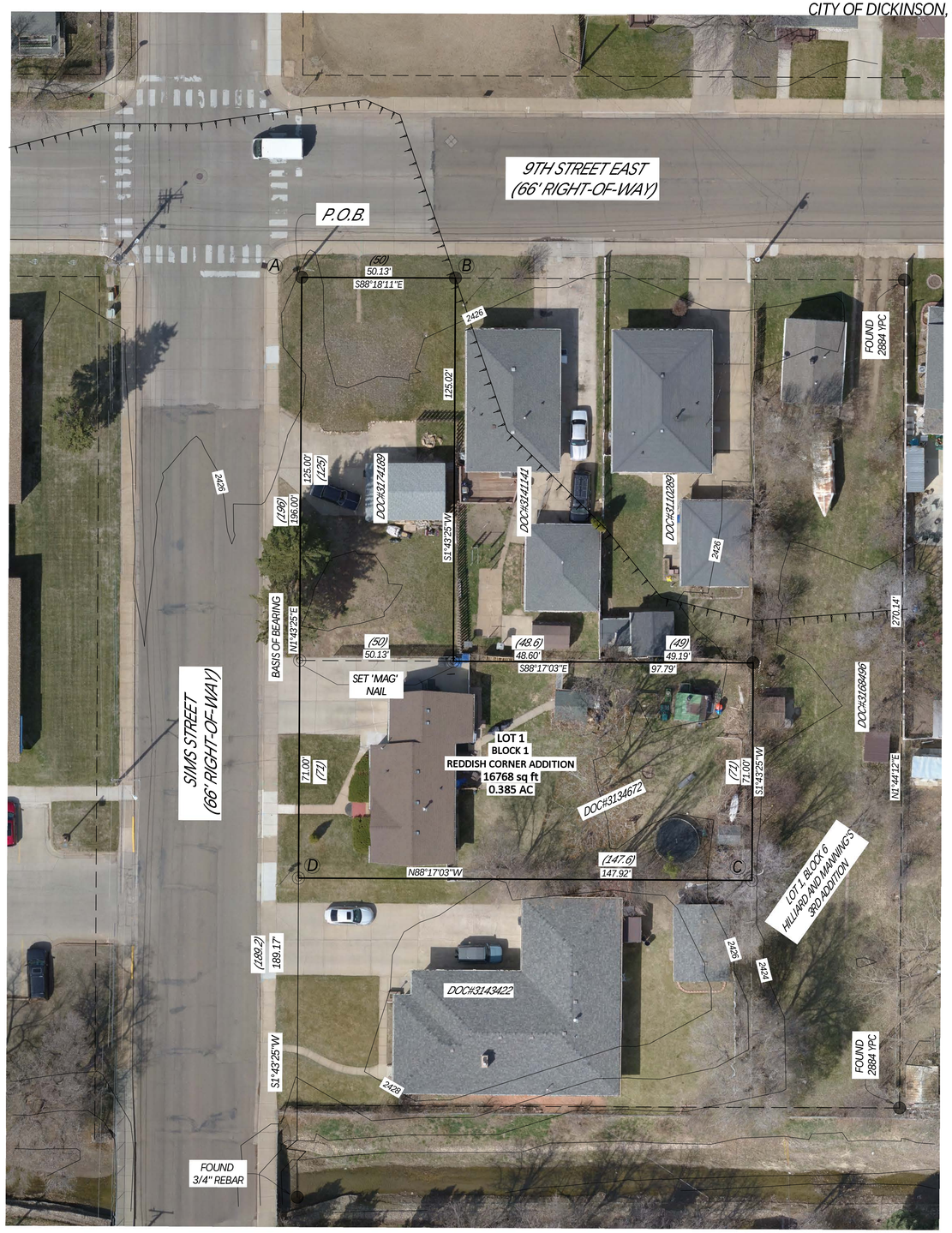
Aaron and Jenna Reddish, the applicants, recently acquired the property immediately north of their existing residence. As part of their plan, they demolished the house previously located on the acquired property, with the intent of combining the two deeded parcels into a single lot. This consolidation is necessary to align with City Codes and Bylaws. Looking ahead, the applicants plan to construct a new shed within the bounds of the joined parcels. They have indicated that they have been in communication with the city regarding previous actions taken and future plans.

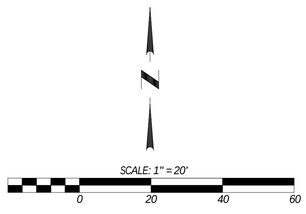
Thank you for your consideration of this application and we appreciate any feedback or questions you may have.

Thanks,
Nick Jensen

REDDISH CORNER ADDITION

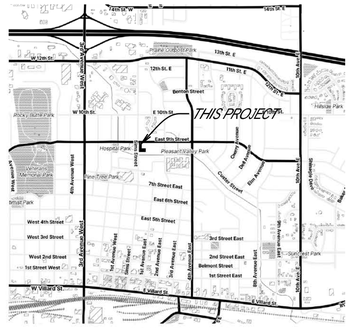
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NW 1/4 SECTION 3, TOWNSHIP 139 NORTH, RANGE 96 WEST, OF THE 5TH PRINCIPAL MERIDIAN,
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA





LEGEND

- FOUND 1" PIPE (UNLESS DESCRIBED OTHERWISE)
- SET 1.5" ALUM. CAP STAMPED 'WES NDPLS 29362' (UNLESS DESCRIBED OTHERWISE)
- PARCEL BOUNDARY
- ADJACENT PARCEL LINES
- FEMA 'SFHA' REGULATORY FLOODWAY BOUNDARY



VICINITY MAP

BASIS OF BEARINGS

BASIS OF BEARINGS BEING THE WEST LINE OF BLOCK 6, HILLIARD AND MANNING'S THIRD ADDITION TO THE CITY OF DICKINSON, ND.

SURVEY BASED ON NORTH DAKOTA SOUTH ZONE 1983 (2011), INTERNATIONAL FOOT. BEARINGS ARE GRID, DISTANCES ARE GROUND USING A SCALE FACTOR OF 1.0001768839. COORDINATES ARE GRID. VERTICAL BASED ON NAVD88 (GEOID18).

SURVEYOR'S CERTIFICATE

I, NICHOLAS R. JENSEN, REGISTERED LAND SURVEYOR, N.D. NO. 29362 DO HEREBY CERTIFY THAT REDDISH CORNER SUBDIVISION PLAT SHOWN HEREON IS A CORRECT REPRESENTATIONOF 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 ANDWAS MADE BY ME OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

_____
NICHOLAS R. JENSEN R.L.S. 29362

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SURVEY NOTES

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2) *ALL DOCUMENTS REFERENCED ARE ON FILE AT THE STARK COUNTY COURTHOUSE*

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D	453755.70	1397407.79	-

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:*_____

PROPRIETOR'S CERTIFICATE

WE, AARON & JENNA REDDISH, OWNERS AND PROPRIETORS OF REDDISH CORNER 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.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SUBSCRIBED OUR NAMES:

*BY:*_____ *BY:*_____
AARON REDDISH *JENNA REDDISH*

STATE OF _____
SS
*COUNTY OF*_____

ON THIS _____ DAY OF _____, 20_____ , BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AARON REDDISH AND JENNA REDDISH, 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

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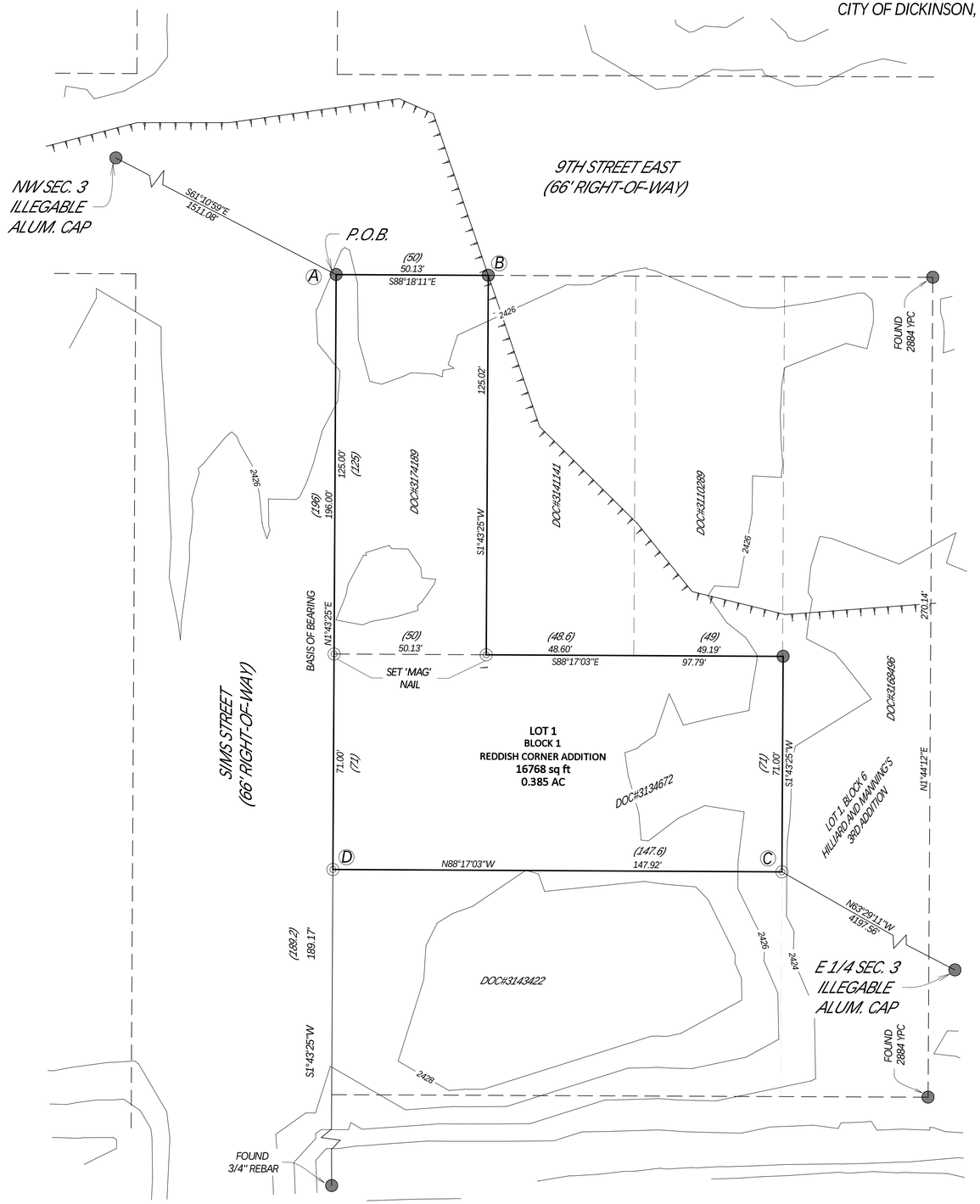
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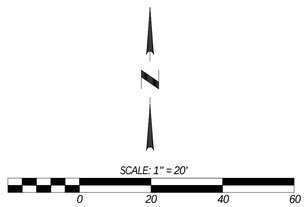
DRAWN BY: NRJ	*SHEET: 1 OF 1*
PROJECT NO: 25-018	*DATE: 5/13/2025*

WESTERN EDGE SURVEYING, PLLC
1175 LINCOLN STREET
DICKINSON, ND 58601
PHONE:(701) 505-8209
WWW.WESTERNEDGESURVEYING.COM

REDDISH CORNER ADDITION

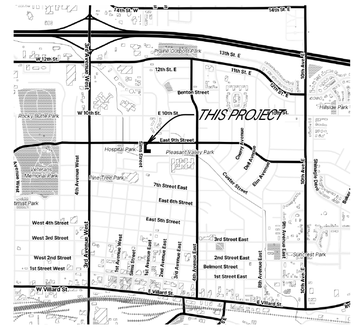
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STATE OF _____
SS
*COUNTY OF*_____

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_____ *MY COMMISSION EXPIRES:*_____
NOTARY PUBLIC

RESIDING AT COUNTY OF _____, *STATE OF* _____

DRAWN BY: NRJ	*SHEET: 1 OF 1*
PROJECT NO: 25-018	*DATE: 5/25/2025*

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

Phone: (308) 430-3118
Email: nick.jensen@westernedgesurveying.com
Website: www.westernedgesurveying.com

OWNER CONSENT AGREEMENT FOR MINOR SUBDIVISION APPLICATION

We, Jenna Reddish and Aaron Reddish, as the current owners of the property legally described as part of the W1/2 of Lot 1, Block 6, Hilliard and Manning's 3rd Addition, Dickinson, Stark County, North Dakota, hereby consent to the preparation and submission of a minor subdivision application for said property. This consent is provided in connection with a minor subdivision process facilitated by Nick Jensen, Western Edge Surveying, who is acting as our authorized representative for this application.

We authorize the preparation and submission of all necessary documents, including but not limited to the minor subdivision application and any associated plans or surveys, to the City of Dickinson for approval of the proposed lot modification. This consent includes our agreement to sign any required documents to facilitate the minor subdivision process, provided such actions align with the terms of any applicable agreements or understandings related to this application. Additionally, we authorize Nick Jensen, Western Edge Surveying, to act as our agent and sign any required documents related to the lot modification application process on our behalf.

We further grant permission to the City of Dickinson, its representatives, or authorized agents to enter the property for the purpose of reviewing and evaluating the lot modification application, subject to reasonable notice and compliance with applicable laws.

This consent is provided to enable the modification of part of the W1/2 of Lot 1, Block 6, Hilliard and Manning's 3rd Addition as proposed in the application submitted to the City of Dickinson.

Signed this 13th day of May, 2025.

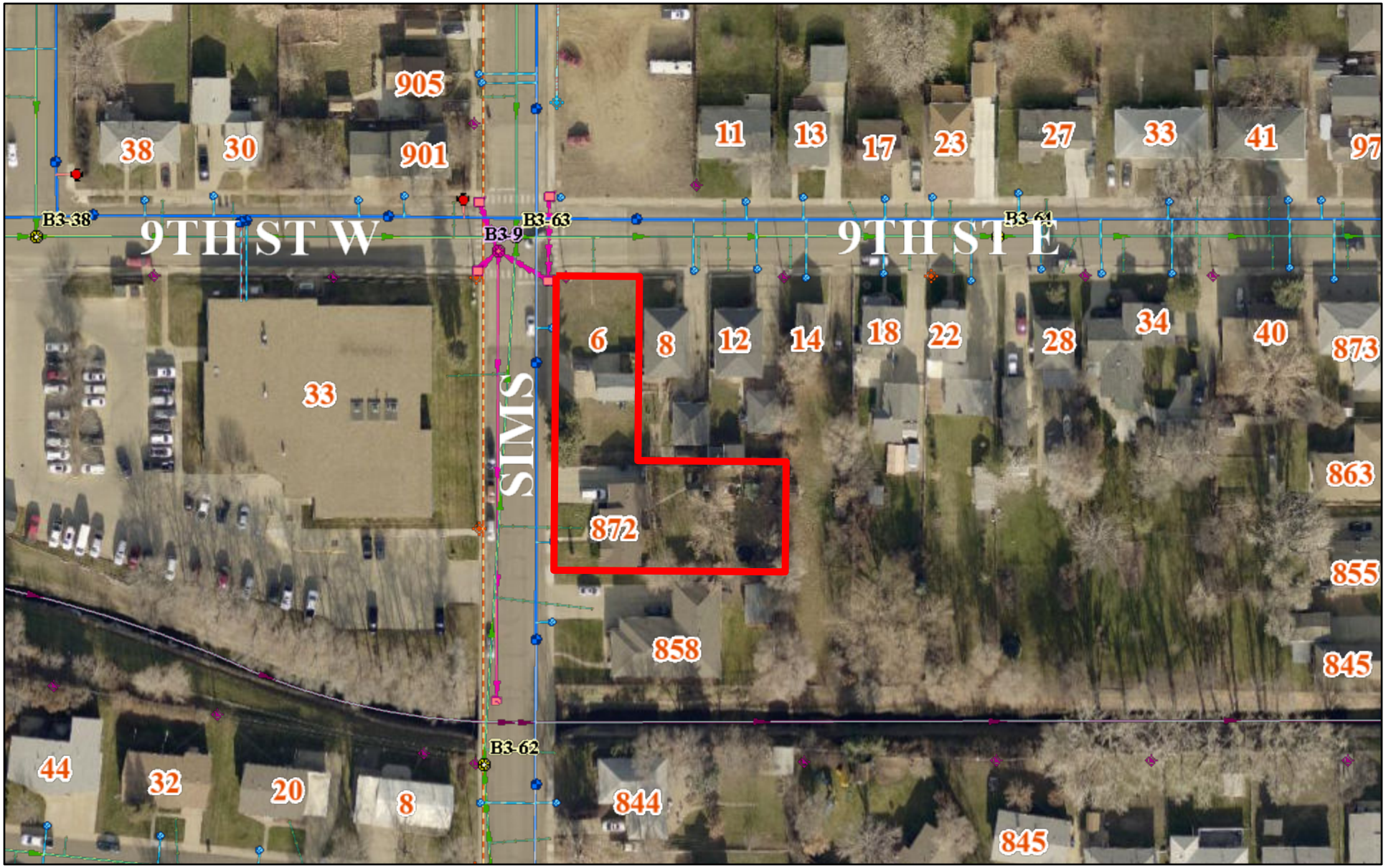
Aaron Reddish

Aaron Reddish

Jenna Reddish

Jenna Reddish

Dickinson Utility Information Map



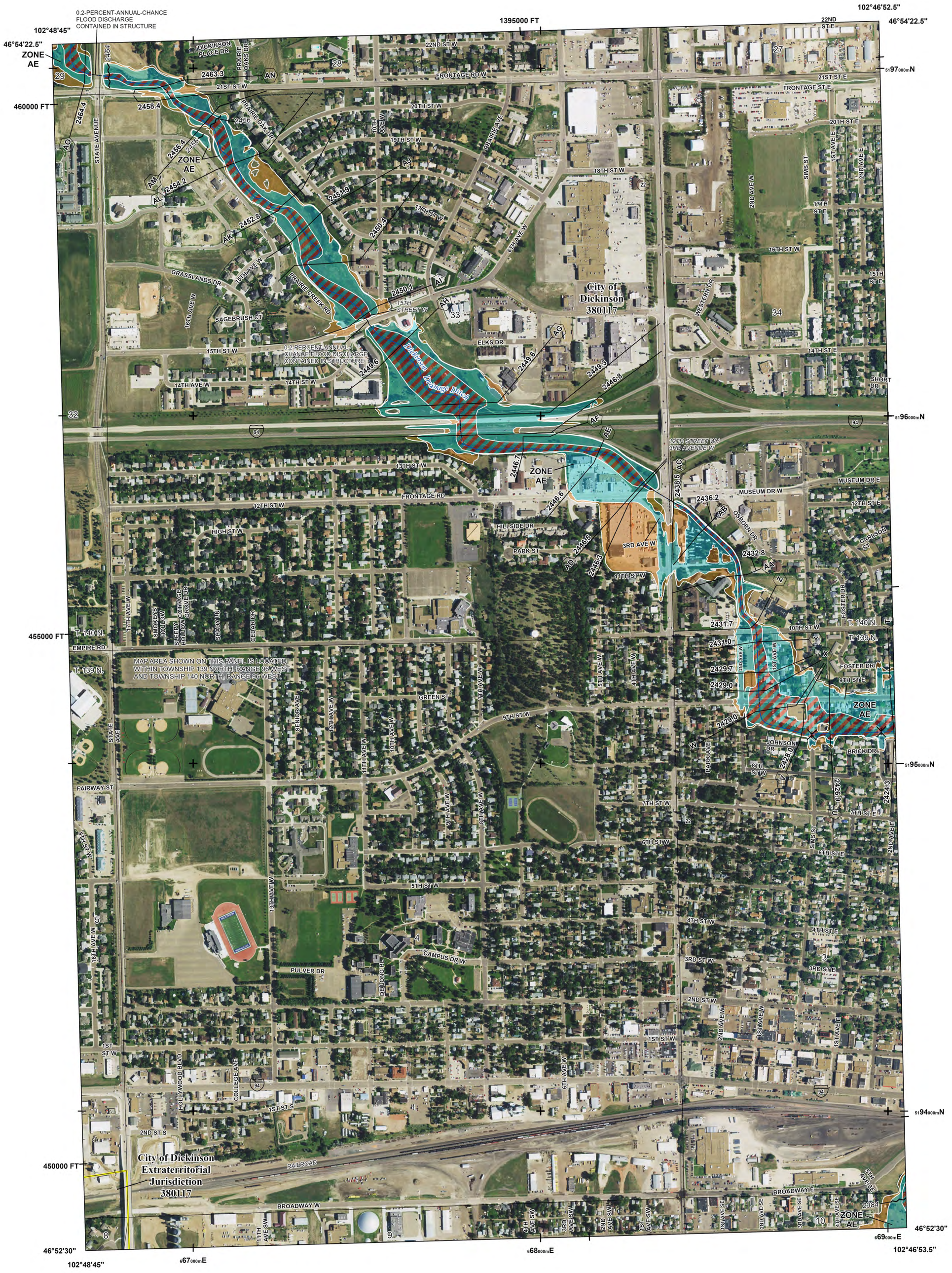
5/13/2025

1:1,648

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.06 km

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



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT

HTTPS://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) *Zone A,V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- E 18.2 / 17.5 — Cross Sections with 1% Annual Chance Water Surface Elevation
- 8 — Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Mapping and Insurance eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2019.

SCALE

N

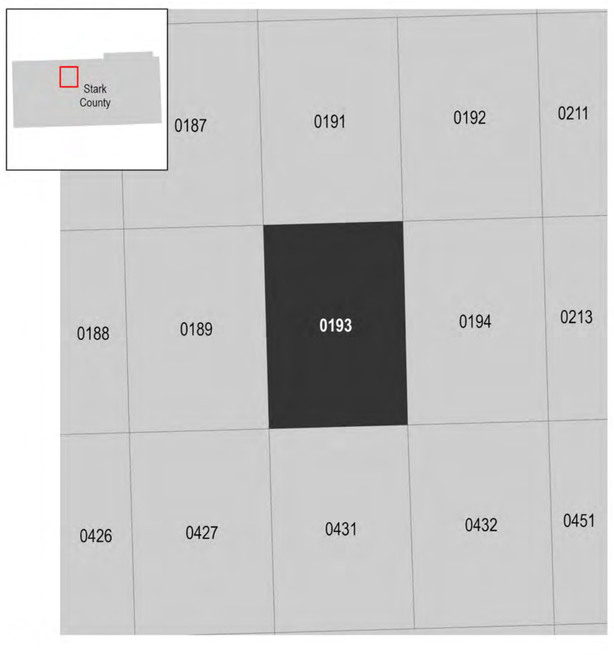
Map Projection:
Universal Transverse Mercator Zone 13N; North American Datum 1983; Western Hemisphere; Vertical Datum: NAVD 88

1 inch = 500 feet 1:6,000

0 250 500 750 1,000 2,000 feet

0 125 250 500 meters

PANEL LOCATOR





NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

STARK COUNTY, NORTH DAKOTA

PANEL 193 OF 850

FEMA

Panel Contains:

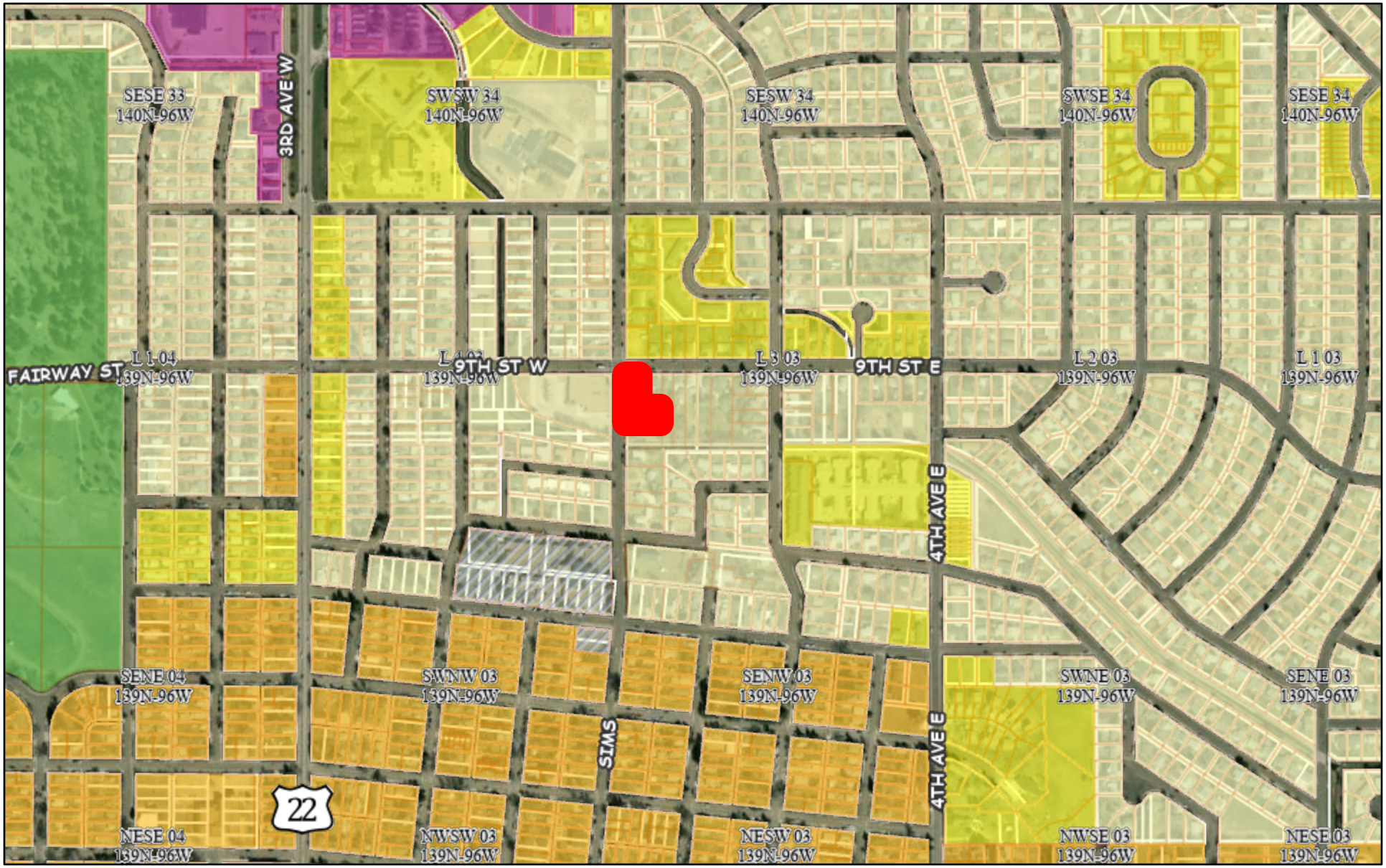
COMMUNITY	NUMBER	PANEL	SUFFIX
DICKINSON, CITY OF	380117	0193	F

VERSION NUMBER
2.5.3.6

MAP NUMBER
38089C0193F

MAP REVISED
August 28, 20[illegible]

Dickinson Zoning Map



5/13/2025

1:10,089

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Municipal Boundary
Extra Territorial Boundary
PLSS Description 12k
Dickinson Zoning
Planned Unit Development - PUD
Community Commercial - CC
Low Density Residential - R1
Medium Density Residential - R2
High Density Residential - R3
Public - P
Dickinson Tax Parcels
Lots and Easements
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
2.4m Resolution Metadata

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

Reddish Corner Addition Final Minor Plat Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: June 4, 2025
Re: **FLP-004-2025 Reddish Corner Addition Final Minor Plat**

OWNERS/APPLICANTS
Aaron & Jenna Reddish
872 Sims Street
Dickinson, ND, 58601
j.loraeperfection@gmail.com
(701) 595-2889

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

Public Hearing	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Minor Subdivision Plat for the Reddish Corner Addition Subdivision, located within the NW1/4 of Section 3, Township 139 North, Range 96 West, 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The proposed minor subdivision is a replat of a portion of Lot 1 of Block 6 of the Hilliard and Manning's Third Addition Subdivision. According to the applicant, the purpose of the proposed subdivision is to combine the properties to comply with Section 62-4771 of the Zoning Ordinance prohibiting private garages on residential lots without an existing primary structure . The two existing properties are zoned Low Density Residential (R-1), and the proposed subdivision is +/- 0.385 acres.

Staff Recommendation: Staff recommends approval of this plat.

LOCATION

The property is located within the NW1/4 of Section 3, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. This subdivision contains the existing residence at 872 Sims Street, as well as a garage located at 6 9th Street East.

The applicants reside at 872 Sims Street, which currently legally described as 50' X 125' NW corner of Lot 1, Block 6, Hilliard & Manning 3rd Addition Subdivision. The applicants purchased adjacent property to the north which currently is legally described as 50' X 125' NW corner of Lot 1, Block 6, Hilliard & Manning 3rd Addition Subdivision and which has an address of 6 9th Street East. The property with the address of 6 9th Street East was developed with a single-family residential structure and a detached garage. The applicants demolished the existing residential structure, and they want to combine this property with property they reside on.

Both properties were originally part of Lot 1, Block 6 of the Hilliard & Manning 3rd Addition Subdivision, and, like many properties in older portions of the City, they were created outside the legal subdivision process. Therefore, combining the two properties requires approval by the City Commission of a minor subdivision.

CURRENT ZONING	**R-1**
FUTURE LAND USE MAP DESIGNATION	**RESIDENTIAL**
GROSS SITE ACREAGE	**+/- 0.385 acres**
LOTS PROPOSED	**2**

ADJACENT ZONING & LAND USE		
Direction	**Zoning**	**Land Use**
North	R-2	Single-family residences; multi-family residences
East	R-1	Single-family residences
South	R-1	Single-family residences
West	R-1	Medical clinic

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 R-1 lot size is 7,500 square feet. The existing north lot does not currently meet the minimum lot size requirement, and combining these lots would bring it into code compliance. No existing structures violate any use or setback requirements laid out in the Zoning Ordinance.

The applicant has indicated a desire to build an additional detached structure on the property. Any additional structures will require a building permit to be submitted to the City. Due to the property being located within the floodplain, a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) will be required. Additionally, the applicant would be required to obtain a variance for the number of detached structures, as there are currently three detached structures located on the property.

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-004-2025: Reddish Corner 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-004-2025: Reddish Corner 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; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Date: Friday, April 4, 2025 11:26:29 AM
Attachments: United Way Pre-Application Letter.pdf
United Way Pre-Application Letter_9876.pdf
Agemarck.pdf
United Way Pre-Application Letter_1449.pdf
Agemarck_8899.pdf
Unitedway.docx
6195967479907279000_signature_19.png
6195967479907279000_signature_23.png

Jotform

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:	United Way Pre-Application Letter.pdf
Type of Development	Special Use Permit
Name	tracy tooz
Company	Tracy Tooz
Applicant Email	TRACYT@TOOZCONSTRUCTION.COM
Applicant Phone #	(701) 260-4431
Applicant Representative (if applicable)	tracy tooz
Applicant Representative Company	Tracy Tooz
Applicant Representative Email	TRACYT@TOOZCONSTRUCTION.COM
Applicant Representative Phone #	(701) 260-4431
Owner Name	tracy tooz
Owner Address	4038 3rd ave w, Dickinson, NORTH DAKOTA, 58601

Owner Email	TRACYT@TOOZCONSTRUCTION.COM
Owner Phone #	(701) 260-4431
Is the owner present to Sign	Yes
Signature	
Will this application require any other action to complete the development?	No
Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)	Existing structure

	1/4 Section	Township	Range
Description	s117	Dickinson	stark

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	3	5	lutz 1st

Property Address / General Project Location	2143 6th ave w
Total Square Footage or Acreage of Subject Property	45821
Existing Future Land Use Map Category	Commercial
Existing Zoning	CC - Community Commercial
Existing Use	Commercial
Overlay District Description	current use was retirement home zoned commercial

Special Use Permit for the following Use:	united way homeless shelter and community development housing
Site Exhibit - Not Less than 1" = 20' Scale	United Way Pre-Application Letter_9876.pdf Agemarck.pdf
Transmittal Letter (Explanation of Request & Proposed Operations)	United Way Pre-Application Letter_1449.pdf
Floor Plan if Accessory Dwelling Unit	Agemarck_8899.pdf
Rezone Calc Multiplier	0
Minor Platting Multiplier	0
Prelim Platting Multiplier	0
Major Platting Multiplier	0
Application Calc	350
Deed for Property	Unitedway.docx

Application Fees

Applicable Fees	250.00 USD

Total:	$250.00
Transaction ID:	38dpty4s

Payment Information

First Name:	tracy
Last Name:	tooz
E-Mail	TRACYT@TOOZCONSTRUCTION.COM

Applicant Signature



Date 04-04-2025

You can edit this submission and view all your submissions easily.

UNITED WAY GROUP LIVING FACILITY SPECIAL USE PERMIT (SUP-002-2025)



CITY OF Dickinson North Dakota

United Way Dickinson Manna House

Residency - Employment

I, Dakota Gant, have lived in Dickinson, North Dakota on and off since 2006, and have built strong personal and professional connections within the community. My background includes extensive experience in the oilfield industry, having worked in various roles over the years, including several years as a foreman with Wyoming Casing and five years as a Level II NDT Lead Inspector with Lonestar Oilfield Services. Most recently, I began my role with United Way Dickinson on February 1, 2024, and currently serve as the Executive Director. In this position, I am committed to supporting and strengthening our community through collaborative programs and essential services.

United Way Dickinson – Supportive Living Program Policy and Procedure Manual

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Program Purpose

The United Way Dickinson Supportive Living Program provides structured transitional housing for individuals who have stabilized from homelessness or treatment but are not yet ready for full independence. The program is designed to foster personal responsibility, life skills, and long-term stability through semi-independent living with oversight and support.

Eligibility Criteria

- Must be at least 18 years old
- Must have completed emergency shelter, treatment, or justice-involved housing phase
- Must be able to maintain basic self-care and household responsibilities
- Must demonstrate commitment to working toward independent living

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Intake Procedure

1. Referral or self-application with screening by program coordinator
2. In-person interview and assessment
3. Review of program expectations and responsibilities
4. Assignment of a Case Manager and Care Coordinator
5. Completion of intake documents and resident agreement

Program Structure

- Residents live in shared housing units with private or semi-private rooms
- Each resident follows a personalized service plan developed with their Case Manager
- Weekly meetings are held with Care Coordinators or Peer Support Specialists

- Residents are required to participate in life skills classes and peer support groups

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Resident Responsibilities

- Maintain a clean and safe living environment
- Participate in all scheduled check-ins, classes, and meetings
- Adhere to curfew and house rules
- Submit to regular alcohol and drug testing
- Follow personal goal plan with progress evaluations

Staff Roles & Oversight

- **Case Managers**: Oversee housing plans, service referrals, and progress tracking
- **Care Coordinators**: Provide day-to-day guidance and support for recovery goals
- **Peer Support Specialists**: Offer lived-experience mentorship and emotional support
- **Shelter/Program Coordinators**: Ensure adherence to program guidelines and safety protocols

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Training & Certifications

All staff involved in the Supportive Living Program will be trained in:

- Trauma-Informed Care
- Crisis De-escalation
- Overdose Response (Naloxone)
- CPR/First Aid
- Harm Reduction Principles
- HIPAA and Confidentiality
- Peer Support and Care Coordination (state-certified)

Conflict Resolution and Grievance Policy

- Residents are encouraged to resolve conflicts peacefully with staff assistance
- Formal grievances must be submitted in writing and reviewed within 5 business days
- Retaliation for filing a grievance is strictly prohibited

Discharge Policy

Residents may be discharged for:

- Acts of violence or repeated rule violations
- Refusal to participate in required services or programming
- Relapse without willingness to reengage in recovery support

Planned discharges will include a formal exit plan and referrals to permanent housing or additional services.

Program Goals

- Support individuals in maintaining sobriety and recovery
- Strengthen independent living skills
- Provide a stepping stone to permanent housing and self-sufficiency
- Foster accountability and personal growth in a supportive, structured setting

United Way Dickinson/SWMCCC Treatment policy and procedure

Program Purpose

United Way Dickinson, in partnership with **Southwest Multi-County Correction Center (SWMCCC)**, provides a full continuum of Drug and Alcohol Treatment Services. This program includes **inpatient residential treatment**, outpatient care, aftercare, and recovery support. Operated by SWMCCC, the program is designed to support long-term recovery through person-centered, evidence-based practices and accountability measures tailored for individuals with substance use disorders.

Service Eligibility

- Individuals 18 years or older
- Diagnosed with a substance use disorder or referred for evaluation
- Willing to engage in a structured treatment and recovery plan
- May be self-referred, referred by court, probation/parole, shelter program, or medical provider

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Program Components

1. **Screening and Assessment**
    - Initial intake and ASAM assessment conducted by a Licensed Addiction Counselor (LAC)
    - Individualized treatment planning based on assessed level of care
2. **Inpatient Residential Treatment (Operated by SWMCCC)**
    - Short-term stabilization and structured residential support for individuals with acute treatment needs
    - 24/7 supervision, therapeutic programming, and recovery planning
    - Daily clinical services including group therapy, individual counseling, and educational workshops

3. **Outpatient Treatment Services**
    - Level I Outpatient: 6–9 hours/week of group and individual counseling
    - Individual Therapy: One-on-one counseling with LAC or mental health provider
    - Group Therapy
    - Family Education and Support (when applicable)
4. **Aftercare Services**
    - Step-down services following primary treatment completion
    - Weekly recovery groups and check-ins
    - Continued support from Care Coordinators and Peer Support Specialists
5. **Medication-Assisted Treatment (MAT) Coordination**
    - Partnership with local MAT providers
    - Treatment plans integrate MAT support and monitoring

Client Responsibilities

- Attend all scheduled treatment sessions and assessments
- Abstain from drug and alcohol use while in the program
- Submit to random drug and alcohol testing
- Participate in assigned recovery activities (e.g., AA/NA, peer support)
- Adhere to individualized treatment and recovery plan goals

Staff Roles and Credentials

- **Licensed Addiction Counselors (LACs):** Provide all clinical services, assessments, and therapy
- **Peer Support Specialists:** Offer recovery coaching and lived-experience mentoring
- **Care Coordinators:** Help clients access resources and coordinate wraparound services

- **Clinical Supervisor (SWMCCC):** Oversees treatment compliance, ethics, and quality assurance

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Training and Certification Requirements

All staff are required to maintain the following:

- LAC licensure (ND DHS Behavioral Health Division)
- Certification in Trauma-Informed Care, Crisis De-escalation, and Harm Reduction
- CPR/First Aid and Naloxone Administration
- HIPAA and confidentiality training
- Peer Support and Care Coordination certification (if applicable)

Confidentiality Policy

- All client information is protected under HIPAA and 42 CFR Part 2
- Information will not be disclosed without written consent or legal obligation
- Staff must complete annual confidentiality and ethics training

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Discharge and Completion Criteria

- Successful discharge includes meeting treatment goals, sustained sobriety, and aftercare plan in place
- Unsuccessful discharge may occur due to non-compliance, continued substance use without engagement, or safety violations
- Discharge includes referral to other appropriate services or levels of care

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Program Goals

- Provide accessible and effective treatment for substance use disorders through SWMCCC-led services
- Support long-term recovery through ongoing engagement and education

- Promote harm reduction, wellness, and community reintegration
- Reduce relapse and recidivism through comprehensive recovery planning

United Way Dickinson – Diversion Program Services Policy and Procedure Manual

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Program Purpose

The Diversion Program Services at United Way Dickinson aim to provide an alternative to incarceration for justice-involved individuals who would benefit from treatment, case management, and supportive services. This program aligns with North Dakota's House Bill 1425, supporting prosecution-led diversion efforts and the deflection of individuals from the criminal justice system to community-based care.

Eligibility Criteria

- Individuals facing criminal charges or under pretrial supervision
- Referral from a prosecuting attorney, court, or law enforcement agency
- Willingness to participate in treatment, case management, and structured programming
- No charges involving violent crimes, Sex offfenses or significant threats to public safety (case-by-case review)

Referral and Intake Process

1. Legal referral from State's Attorney or court system
2. Screening and behavioral health assessment by United Way staff
3. Coordination with diversion team including probation officers, treatment providers, and legal counsel
4. Development of individualized diversion care plan
5. Signing of agreement outlining program responsibilities and compliance expectations

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Program Components

- **Case Management:** Weekly meetings with a Case Manager to support housing, employment, legal compliance, and behavioral health goals

- **Behavioral Health Services:** Connection to mental health and substance use treatment
- **Peer Support Services:** Weekly mentorship and accountability from trained Peer Support Specialists
- **Life Skills Education:** Training in budgeting, communication, conflict resolution, and healthy decision-making
- **Employment and Housing Support:** Access to workforce programs and housing navigation services
- **Court Coordination:** Regular progress reporting to court, prosecutor, or probation

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Participant Responsibilities

- Attend all scheduled treatment and case management sessions
- Abstain from criminal activity and substance use
- Participate in required educational or recovery activities
- Submit to random drug and alcohol testing
- Maintain communication with assigned case manager and legal supervision team

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Staff Roles

- **Diversion Coordinator:** Oversees program implementation and liaises with the legal system
- **Case Manager:** Guides the client's service plan and coordinates referrals
- **Peer Support Specialist:** Provides mentorship and emotional support based on lived experience
- **Clinical Team (as needed):** Includes Licensed Addiction Counselors and mental health providers

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Training and Certification

All staff involved in diversion programming must be trained in:

- Trauma-Informed Care and De-escalation
- Criminal justice procedures and confidentiality standards
- Overdose Response (Naloxone)
- HIPAA and 42 CFR Part 2
- Care Coordination and Peer Support Certification (if applicable)

Program Completion and Discharge

- **Successful Completion:** Met all requirements, maintained sobriety, and achieved goals outlined in the diversion plan; court charges may be reduced or dismissed
- **Unsuccessful Discharge:** Due to repeated violations, relapse without re-engagement, or failure to participate in required activities; referred back to court or probation

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Program Goals

- Provide a community-based alternative to jail or prison
- Address root causes of justice involvement including addiction, trauma, and homelessness
- Support long-term recovery, housing stability, and employment
- Reduce recidivism and promote restorative justice outcomes

House Rules and Regulations

United Way Dickinson Manna House

1. Introduction

Welcome to United Way Dickinson Manna House. Our mission is to provide safe, inclusive, and low-barrier emergency – long term temporary shelter for individuals experiencing homelessness. These rules are intended to maintain a respectful, secure, and supportive environment for all residents, staff, and visitors.

2. Admission and Accessibility

- Identification is not required for shelter access. Entry is open to anyone in need of a safe place to stay.
- Sobriety is not a prerequisite for entry. Individuals who are under the influence will not be turned away as long as they can maintain safe and respectful behavior.
- Pets are allowed. Owners must control their animals at all times and are responsible for their care and cleanup.
- Couples and families are welcomed and will be kept together whenever feasible, honoring family unity.

3. General Conduct

- Respect others' rights and dignity at all times.
- Any form of violence, threats, intimidation, or harassment will result in disciplinary action.
- Theft or intentional damage to shelter property or others' belongings is not tolerated.
- Verbal abuse, hate speech, and discriminatory remarks are prohibited.

4. Substance Use Policy

- Use or possession of illegal drugs or alcohol is not permitted on shelter property.
- Residents under the influence must behave safely and respectfully.
- Drug paraphernalia and visible substance use are not allowed within the facility.

5. Curfew and Quiet Hours

- Suggested curfew is 10:00 PM. Exceptions require staff approval.
- Quiet hours are 10:00 PM to 7:00 AM to ensure rest and privacy.
- During quiet hours, limit use of electronics and keep conversations low.

6. Guest Policy

- Visitors are allowed in common areas between 9:00 AM and 9:00 PM.
- All guests must sign in and be accompanied by their host.
- No overnight guests are allowed for safety and capacity reasons.

7. Personal Belongings

- Residents are provided with storage for their belongings.
- Valuables should be kept securely. The shelter is not responsible for lost or stolen items.
- Weapons, drugs, alcohol, and other hazardous items are strictly prohibited.

8. Chores and Cleanliness

- Residents must keep their personal and sleeping areas clean.
- Participation in shared cleaning duties is required on a rotating schedule.
- Cleanliness contributes to health, safety, and community well-being.

9. Meals

- Meals are provided daily at designated times:
- - Breakfast: 7:00 AM – 8:00 AM
- - Lunch: 12:00 PM – 1:00 PM
- - Dinner: 6:00 PM – 7:00 PM
- Food must be consumed in designated dining areas.
- Personal food must be stored in designated kitchen spaces only.

10. Health and Safety

- Medical emergencies must be reported to staff immediately.
- Tampering with fire safety equipment is prohibited.
- Smoking is only allowed in designated outdoor areas.
- Emergency exits must remain unobstructed at all times.

11. Confidentiality

- All resident information is confidential and protected.
- Information will only be disclosed with written consent or as required by law.

12. Program Participation

- Supportive services are available, including counseling and employment assistance.
- Participation is encouraged but not mandatory.
- Case managers are available to help residents set and achieve personal goals.

13. Grievance Procedure

- Residents may submit written complaints to staff or the shelter director.
- Grievances will be addressed promptly and respectfully.
- Feedback helps improve shelter operations and services.

14. Consequences of Rule Violations

- Violations may result in warnings, loss of privileges, or dismissal.
- Severe misconduct (violence, weapons, arson) may lead to immediate removal.
- Residents have the right to appeal decisions within 7 days.

15. Acknowledgment

By signing below, I acknowledge that I have read, understand, and agree to follow the House Rules and Regulations while residing at United Way Dickinson Manna House. I understand that violations may result in consequences including possible removal from the shelter.

Resident Name: _____

Signature: _____

Date: _____

United Way Dickinson – Residential Treatment Living Facility Policy and Procedure Manual

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Program Purpose

The Residential Treatment Living Facility operated by United Way Dickinson provides structured, recovery-focused housing and support for individuals with substance use disorders, particularly those involved in the justice system. The goal is to stabilize individuals in early recovery while equipping them with tools for long-term sobriety and successful reintegration into the community.

Eligibility Criteria

- Must be 18 years or older
- Must be actively participating in a substance use disorder treatment plan
- May be referred by a justice partner, treatment provider, or self-application
- Must agree to program rules and recovery-based expectations

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Admission Process

1. Referral or application with supporting treatment documentation
2. Behavioral health screening and intake interview
3. Review and signing of Resident Agreement and House Rules
4. Assignment of Case Manager and Peer Support Specialist
5. Orientation to facility, expectations, and daily schedule

Program Structure

- 24/7 supervised recovery-based living environment
- Structured daily schedule including treatment sessions, group meetings, chores, and check-ins
- Residents receive individualized recovery plans with milestones and goals

- Residents participate in a continuum of care from outpatient treatment to aftercare

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Required Program Participation

- Attendance at all clinical appointments, including outpatient treatment or therapy
- Minimum 3 peer support or recovery meetings per week (AA/NA/SMART/FTR)
- Weekly meetings with Case Manager and Care Coordinator
- Participation in life skills training and relapse prevention programming
- Random drug and alcohol testing

Resident Conduct Expectations

- Maintain sobriety at all times while in the program
- Follow all house rules and curfews
- Respect other residents and staff
- No possession of weapons, alcohol, drugs, or contraband
- Participate in community responsibilities and chores

Staff Roles and Oversight

- **Licensed Addiction Counselors (LACs):** Oversee clinical care and recovery plans
- **Case Managers:** Support legal, housing, and employment goals
- **Peer Support Specialists:** Offer lived-experience mentorship and accountability
- **Program Coordinators:** Ensure day-to-day safety, schedule adherence, and policy compliance

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Training & Certification Requirements

All staff will be trained and/or certified in:

- Trauma-Informed Care

- Crisis De-escalation
- Overdose Response and Naloxone Administration
- CPR/First Aid
- Harm Reduction
- Confidentiality and HIPAA Compliance
- Certified Peer Support and Care Coordination through ND DHS programs

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Disciplinary Actions and Relapse Protocol

- Immediate response to any confirmed use of alcohol or drugs
- Staff intervention and review with clinical and recovery team
- Possible step-down to emergency shelter or re-entry into treatment depending on behavior and willingness
- Behavior contracts may be issued for non-violent policy violations

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Graduation and Discharge Planning

- Clients will graduate after successfully completing program milestones and sustaining sobriety
- Discharge plans include:
    - Secured permanent housing
    - Employment or education connection
    - Continued outpatient or peer recovery services
    - Warm hand-offs to community support partners

Program Goals

- Support justice-involved individuals in early recovery
- Provide a structured environment for sober living and accountability
- Reduce recidivism and relapse rates through integrated care

- Prepare residents for successful, independent living in the community

United Way Dickinson Manna House
Emergency Management Plan

This Emergency Management Plan outlines detailed procedures to ensure the safety and well-being of all residents, staff, and visitors in the event of an emergency. This plan covers fire emergencies, tornadoes, natural disasters such as floods and blizzards, and overdose incidents. The goal is to provide a framework for immediate response, communication, and continuity of care during emergencies.

1. Fire Emergency Procedures

• Fire alarms, extinguishers, and sprinkler systems are installed throughout the facility and are inspected monthly.
• Evacuation maps are posted in all common areas and individual rooms.
• Residents and staff must evacuate immediately through the nearest exit.
• The designated assembly point is the west-side parking lot across the street.
• Fire drills will be conducted monthly.
• Staff are trained in the use of fire extinguishers and will assist residents in evacuation.

2. Tornado and Severe Weather Procedures

• The tornado shelter is located in the facility basement.
• In the event of a tornado warning, all residents and staff are directed to the shelter.
• Emergency kits with flashlights, water, and blankets are stored in the shelter.
• Weather alerts will be monitored by staff through NOAA radios and mobile alerts.
• Tornado drills are conducted quarterly.

3. Other Natural Disasters (Floods, Blizzards)

• The facility will follow local emergency guidance.
• A 72-hour supply of food, water, and medical essentials is maintained on-site.
• A generator provides backup power for essential lighting and heating.
• Shelter-in-place orders will be followed, and staff will update residents on the situation.
• Coordination with local emergency services will be maintained throughout the event.

4. Overdose Response Plan

• All staff are trained in identifying symptoms of overdose (e.g., slow breathing, unresponsiveness).
• Naloxone (Narcan) is available at the front desk and carried by all on-duty staff.
• In the event of suspected overdose:
  - Call 911 immediately.
  - Administer Naloxone if trained to do so.
  - Monitor the resident until emergency services arrive.

- Complete an incident report.

• Harm reduction education and support are offered to residents.

5. Emergency Contacts and Communication

• Emergency contact numbers are posted in every room.
• Each resident's emergency contact is collected upon intake.
• A communication tree system is in place to ensure rapid staff coordination.
• Public information is disseminated via designated media spokesperson if necessary.

6. Staff Roles and Responsibilities

• Shelter Director: Coordinates overall response and communicates with emergency services.
• On-Duty Staff: Leads evacuation/sheltering efforts and conducts headcounts.
• Security: Ensures safe exit and secures building.
• Medical Liaison: Administers first aid and documents incidents.

7. Training and Drills

• Staff receive annual training in emergency response, CPR, and overdose intervention.
• Residents are briefed on emergency procedures at intake.
• Fire drills occur monthly; tornado and overdose drills quarterly.
• Feedback from drills is reviewed and integrated into the plan.

Community Program

A Division of the Southwest Multi-County Correction Center
St. Joe's Plaza 30 7th Street West Suite 1F-120
Dickinson, ND 58601 Telephone: 701-483-0101

At the SWMCCC Community Treatment Program, we currently have 1 full time LCAC, 1 part time LAC, 2 trained and certified Care Coordinators, 2 trained and certified Peer Support Specialists and 1 CSP officer. We are licensed in the state of North Dakota to provide 2.1 and Level 1 ASAM Aftercare.

At the community treatment program we offer a comprehensive set of services designed to support individuals in their recovery and successful reintegration into society. **Chemical dependency services** provide both outpatient treatment for individuals struggling with substance use disorders focusing on education, and relapse prevention. **Peer support** involves trained individuals with lived experience offering mentorship and encouragement throughout recovery. **Cognitive restructuring programming** helps clients recognize and change harmful thought patterns to support better decision-making and emotional regulation. **Anger management** programs teach individuals to identify triggers and develop healthy coping strategies to manage frustration and conflict. **Within My Reach** is a relationship education program that equips clients with skills to build and maintain healthy, stable personal relationships. Additionally, the program offers various **reentry services** tailored to client needs, including housing assistance, employment readiness, life skills training, and continued mental health support to aid in a successful transition back into the community.

Our facility, whole heartedly supports this avenue in utilizing the old Evergreen building, to provide a safe and stable environment for individuals who are suffering with substance abuse disorders. Having the ability for programs to work together, some under the same roof, will make it more possible for those in our community and surrounding area, be more successful and positive members of our society. This new program can offer much of what is needed, especially on this side of the state, in which reentry programs are almost non-existent. What we are currently doing is not working, therefore, something needs to change. By making this change and providing this program the ability to produce a new program, in Dickinson, ND, can provide the change that needs to be done on this side of the state, to make what we are currently doing, work.

Thank you for your time.

Allison Wanner, MS LCAC
Clinical Director

United Way Dickinson Manna House

Low-Barrier Shelter Policies and Procedures

Admission

Policies

- Our goal is to provide emergency shelter – long-term temporary shelter to the most vulnerable people in our community.
- To enter shelter, clients are not required to be sober, compliant with mental health or addiction treatment plans, or to engage in services.
- Gender is self-identified, and clients will be placed with the gender they identify as.

Admission will be denied for the following reasons:

- Client does not meet the basic eligibility criteria for shelter admission (e.g. gender, age, household composition, homeless status);
- Client has a restraining order against them that prohibits admission;
- Client is displaying violent or threatening behavior;
- Client is not ambulatory enough to get in and out of bed on their own, as well as take care of bathroom and hygiene needs independently; or
- Client has an infectious disease or appears to otherwise be ill and poses a threat to themselves and other clients.

Procedures

- During intake, clients will be asked if they have any weapons, drugs, or alcohol to dispose of.
- Clients will sign an "expectations form" acknowledging they understand expectations of behavior, criteria for involuntary exit, and grievance procedures. Expectations will be read aloud to the client.
- Clients denied access to shelter will be referred to other community services.

Client Expectations

Clients are expected to:

- Demonstrate responsibility for themselves, their actions, and their housing plan.

- Abstain from behavior that is disruptive and unacceptable to others. Examples include: verbal, physical, or sexual harassment, threats and/or violent behavior, nudity, possessing weapons, drug dealing, etc.
- Keep bed and common areas clean. Excessive damage to the building may result in involuntary exit from shelter.
- Smoke only in designated areas.
- Attend resident meetings.
- You are responsible for your belongings and may not buy, trade and/or sell your belongings with others.
- Weapons are not allowed in shelter and nothing may be used as a weapon.
- Possession, use, or distribution of alcohol or illegal drugs is not allowed within the shelter.

Involuntary Exit

Policies

- Involuntary exits will be for no longer than one night unless deemed necessary for the health and safety of clients or staff.

- Involuntary exits will occur only as a last resort and in the most serious cases.
- Unless the client poses an immediate threat to the health and safety of other residents and/or staff members, staff will avoid involuntarily exiting clients at night.
- Unless the client poses an immediate threat to the health and safety of other residents and/or staff members, involuntary exits must be approved by a supervisor. During hours that there is no supervisor on site, a supervisor will be on call to approve involuntary exits.
- Client's belongings will be stored for at least five working days after a client is involuntarily exited.

Clients will be exited involuntarily for the following reasons:

- Violence or threatening behavior;
- Behavior that endangers health or safety of the client, residents or staff;
- Theft;
- Destruction of property;
- Client is not able to be ambulatory enough to get in and out of bed on their own, as well as take care of bathroom and hygiene needs independently; or
- Client has an infectious disease or appears to otherwise be ill and poses a threat to themselves and other clients.

Clients will ***not*** be involuntarily exited for the following reasons:

- Not participating in services;
- Not completing a chore; or
- Being under the influence of alcohol and drugs.

Procedures

- Staff will call the police in the case of an immediate threat to the health and safety of other residents and/or staff members.
- Staff will attempt to verbally de-escalate conflicts.
- Clients will be provided with opportunities for cooling off such as going for a walk and coming back into shelter or switching bed locations if feasible.
- Clients may be asked to move beds or rooms in the case of conflicts with other clients.
- Clients not meeting the Client Expectations will be asked to meet with a staff person in private. The staff will outline which of the expectations they feel is not being met. The staff will ask the client what may be needed to help the client achieve the expectation on an

ongoing basis. Whenever possible, staff will coach clients on how to meet the expectations rather than punishing the client (exiting them involuntarily) for not meeting the expectation.

- If a client must be involuntarily exited, clients will be provided with a written copy of the grievance procedures.
- All involuntary exits will be documented in case notes.

Alcohol or Drugs

Policies

- People who experience homelessness, like other members of our community, may be using substances to varying degrees. Everyone is entitled to shelter whether or not they use substances. As a result, admission, discharge, and service restriction policies will not be based on substance use alone.
- Clients that use alcohol or any other substances are welcome to use the shelter so long as the client is independently mobile (can get to their bed on their own) and is able to meet the Client Expectations described above.

Procedures

- Clients that have been observed as going to bed under the influence will be checked in on once per hour by staff, within close enough proximity that breath sounds can be heard or breathing can be seen in the chest.
- Staff will call 911 immediately if a client requests emergency medical assistance, is struggling to breath, has stopped breathing, or does not respond to stimuli such as shouting or touch.
- Clients causing a significant disturbance to other guests while under the influence of alcohol or any other substance will be asked to refrain from doing so and return to their bed and go to sleep. If they are unwilling to do so or incapable of doing so, they may be asked to move or sit in view of staff.
- Clients that become violent while under the influence of alcohol or any other substance will be treated the same as any other guest that engaged in violent behavior.
- If alcohol or drugs are found in shelter, clients will be given the opportunity to dispose of it or leave the shelter for that night. Possession of alcohol or drugs along is not a reason for involuntary exit.

UNITED WAY

4/10/2025

Dear City of Dickinson,

I, Dakota Gant, Executive Director of United Way Dickinson, hereby authorize the City of Dickinson or its designated agents to conduct a comprehensive background check as part of the application process for a Special Use Permit currently under consideration

Sincerely,

Dakota Gant

Dakota Gant
Executive Director, United Way Dickinson

135 Sims St. #209 | 701-483-1233 | www.dickinsonunitedway.org

United Way Dickinson Manna House

On-Site Security Plan

1. Purpose

The purpose of this security plan is to ensure the safety and security of all residents, staff, volunteers, and visitors at United Way Dickinson's Manna House. This plan outlines the measures and procedures in place to prevent, respond to, and manage security incidents while supporting the facility's low-barrier, trauma-informed model.

2. Security Personnel

- Manna House will maintain staff presence 24/7, including overnight supervisory coverage.
- A designated staff member will be responsible for safety oversight during each shift.
- If necessary, contracted security professionals may be brought in during peak hours or incidents of increased risk.
- All staff will receive basic de-escalation, crisis intervention, and trauma-informed care training.

3. Access Control

- All entry doors will remain secured and accessible via staff keycard or keypad.
- Guests and new residents must check in at the designated entry point with staff present.
- Identification is not required for residents at check-in, but an internal log is kept to track occupancy and ensure safety.
- Visitors must be pre-approved, sign in at the front desk, and remain in common areas unless otherwise authorized.

4. Surveillance and Lighting

- Security cameras are installed at all entry points, hallways, and common areas.
- Live footage is viewable by staff during their shift in all public areas.
- Exterior lighting will be maintained around all building access points and walkways to discourage loitering and enhance visibility.

5. Incident Reporting and Response

- All security incidents are logged in the facility's Incident Report Log within 24 hours.
- Staff are trained to de-escalate conflicts using trauma-informed practices prior to removal or exclusion of individuals.
- Immediate threats to safety will result in a 911 call and coordination with Dickinson Police Department.
- A staff member will accompany individuals asked to leave the premises and offer resource referrals when possible.

6. Coordination with Law Enforcement and Community Partners

- Manna House maintains open lines of communication with the Dickinson Police Department, Sheriffs Department, Fire Department, and local EMS.
- On site visits by Community Police officers will be encouraged to build positive relationships.
- When criminal activity occurs, law enforcement is contacted immediately.
- Residents will not be criminalized for poverty-related circumstances unless there is imminent risk to others.

7. Resident Safety Monitoring

- Regular headcounts are conducted during intake and curfew hours.
- Hourly wellness checks are conducted overnight, particularly for individuals under the influence or with health concerns.
- Gender-affirming placements are respected, and any roommate concerns are addressed immediately to ensure psychological safety.

8. Emergency Contacts

- Emergency: 911
- Dickinson Police Department
- United Way Dickinson Emergency Line

Revenue -

Financial Summary – United Way Dickinson & Southwest Multi-County Correction Center (SWMCCC)

Subject: Revenue Projection for Supportive Housing and Program-Based Services

United Way Dickinson, in partnership with Southwest Multi-County Correction Center (SWMCCC), presents the following revenue projections based on supportive housing capacity and program-based reimbursement opportunities. This summary is intended to support financial planning, sustainability goals, and transparency with city and community stakeholders.

Supportive Housing Revenue Projections

United Way Dickinson will operate 30 supportive housing units on the third floor of the former Evergreen building. Residents will be long-term participants in the program and will contribute income-based rent.

The table below outlines projected revenue at quarter, half, and full capacity:

Occupancy Level	Units Occupied	Monthly Rent Revenue	Total Annual Revenue
Quarter Capacity	7	$3,500	$42,000
Half Capacity	15	$7,500	$90,000
Full Capacity	30	$15,000	$180,000

Free Through Recovery / Community Connect Projections

In addition to supportive housing, United Way Dickinson is positioned to generate sustainable revenue through active client participation in **Free Through Recovery (FTR)** and **Community Connect**, both of which reimburse up to $520 per participant, per month. The table below outlines potential monthly and annual revenue based on varying levels of program participation:

Occupancy Level	Clients Served	Monthly Revenue	Annual Revenue
Quarter Capacity	10	$5,200	$62,400

Half Capacity	20	$10,400	$124,800
Full Capacity	40	$20,800	$249,600

This model provides United Way Dickinson with additional sustainable income streams while ensuring essential peer support and care coordination services are accessible to clients on their recovery journey.

Treatment & Recovery Service Revenue (SWMCCC)

SWMCCC will operate the licensed substance use treatment program, offering a full continuum of care. These services are billable through Medicaid, Medicaid Expansion, the SUD Voucher system, private insurance (United Healthcare, Sanford, IHS), and other sources.

The table below outlines projected annual revenue at quarter, half, and full capacity:

Occupancy Level	3.5 Inpatient Treatment	3.1 Inpatient Treatment	2.1 Intensive Outpatient	Aftercare (In-Person)	Aftercare (Telehealth)	Chemical Dependency Evaluations	Total Annual Revenue
Quarter Capacity	$670,551.83	$125,000.00	$119,895.36	$10,258.56	$10,258.56	$8,186.40	$944,150.71
Half Capacity	$1,341,103.66	$250,000.00	$239,790.72	$20,517.12	$20,517.12	$16,372.80	$1,888,301.42
Full Capacity	$2,682,207.32	$500,000.00	$479,581.44	$41,034.24	$41,034.24	$32,745.60	$3,776,602.84

Total Combined Revenue

Occupancy Level	Supportive Housing	FTR/Community Connect	SWMCCC Treatment	Total Annual Revenue
Quarter Capacity	$42,000	$62,400	$944,150.71	$1,048,550.71
Half Capacity	$90,000	$124,800	$1,888,301.42	$2,103,101.42
Full Capacity	$180,000	$249,600	$3,776,602.84	$4,206,202.84

Potential Grant Funding Opportunities

Operating a comprehensive treatment and supportive housing facility opens the door to numerous grant opportunities at both the state and federal levels. These funding sources can further enhance service delivery, cover capital improvements, support staff salaries, and provide ongoing operational support.

Federal Opportunities:

- **SAMHSA Grants** (Substance Abuse and Mental Health Services Administration): Funding for mental health and substance use programs, including Certified Community Behavioral Health Clinics (CCBHC).
- **HUD Continuum of Care (CoC) Program:** Supports permanent supportive housing, transitional housing, and rapid rehousing services.
- **Department of Justice Second Chance Act:** Funds reentry programs for justice-involved individuals.
- **HRSA Health Center Grants:** Support for health care access, including behavioral health in underserved communities.
- **Medicaid 1115 Waivers:** Innovative care delivery models for Medicaid-eligible populations.

State Opportunities (North Dakota):

- **North Dakota Department of Health and Human Services Behavioral Health Division Grants:** Includes State Opioid Response (SOR), PATH (Projects for Assistance in Transition from Homelessness), and Community Connect funding.

- **North Dakota Housing Finance Agency (NDHFA):** Housing development grants and rental assistance resources.
- **Free Through Recovery / Community Connect Reimbursement Programs:** Ongoing per-client funding for case management and peer support.
- **ND Emergency Solutions Grant (ESG):** Support for shelter operations and rapid rehousing.

By leveraging these funding opportunities alongside projected program revenue, United Way Dickinson and SWMCCC can create a financially resilient model that supports long-term recovery, housing stability, and community safety.

Conclusion

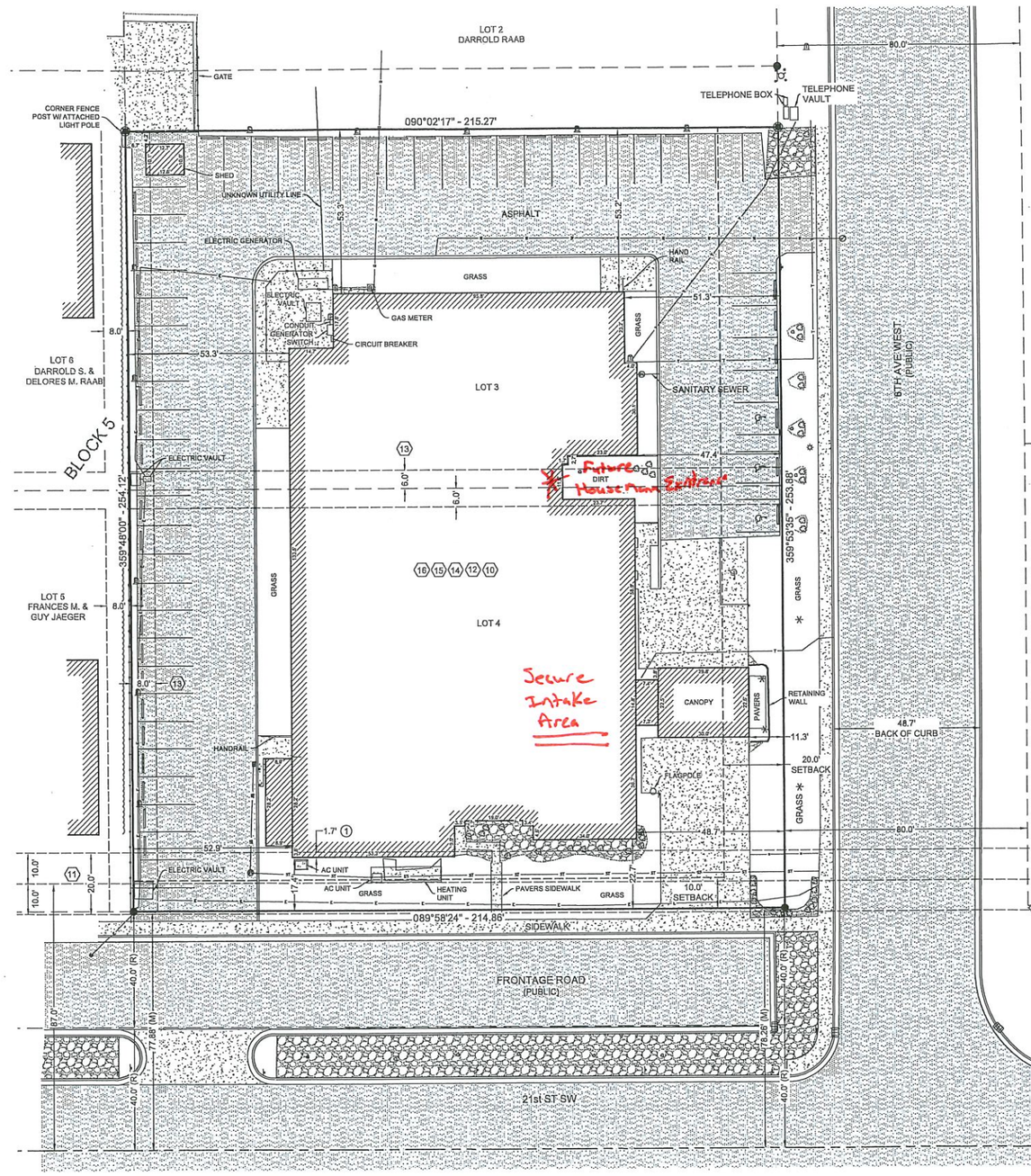
These combined services and housing supports form a financially sound foundation for sustainable programming. Revenue streams will come from a mix of rent contributions, state reimbursement programs, and clinical service billing, ensuring long-term viability and a reduced burden on city or emergency services.

Both United Way Dickinson and SWMCCC remain committed to fiscal responsibility, transparency, and high-quality service delivery for vulnerable populations in Dickinson and the surrounding region.

Dakota Gant, Executive Director
United Way Dickinson
5/21/2025

ALTA/ACSM LAND TITLE SURVEY

THE SOUTH ONE HUNDRED SEVENTEEN FEET (S. 117 FEET) OF LOT THREE (3) AND ALL OF LOT FOUR (4), BLOCK FIVE (5), LUTZ'S FIRST ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA.



56- Parking Spots

Future over Flow Parking Agreement with Southwest District Health

SURVEYORS CERTIFICATE

The undersigned, being a registered surveyor of the State of North Dakota certifies to WALKER & DUNLOP, LLC, FANNIE MAE, its successors and assigns, EVERGREEN DICKINSON, LLC, STEFAN FINANCIAL, and OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ITS SUCCESSORS AND ASSIGNS as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a)(b), 7(a), 8, 9, 10, 11(a)(b), 13, 16, 20 of Table A thereof. The field work was completed on April 11, 2014.

Date of Plat

William J. Haddick
ND Professional Land Surveyor No. 6294

LEGAL DESCRIPTION:

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. D116083.
THE LAND REFERRED TO IN THE COMMITMENT IS DESCRIBED AS FOLLOWS:
THE SOUTH ONE HUNDRED SEVENTEEN FEET (S. 117 FEET) OF LOT THREE (3) AND ALL OF LOT FOUR (4), BLOCK FIVE (5), LUTZ'S FIRST ADDITION TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, RECORDED IN BOOK 4 OF PLATS, PAGE 55, AS DOCUMENT NO. 197418.

RECORD OWNER:

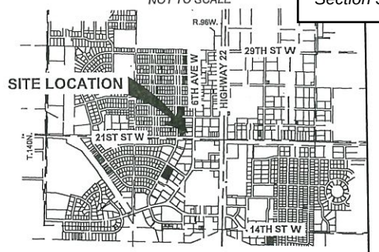
THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO IN THIS COMMITMENT IS:
FEE SIMPLE
TITLE TO THE FEE SIMPLE ESTATE OR INTEREST IN THE LAND IS AT THE EFFECTIVE DATE VESTED IN: EVERGREEN DICKINSON, LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
Commitment Number: D116083
Effective Date: APRIL 4, 2014 at 7:59AM

ALTA/ACSM "TABLE A" ITEMS

1. THE PROPERTY CORNERS HAVE BEEN FOUND AND/OR SET AS SHOWN HEREON.
2. THE ADDRESS FOR THE DESCRIBED PROPERTY IS: 2143 6TH AVENUE WEST, DICKINSON, ND 58601
3. THE LAND AREA IS IN ZONE X, AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. INFORMATION OBTAINED FROM FEMA MAP 38089C0193E, EFFECTIVE DATE OF NOVEMBER 4, 2010.
4. PARCEL CONTAINS 54626 SQUARE FEET OR 1.254 ACRES.
6(a). CURRENT ZONING IS COMMUNITY COMMERCIAL.
ZONING ORDINANCE FOUND AT http://www.dickinsongov.com/ ON APRIL 16, 2014.
(b). BUILDING SETBACK REQUIREMENTS:
FRONT YARD: 20 FEET. STREET SIDE YARD: 10 FEET. INTERIOR SIDE YARD: 0 FEET.
REAR YARD: 0 FEET. MAXIMUM BUILDING COVERAGE: 60%.
ZONING ORDINANCE FOUND AT http://www.dickinsongov.com/ ON APRIL 16, 2014.
7(a). EXTERIOR DIMENSIONS OF EXISTING BUILDING AT GROUND LEVEL AS OF APRIL 1ST, 2014.
8. SUBSTANTIAL FEATURES OBSERVED DURING THE SURVEY ARE AS SHOWN HEREON.
9. PARKING LOT CONTAINS 4 HANDICAP SPACES, 4 EXTRA WIDTH SPACES AND 41 STANDARD PARKING SPACES W/ CURB STOPS, PLUS 2 ADDITIONAL STRIPED SPACES.
10(a). NO DIVISION AND/OR PARTY WALLS WERE LOCATED ON PROPERTY.
11(a). UTILITIES WERE LOCATED AND MARKED THROUGH "NORTH DAKOTA ONE CALL" TICKET NUMBER 14020168 (TEL: 800-795-0555) (WEB SITE: WWW.NDONECALL.COM)
(b). UTILITIES WERE SURVEYED PER FOUND EVIDENCE AND AS MARKED BY NORTH DAKOTA ONE CALL AS OF APRIL 11, 2014
13. NAMES OF ADJOINING OWNERS OF PLATTED LANDS FOUND AT http://www.dickinson.gisworkshop.com/# ON APRIL 17, 2014.
16. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
20. PLASTIC FENCE APPEARS TO FALL WITHIN THE ADJACENT 8' UTILITY EASEMENT ON THE WEST SIDE OF PARCEL.

VICINITY MAP

NOT TO SCALE



LEGEND

EXISTING	ITEM
	AC LS3214 FOUND
	REBAR FOUND
	SANITARY CLEANOUT
	BOLLARD
	SHRUBS
	ELECTRIC PEDESTAL
	TELEPHONE PEDESTAL
	EVERGREEN
	GAS METER
	SIGN
	LIGHT POLE
	CATCH BASIN
	STORM MANHOLE
	WATER SERVICE VALVE
	HYDRANT
	CURB STOPS
	6" VERTICAL CURB
	WOODEN FENCE
	EASEMENT LINE
	UNDERGROUND GAS LINE
	UNDERGROUND TELEPHONE LINE
	UNDERGROUND ELECTRICAL LINE
	PLASTIC FENCE
	PROPERTY LINE
	UNDERGROUND STORM LINE
	UNDERGROUND WATER LINE
	EDGE OF GRAVEL
	SECTION LINE
	ADJACENT LOT LINE
	SETBACK LINE
	TREE LINE
	EXISTING BUILDING
	GRAVEL SURFACE
	CONCRETE SURFACE
	ASPHALT SURFACE
(R)	RECORD
(M)	MEASURED

SCHEDULE B EASEMENTS & AGREEMENTS

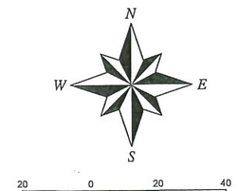
EASEMENT NO.	RECORDATION INFO.	PURPOSE	LOCATION ON SHEET
(10)	BOOK A191 OF MISC., PAGE 525 AS DOCUMENT NO. 199948	DECLARATION OF RESTRICTIVE COVENANTS	ALL OF BLOCK 5
(11)	BOOK A130 OF MISC., PAGE 735 AS DOCUMENT NO. 159312	RIGHT OF WAY EASEMENT	LIES IN AND AFFECTS SAID PROPERTY ALONG THE SOUTH SIDE OF PARCEL; 20' WIDE ELECTRICAL & RELATED SERVICES EASEMENT
(12)	BOOK A135 OF MISC., PAGE 453 AS DOCUMENT NO. 162082	PIPELINE EASEMENT	PIPELINE EASEMENT AFFECTS SAID PROPERTY; LOT 3, BLOCK 5 CANNOT BE SHOWN WITH SPECIFICITY.
(13)	BOOK 4 OF PLATS, PAGE 55 AS DOCUMENT NO. 197418	EASEMENTS AND DEDICATIONS	A 6' UTILITY EASEMENT ALONG THE NORTH LINE OF LOT 4 A 6' UTILITY EASEMENT ALONG THE SOUTH LINE OF LOT 3 A 8' UTILITY EASEMENT ALONG THE WEST LINE OF LOTS 3&4
(14)	BOOK A295, PAGE 12-15 DOCUMENT NO. 278577	ASSUMPTION OF LIABILITIES AGREEMENT	N/A CANNOT BE SHOWN WITH SPECIFICITY
(15)	BOOK A389, PAGE 567-584 DOCUMENT NO. 335707	CONSENT AND ASSUMPTION AGREEMENT	N/A CANNOT BE SHOWN WITH SPECIFICITY
(16)	DOCUMENT NO. 3038687	REAL ESTATE MORTGAGE	N/A CANNOT BE SHOWN WITH SPECIFICITY

NOTES:

(1) POSSIBLE ENCROACHMENT OF THE BUILDING INTO THE RIGHT OF WAY EASEMENT ALONG THE SOUTH END OF THE PROPERTY.

HORIZONTAL DATUM:

LOCAL SITE
WGS 1984
UNITS: US FOOT



Rev'd. May 19, 2014

ALTA SURVEY EVERGREEN DICKINSON, LLC 2614 TELEGRAPH AVE, BERKELEY, CA 94704	SHEET NO. 1 OF 1
KLJ	ALTA/ACSM LAND TITLE SURVEY THE SOUTH 117 FEET OF LOT 3 AND ALL OF LOT 4, BLOCK 5 LUTZ'S FIRST ADDITION CITY OF DICKINSON, NORTH DAKOTA

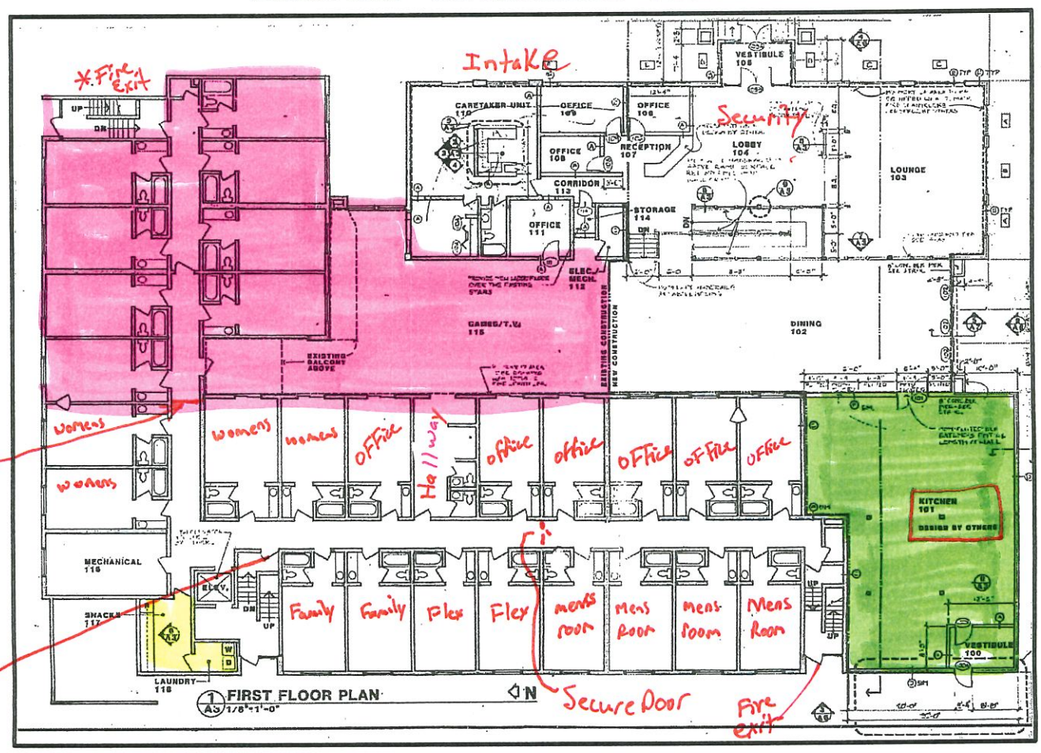
DRWN. BY	CHK'D BY	PROJECT NO.	DATE
REJ	JRJ	3614125	4/25/2014

©KLJ 2014

May 19, 2014 - 8:44am - P:\Private\ND\City\Dickinson\3614125 - Evergreen ALTA Survey\CADD\3614125-EvergreenAlta.dwg

FLOOR PLANS – THE KENSINGTON – FIRST FLOOR

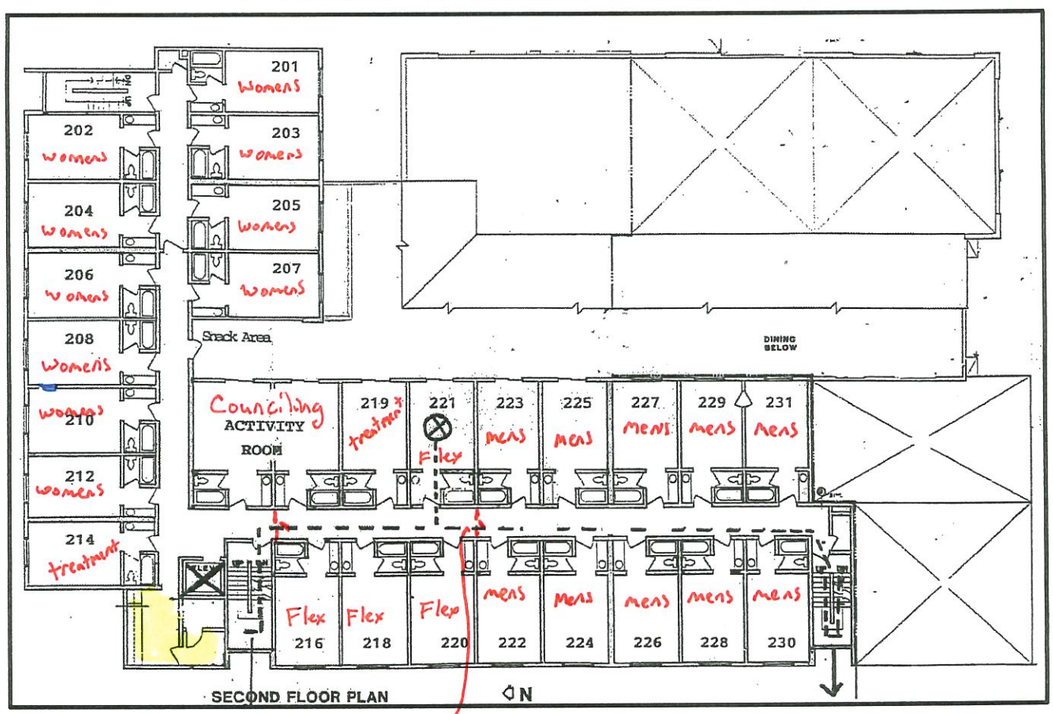
- Pink Proposed House of Mana.
- Green Kitchen
- Yellow Laundry



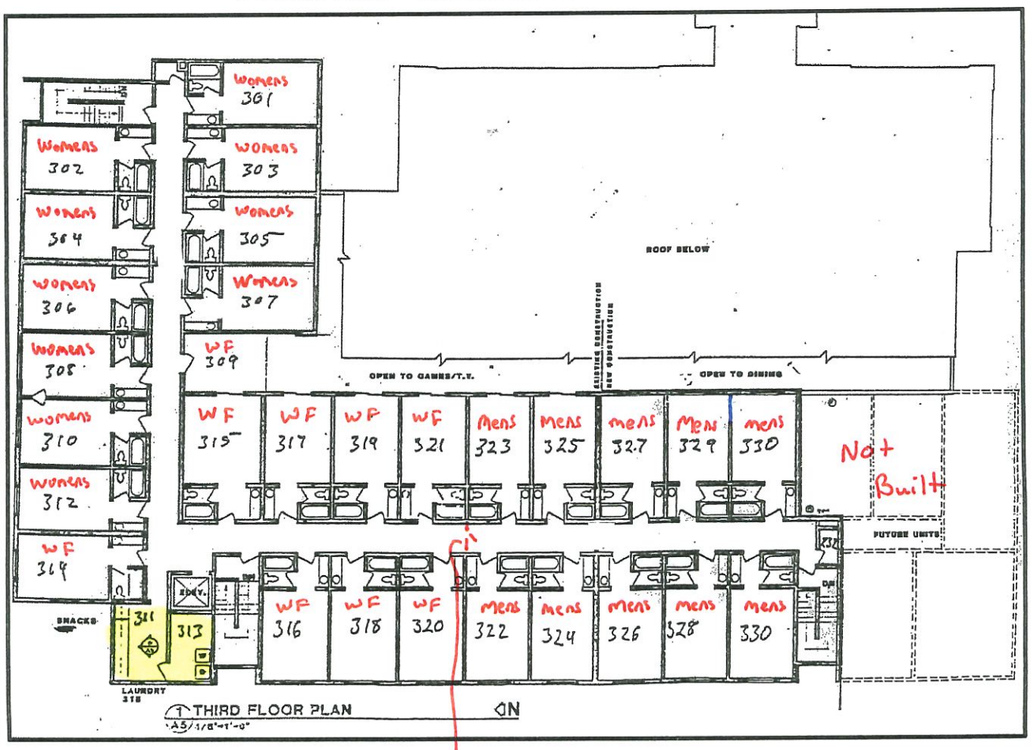
FLOOR PLANS – THE KENSINGTON – SECOND FLOOR

2nd Floor
Inpatient Services

10 – mens Rooms
10 – womens Rooms
4 – Flex
3 – treatment.



FLOOR PLANS – THE KENSINGTON – THIRD FLOOR



Secure Door

Transitional Care -

10 - men

10 - women

5 - Family

5 - Flex

Facility Use Plan: United Way Dickinson Multi-Purpose Facility

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Overview

This 3-floor, 79-room facility is designed to provide a safe, structured, and trauma-informed environment for individuals and families facing homelessness, addiction, or justice system involvement. Services include:

- Low-barrier emergency shelter
- Inpatient and outpatient drug and alcohol treatment
- Transitional and supportive housing
- Secure, gender-separated living quarters
- Private rooms with individual showers and restrooms
- Access to a commercial kitchen shared by all residents
- A secured, designated space for House of Manna (nonprofit partner)

1st Floor – Emergency Shelter & House of Manna (13 Rooms + Shared Facilities)

This floor serves as the **intake level**, housing the emergency shelter, central kitchen, shared services, and House of Manna.

Emergency Shelter Room Allocation (13 Rooms):

- **5 rooms** for **single men** – secured male-only wing
- **6 rooms** for **women and/or families** – located in a separate, secured corridor
- **2 flexible use rooms** – ADA-accessible or used for overflow, based on gendered need
- **6 rooms** for staff offices

Additional First Floor Features:

- **Commercial kitchen** – accessible to Kitchen staff only
- **Dining Room** - accessible to all residents and program participants
- **Laundry room**

- **Private restrooms/showers in every room**
- **Staff office and intake desk** for 24/7 check-in, safety monitoring, and support
- **Quiet/decompression space**
- **Security station** with visibility of entrances and hallway monitors

House of Manna – Dedicated and Secured Area: Designed to serve the public

- Located in a **designated wing of the 1st floor**, separate from shelter sleeping areas
- Provides **household items, hygiene kits, bedding, and essential supplies** to individuals and families in need
- **Secured with monitored access**—only open during service hours and staffed independently
- Access restricted to clients and community members accompanied or cleared by staff
- Entry and exit monitored via **camera and staff presence** to maintain confidentiality and safety

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2nd Floor – Inpatient Treatment Services (24 Rooms)

Designed as a licensed treatment floor for individuals in structured recovery from substance use disorders.

Room Allocation:

- **10 rooms** for **men in residential/inpatient treatment**
- **10 rooms** for **women in residential/inpatient treatment**, secured from men's wing
- **4 flex rooms** for overflow or staff

Program Features:

- **Private showers in each room**
- Group and individual counseling rooms
- Case management and peer recovery offices
- Secured hallway separation between men's and women's living wings

3rd Floor – Transitional & Supportive Housing / Outpatient Services (42 Rooms)

Supports individuals and families working toward long-term stability and permanent housing, including those in outpatient care.

Room Allocation:

- **10 rooms** for **single men**
- **10 rooms** for **single women**
- **5 rooms** for **women with children or families** (family wing)
- **5 rooms** for **overflow, flexible use, or staff**

Floor Features:

- **All rooms include private bathrooms with showers**
- Family wing has secured access and family-friendly features
- Shared living space, study/workroom, and play area for children
- Life skills classroom (budgeting, parenting, employment readiness)
- Case management and outpatient counselor offices
- Access to 1st floor commercial kitchen for meal prep
- Peer recovery and resident council meeting rooms

Cross-Cutting Features and Design Notes

- **Each room in the facility includes its own private shower and bathroom**
- **Key fob access** is required for entry into gender-specific and staff-only zones
- **Security cameras** are installed in common areas, hallways, and entrances (never in sleeping areas or bathrooms)
- **Trauma-informed design** ensures residents feel safe, respected, and in control of their space
- **Family unity is prioritized**, with no separation of children from parents unless for safety

- **Fire exits, emergency lights, and disaster procedures** are in place throughout the building on each floor.

Licensing & Program Compliance

This facility will meet all required standards for:

- Emergency shelter operations
- Inpatient and outpatient drug/alcohol treatment licensing
- Transitional and supportive housing regulations
- HIPAA and confidentiality for clinical services
- ADA accessibility and building safety codes

Operations Summary: Facility Staffing & Functionality by Capacity Level

United Way Dickinson's multi-purpose residential facility is designed to operate with flexibility while maintaining core safety, support, and treatment services. The following outlines how the facility will function under different levels of occupancy and staffing—**maximum capacity**, **half capacity**, and **quarter capacity**—ensuring efficient use of space and resources without compromising client care.

---

1. Operations at Maximum Capacity

Occupancy:

- Full use of all 79 rooms (emergency shelter, inpatient treatment, transitional housing)
- Up to 12 clients per treatment group
- All residential wings active (men, women, families)

Staffing Levels:

- Full-time facility director and clinical supervisor on site
- 2–3 licensed addiction counselors
- 4–6 case managers/Care Coordinators for treatment and housing navigation
- 4–6 peer support specialists and/or residential aides (day/evening coverage)
- 2 overnight staff daily
- 4–6 security personnel rotating for 24/7 coverage
- Full kitchen staff (2–3)
- admin support (1–2)

Operations:

- 24/7 security coverage on all floors with at least one staff member in each major zone
- In-person and telehealth services running concurrently

- All programs active: inpatient, outpatient, aftercare, peer support, and shelter intake
- Daily groups, vocational training, case management, and clinical services
- Facility-wide access to commercial kitchen, laundry, House of Manna, and classrooms
- Daily janitorial and meal service, along with security checks and incident response
- Active coordination with police, health providers, and community partners

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2. Operations at Half Capacity

Occupancy:

- Roughly 35–40 rooms in use (priority to emergency shelter, inpatient treatment, families)
- Smaller or fewer treatment groups (6–8 clients)
- Possible temporary closure of low-demand wings

Staffing Levels:

- Director and clinical supervisor remain active
- 1–2 addiction counselors
- 3-5 case managers/Care Coordinators
- 2 peer support specialists/residential aides
- 1 overnight staff per night
- 2–3 rotating security personnel
- 1 kitchen staff and 1 admin staff

Operations:

- Key programs remain operational: emergency shelter, core treatment groups, case management
- Services may be consolidated into fewer hours or shared space
- Facility functions with staggered meal times and group sessions

- Admin and intake hours may be reduced or rotated among staff
- Select offices or wings may be temporarily closed to reduce overhead

---

3. Operations at Quarter Capacity

Occupancy:

- 15–20 rooms in use (focused on emergency shelter and urgent treatment cases)
- 1–2 active treatment groups, smaller family population
- Limited wings open for men/women based on referrals

Staffing Levels:

- Part-time or rotating facility director presence
- 1-2 counselor and 2-3 case managers/Care Coordinators
- 1–2 peer support/residential aides covering day/evening shifts
- 1-2 overnight staff (alternating shifts)
- 1 security staff during high-need hours
- Kitchen and admin roles as-needed (may be shared or part-time)

Operations:

- Focus on basic shelter services, urgent treatment, and essential case management
- Group sessions and peer services offered on limited schedules
- Shared services consolidated to reduce operational costs (e.g., kitchen use, laundry hours)
- Increased use of telehealth or mobile services
- Priority given to high-risk individuals (families, detox clients, re-entry)

Executive Summary: Financial Plan for United Way Dickinson Multi-Purpose Facility

Project Overview United Way Dickinson is launching a multi-purpose residential facility at the former Evergreen building to provide emergency shelter, drug and alcohol treatment, and transitional/supportive housing for men, women, and families. The project will offer 24/7 staffed services and utilize trauma-informed, gender-separated housing. Each room will include a private shower, and the facility features a shared commercial kitchen.

Facility Acquisition and Development The building was secured through a generous angel investor who purchased the property and is leasing it to United Way Dickinson on a 10-year business plan. The organization has the opportunity to purchase the building outright within 3 years.

Startup Capital and Secured Grants To support the project, United Way Dickinson has secured and is eligible for:

- $1 million HOME ARP grant from the State of North Dakota (available upon building and program launch)
- $3.5 million Federal Home Loan Bank of Des Moines grant for development and acquisition
- $640,000 CommonSpirit Health Implementation Grant for operational costs
- Additional federal and state grants to be pursued once operations begin

Program-Based Sustainability United Way Dickinson and partner SWMCCC will ensure financial sustainability through billing for services reimbursed by state and federal programs:

- Free Through Recovery (FTR)
- Community Connect
- 1915(i) Medicaid Case Management
- SUD Voucher, Medicaid, Medicaid Expansion, IHS, and private insurance billing

Projected Annual Revenue from Billable Services (At Capacity):

- Aftercare (in-person): $41,034
- Aftercare (telehealth): $41,034
- Intensive Outpatient Program (IOP): $479,581

- Intensive Inpatient Treatment (3.5): $2,682,207
- Chemical Dependency Evaluations: $32,746
- **Total (core services only):** $3,276,602

These projections reflect conservative billing models for core programming and do not include potential earnings from additional services like peer support, therapy, or drug testing.

Ongoing Grant Funding Opportunities United Way Dickinson is positioned to apply for multiple ongoing state and federal grants, including:

- HUD Continuum of Care (CoC)
- SAMHSA funding streams
- North Dakota Behavioral Health grants
- Emergency Solutions Grants (ESG)
- State Opioid Response (SOR) and 1915(i) Medicaid HCBS funding
- Philanthropic and health system partnerships (e.g., Bush Foundation, BCBS Caring Foundation)

Conclusion With stable funding commitments, a scalable service model, and multiple reimbursement pathways, United Way Dickinson has developed a financially sound and sustainable plan to launch and maintain this vital facility. The combination of startup funding, revenue-generating services, and ongoing grant eligibility ensures both short- and long-term success in meeting the community's most urgent needs.

I. Executive Summary

United Way Dickinson respectfully presents this proposal to operate an emergency shelter -transitional housing facility, with a drug/ alcohol treatment and diversion program along with the House of Manna at 2143 6th Avenue West. Our goal is to provide structured, recovery-oriented housing and services to individuals experiencing homelessness, substance use disorders, and justice-involvement. This facility will be supervised 24/7 and feature robust wraparound services to stabilize and reintegrate individuals into the community.

* Supportive Housing

II. Purpose and Community Benefit

The proposed facility will:

• Provide accessible drug and alcohol treatment to individuals in need.

- Provide an alternative to incarceration (diversion program).
- Support individuals exiting treatment or homelessness.
- Reduce recidivism through structure and care coordination.
- Improve neighborhood safety by offering housing and supervision instead of unsheltered homelessness.

III. Program Model Overview

The facility will provide:

- Transitional housing and recovery support.
- Behavioral health and substance use counseling.
- Case management and peer mentorship.
- Employment and housing navigation.
- Trauma-informed and harm reduction-based care.

All residents will follow structured recovery or justice-diversion plans, and be subject to drug/alcohol testing, curfews, and house rules.

IV. Community Protection Measures

To ensure positive relations and minimize disruption to the neighborhood, we will implement the following:

A. Privacy Fence Installation

- An 8-10 foot privacy fence will be built around the perimeter of the property.
- This fence will serve to reduce visual disturbances, prevent foot traffic between the property and adjacent homes, and eliminate wind-blown garbage or trespassing.
- The fence will be designed to comply with city codes and maintain neighborhood aesthetics.

B. 24/7 On-Site Staffing and Security

- Trained staff will be present 24/7 for supervision and emergency response.
- All staff are trained in trauma-informed care, de-escalation, and overdose response.
- Security cameras and lighting will be installed at all access points.

C. Waste Management Plan

- Daily cleanup protocols will be enforced.
- Locked garbage and recycling bins will be maintained and serviced regularly to prevent littering or odors.

D. Emergency Management Preparedness

- Evacuation and overdose protocols will be followed and drilled regularly.

* Over Flow Parking Across Street at Southwest District Health. (Staffing)

V. Resident Conduct and Accountability

Residents must:

- Maintain sobriety while participating in treatment-based housing.
- Follow curfews and house rules.
- Avoid disruptive or threatening behavior; violations result in warnings or discharge.
- Engage in case management, support groups, and life skills training.

VI. Partner Agencies and Support Network

United Way Dickinson is collaborating with:

- SWMCCC for diversion and treatment referrals.
- Badlands Human Service Center for behavioral health services.
- Dickinson Job Service ND for employment support.
- SWDHU for vaccinations, smoking and vaping cessation, Ryan white services, TB, Services, Narcan training.

VII. Licensing and Compliance

All staff are certified in:

- CPR/First Aid
- Trauma-Informed Care
- Naloxone (Narcan) administration
- Care Coordination and Peer Support
- Confidentiality (HIPAA & 42 CFR Part 2)

The program will follow all local and state licensing and housing regulations.

Visual Staffing and Cost Breakdown by Capacity

Facility Director

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	0.5	$34,999.98	$5,833.33
Half Capacity	1.0	$69,999.96	$5,833.33
Full Capacity	1.0	$69,999.96	$5,833.33

Clinical Supervisor

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	0.5	$31,000.02	$5,166.67
Half Capacity	1.0	$62,000.04	$5,166.67
Full Capacity	1.0	$62,000.04	$5,166.67

Licensed Addiction Counselor

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	1.0	$50,000.00	$4,166.67
Half Capacity	2.0	$100,000.00	$4,166.67
Full Capacity	3.0	$150,000.00	$4,166.67

Case Manager/Care Coordinator

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	3.0	$150,000.00	$4,166.67
Half Capacity	4.0	$200,000.00	$4,166.67
Full Capacity	6.0	$300,000.00	$4,166.67

Peer Support/Residential Aide

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff

Quarter Capacity	2.0	$80,000.00	$3,333.33
Half Capacity	2.0	$80,000.00	$3,333.33
Full Capacity	6.0	$240,000.00	$3,333.33

Overnight Staff

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	1.5	$63,000.00	$3,500.00
Half Capacity	1.0	$42,000.00	$3,500.00
Full Capacity	2.0	$84,000.00	$3,500.00

Security

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	2.0	$72,000.00	$3,000.00
Half Capacity	2.0	$72,000.00	$3,000.00
Full Capacity	5.0	$180,000.00	$3,000.00

Kitchen Staff

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	0.5	$18,000.00	$3,000.00
Half Capacity	1.0	$36,000.00	$3,000.00
Full Capacity	2.5	$90,000.00	$3,000.00

Admin Support

Capacity Level	Staff Count	Annual Cost	Monthly Salary per Staff
Quarter Capacity	0.5	$21,000.00	$3,500.00
Half Capacity	1.0	$42,000.00	$3,500.00
Full Capacity	1.5	$63,000.00	$3,500.00

Total Estimated Annual Operating Cost by Capacity Level

Capacity Level	Total Annual Operating Cost
Quarter Capacity	$520,000.00
Half Capacity	$704,000.00
Full Capacity	$1,239,000.00

$X,XXX.XX represents the average monthly salary per staff in the specified role.

Estimated Annual Profit by Capacity Level

Capacity Level	Estimated Operating Cost	Estimated Annual Profit
Quarter Capacity	$520,000.00	$738,800.71
Half Capacity	$704,000.00	$1,483,601.42
Full Capacity	$1,239,000.00	$2,967,202.84

Facility Revenue, Cost, and Profit Overview by Capacity

Capacity Level	Estimated Revenue	Estimated Operating Cost	Estimated Annual Profit
Quarter Capacity	$1,048,550.71	$520,000.00	$738,800.71
Half Capacity	$2,103,101.42	$704,000.00	$1,483,601.42
Full Capacity	$4,206,202.84	$1,239,000.00	$2,967,202.84

From: Dickinson ND
To: Sylvia Miller
Subject: Application for a Special Use Permit (SUP-002-2025)
Date: Saturday, May 10, 2025 8:58:04 AM

Name: Scott Biggs
Email: bmg@ndsupernet.com

Message: May 10, 2025 Natalie Birchak, City Planner Planning and Zoning Commission 38 1st St W Dickinson, ND 58601 Office: 701-456-7812 Email: natalie.birchak.org@dickinsongov.com Re: Application for a Special Use Permit (SUP-002-2025) Dear Natalie & The Planning and Zoning Commission, One has to acknowledge this is indeed a noble idea and likely a much needed project to consider for the Dickinson community. Nevertheless, for numerous reasons and risks, common sense reveals this is simply not the proper neighborhood location, within the city of Dickinson, for this type of a facility. The following is only a partial list, to point out just a few of the concerns for all to ponder: ● 21st Street West is a main transportation artery within the city of Dickinson. At times experiencing a great deal of traffic; including but not limited to Ambulance, Law Enforcement, Fire Department, and Emergency Management vehicles. With existing landscape and/or layout of the streets, and a normal days traffic flow can now be difficult at times to get on and off 21st Street West from various side streets. At certain times of the day, there is currently a lack of easy access to the proposed property being considered in this matter; previously known as Evergreen Assisted Living Facility. Making it somewhat dangerous and difficult to travel in any weather conditions including a nasty North Dakota Winter. Semi-trucks trying to maneuver to get close to the facility for unloading needed supplies into the building has always been a challenge for the best of truck drivers due to limited space and access. This type of facility will need food and supplies too, most likely delivered by trucks. Please understand this property and building is located directly off of a frontage road at a dead end. This frontage road is not conducive to nor was it ever designed for heavy traffic flow or Semi-trucks. This type of facility will indeed increase traffic attempting to get both on and off 21st Street West in this area. Again, traffic cannot flow out of the frontage road on the East end as it dead ends. ● The proposed property being considered in this matter; experienced in the past extremely limited parking for family and friends visiting facility residents. The existing amount of parking will certainly not be adequate for the amount of activity planned and/or for what is currently being proposed regarding this facility. Frontage road parking is not conducive for high volume activity. Not to block the cluster mailbox unit along the South side of the frontage road is also of importance and will become a greater issue with an increase in frontage road parking. ● There is no existing properly fenced in yard or outdoor recreation area for residents of this type of a facility. The existing property is not large enough to create such areas. ● Knowing the proposed plan is to house residents with a variety of unfortunate disabilities, including mental issues, drug and alcohol addiction, and homelessness. Decision makers must honestly ask them self: Would I desire this type of facility located next to my personal home? Decision makers must also honestly ask them self: Would I want my unsupervised minor aged children or any other unsupervised minor aged children, potentially interacting with residents of this facility? Children in the neighborhood and surrounding area can and will be exposed; they will unfortunately become the most vulnerable potential victim to tragedy. This is a busy intersection with numerous pedestrians walking by this property from all directions. With the approval of this application many will become innocently exposed to unforeseen harm. ● Approval of this Application for a Special Use Permit (SUP-002-2025) really means; one would be jeopardizing the safety, security,

wellbeing for all individuals and/or families, living adjacent to the proposed property being considered in this matter. If approved, no human can mitigate all of the potential risks within the neighborhood for this type of a project. I choose to believe and trust for all concerned, common sense should and will rule. Thank you for seriously contemplating the above mentioned items during the decision making process. Sincerely, -Scott- Scott L. Biggs Neighborhood Property Owner ---------- Confidentiality Notice: All information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law. The message is intended for the sole use of the individual and/or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any reading, disclosing, dissemination, distribution, copying, printing, reviewing, forwarding or other use of this message including files or its attachments is strictly prohibited. If you received this transmission in error, please notify the sender immediately by email and delete/destroy the material including files or its attachments and all copies and backups thereof. Unauthorized interception of this e-mail is a violation of federal criminal law. Thank you. ----------

June 3, 2025
Natalie Birchak, City Planner
Planning and Zoning Commission
38 1st St W
Dickinson, ND 58601
Office: 701-456-7812
Email: natalie.birchak.org@dickinsongov.com

Re: Application for a Special Use Permit; *SUP-002-2025*

Dear Natalie & The Planning and Zoning Commission,

Having been made aware of additional information, I now find need to write a second time (regarding the request before you related to the Special Use Permit; *SUP-002-2025* to further expand upon my original written communication dated May 10, 2025 (see below).

Please Note:

- There are numerous reasons this is not the proper location for a group living facility. At minimum the number of reasons is equal to the amount of individuals including small children that actually do live on the North side of the City of Dickinson. Unfortunately, I do not have personal access to that exact number…although you may. Whatever that number is, it is far too many individuals to place at risk. All such individuals will become vulnerable if this project is approved, for this specific location. Grandfathers, Grandmothers, Fathers, Mothers, Sons and Daughters will consequently and innocently all become targets.

- No Special Use Permit has ever been issued in Dickinson for a group living facility.

- This group living facility will not benefit or enhance the Public Health, Safety and Welfare for the majority of the adults, children and/or businesses in the City of Dickinson.

- It would appear, that anyone involved in the decision making process related to the Special Use Permit; *SUP-002-2025* for a group living facility; and so chooses to approve such permit, potentially opens themselves up for negligence of their Oath of Office, the formal promise made to the City of Dickinson and to all the people within the community.

Obviously, I must respectfully oppose the approval of a Special Use Permit SUP-002-2025 for the operation of a group living facility, housing residents dealing with a variety of unfortunate situations, including but not limited to; mental health issues, drug addiction issues, alcohol addiction issues, and homelessness issues; at the proposed property being considered in this matter; previously known as Evergreen Assisted Living Facility.

Thank you once again, for seriously contemplating all items mentioned.

Sincerely,
-Scott-
Scott L. Biggs
Neighborhood Property Owner

May 10, 2025
Natalie Birchak, City Planner
Planning and Zoning Commission
38 1st St W
Dickinson, ND 58601
Office: 701-456-7812
Email: natalie.birchak.org@dickinsongov.com

Re: Application for a Special Use Permit (SUP-002-2025)

Dear Natalie & The Planning and Zoning Commission,

One has to acknowledge this is indeed a noble idea and likely a much needed project to consider for the Dickinson community.

Nevertheless, for numerous reasons and risks, common sense reveals this is simply not the proper neighborhood location, within the city of Dickinson, for this type of a facility. The following is only a partial list, to point out just a few of the concerns for all to ponder:

● 21st Street West is a main transportation artery within the city of Dickinson. At times experiencing a great deal of traffic; including but not limited to Ambulance, Law Enforcement, Fire Department, and Emergency Management vehicles. With existing landscape and/or layout of the streets, and a normal days traffic flow can now be difficult at times to get on and off 21st Street West from various side streets. At certain times of the day, there is currently a lack of easy access to the proposed property being considered in this matter; previously known as Evergreen Assisted Living Facility. Making it somewhat dangerous and difficult to travel in any weather conditions including a nasty North Dakota Winter. Semi-trucks trying to maneuver to get close to the facility for unloading needed supplies into the building has always been a challenge for the best of truck drivers due to limited space and access. This type of facility will need food and supplies too, most likely delivered by trucks. Please understand this property and building is located directly off of a frontage road at a dead end. This frontage road is not conducive to nor was it ever designed for heavy traffic flow or Semi-trucks. This type of facility will indeed increase traffic attempting to get both on and off 21st Street West in this area. Again, traffic cannot flow out of the frontage road on the East end as it dead ends.

● The proposed property being considered in this matter; experienced in the past extremely limited parking for family and friends visiting facility residents. The existing amount of parking will certainly not be adequate for the amount of activity planned and/or for what is currently being proposed regarding this facility. Frontage road parking is not conducive for high volume activity. Not to block the cluster mailbox unit along the South side of the frontage road is also of importance and will become a greater issue with an increase in frontage road parking.

● There is no existing properly fenced in yard or outdoor recreation area for residents of this type of a facility. The existing property is not large enough to create such areas.

● Knowing the proposed plan is to house residents with a variety of unfortunate disabilities, including mental issues, drug and alcohol addiction, and homelessness. Decision makers must honestly ask them self: Would I desire this type of facility located next to my personal home? Decision makers must also honestly ask them self: Would I want my unsupervised minor aged children or any other unsupervised minor aged children, potentially interacting with residents of this facility? Children in the neighborhood

and surrounding area can and will be exposed; they will unfortunately become the most vulnerable potential victim to tragedy. This is a busy intersection with numerous pedestrians walking by this property from all directions. With the approval of this application many will become innocently exposed to unforeseen harm.

● Approval of this Application for a Special Use Permit (SUP-002-2025) really means; one would be jeopardizing the safety, security, wellbeing for all individuals and/or families, living adjacent to the proposed property being considered in this matter. If approved, no human can mitigate all of the potential risks within the neighborhood for this type of a project.

I choose to believe and trust for all concerned, common sense should and will rule. Thank you for seriously contemplating the above mentioned items during the decision making process.

Sincerely,

-Scott-

Scott L. Biggs

Neighborhood Property Owner

Confidentiality Notice: All information contained in this transmission is confidential, proprietary or privileged and may be subject to protection under the law. The message is intended for the sole use of the individual and/or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any reading, disclosing, dissemination, distribution, copying, printing, reviewing, forwarding or other use of this message including files or its attachments is strictly prohibited. If you received this transmission in error, please notify the sender immediately by email and delete/destroy the material including files or its attachments and all copies and backups thereof. Unauthorized interception of this e-mail is a violation of federal criminal law. Thank you.

From: Dickinson ND
To: Sylvia Miller
Subject: Strong Objection to Special Use Permit For Group Living Facility
Date: Tuesday, May 13, 2025 10:52:16 AM

Name: Trevor Ernst
Email: erenhomes@gmail.com

Message: Good Morning, My name is Trevor Ernst and I represent the property owned by MCA Ventures, LLC directly north of the property located at 2143 6th Ave West in Dickinson that is applying for a special use permit to allow a Group Living Facility at that location. I strongly object to the Planning and Zoning Commission allowing a change of zoning or a special use permit in the Community Commercial zoning that that property is currently under. I serve on multiple boards for the City of Dickinson, and at the end of every motion that we make it ends with the phrase "being in the interest of public health, safety, and welfare." I cannot think of a special use permit or change of zoning that goes against that more than thinking of allowing a group living facility at this location. I will provide many examples of how this goes counter to the purpose of the Planning and Zoning Commission. Zoning requirements are put in place to protect all the property owners in an area from every other property owner near it doing something that could harm their property and/or the occupants and residents of those properties. A group living facility should not be allowed at this address. It does exactly the opposite. Research into the impacts of a group living facility points to an approximate property value decrease of around 7% to the properties in the neighborhood impacted by the group living facility. If you apply this to the "neighborhood" within 1 mile of this address it would be a loss of property value to these existing property owners of approximately 8 million dollars and possibly a lot more. Secondly, Prairie Rose Elementary is less than 3/4 of one mile away from this location. Approximately 25% of all public school elementary students within the City of Dickinson go to this school. The City has spent many many millions of dollars to provide a safe and enriching environment at this location to educate these students. Everything that the city, the school system, and the parents of these children are trying to do in safely educating these kids would be undermined by allowing a group living facility this close to this School. Allowing this special use permit is clearly against public health and safety in this instance. Thirdly, There are no Group Living Facility Special Use Permits within the City of Dickinson. The City did not even have a Zoning to allow Group Living Facilities within the City in the past. I contacted Natalie Birchak and she confirmed that there is no Zoning within the City of Dickinson to allow Group Living Facilities. Only recently has the City changed to even allow Planning and Zoning to consider them by issuing a special use permit. This would be a radical and dangerous change of precedence for the Planning and Zoning Commission to consider allowing this special use permit or allowing a change of zoning to allow a Group Living Facility. Every property owner in the CIty of Dickinson bought their property believing they are protected from a Group Living Facility being built or opened next to their property by the existing Zoning of the City of Dickinson. All these property owners rely on the City and the Planning and Zoning Commission to protect them against some exactly like this special use permit. In Closing, I strongly object to the Planning and Zoning Commission allowing a Special Use Permit or changing the Zoning at 2143 6th Avenue West to allow a Group Living Facility at this location. Please protect the residents and property owners of the City of Dickinson by denying this request. Thank you Trevor Ernst

From: Dickinson ND
To: Sylvia Miller
Subject: Homeless shelter zoning for Evergreen location
Date: Wednesday, May 14, 2025 12:57:44 AM

Name: Miki Thompson
Email: nateandmiki@gmail.com

Message: Good evening, My name is Miki Thompson and my family and I own a home in the neighborhood just west of The Evergreen facility. I am writing to say that we do not agree with a homeless shelter going in so close to a residential neighborhood. I am concerned about two main things. Home/property values and safety. It is a fact that properties that are within 500-1000ft of these types of shelters lose value just due to being near them. An estimated 7% loss depending on how close. That would be a significant loss of revenue for the city and greatly affect the homeowners in this neighborhood. I also want to point out safety. Our community has worked hard to get the attention of businesses that would benefit its residents. We have great stores like TJ Max, Hobby Lobby, and new restaurants coming into town. Also great businesses like Runnings, Harbor Freight, and Britton Jewelers all within two blocks from this proposed site. Businesses would have to deal with the loitering and panhandling. The intersection of sixth Ave and 21st St is a very busy intersection. Many pedestrians already have issues trying to navigate and cross safely. Adding a homeless population would be highly adding to the danger. Also, when a shelter moves in crime in the area does rise. Trespassing, theft, drug related crimes among other things will rise. The police presence needed would put a strain on our first responders. These opinions come with experience. I grew up in a city in Wa State that moved a homeless shelter in a similar area. Unfortunately, businesses that had been there for 50 years and generations had to move or close down. The neighborhoods near there became very unsafe quickly. I have also seen other cities go from walkable, safe, enjoyable places to unsafe places with businesses closing down, their once beautiful parks overrun with encampments. Is it possible for our community to conquer what little homelessness we have here? Yes. But we cannot put the horse before the cart. We have to have services before a shelter. If you build it they will come and with that we need more mental health services, drug and alcohol rehabilitation services and halfway houses. We need veteran services. We already have trouble housing and feeding our current population. The building might be perfect but the location is not. Thank you for your time. Miki Thompson

Date: 6-4-25
To: City of Dickinson Planning & Zoning Board
Re: Opposition to Special Use Permit SUP-002-2025
United Way Group Living Facility

Hello, my name is Shelly Koppinger and I have lived in the North Hills Townhomes for the last 24 years. I am writing because I am not comfortable with public speaking, but I strongly want to voice my opposition to the location being proposed.

First of all, I want to express how much I do believe in the United Way Organization. My whole working life I was a contributor to United Way at all of my jobs. I even volunteered with helping at United Way events. While I agree with a need for a Group Living Facility such as this is, I STRONGLY DISAGREE WITH THIS LOCATION of the former Evergreen building. I understand that is has been proposed before at other locations and has been denied. Our Townhomes are only 300 or less feet from the proposed building. I believe that this location is the closest yet to residential homes, and those other locations got denied. That this would be acceptable is just not right. I do understand that being there is already an existing building in place, it would maybe easier and tempting, but not acceptable! I also understand that it is a very difficult job to find the correct location for something like this, but there has to be a place not close to residential homes. This is literally Our Backyards!

Along with the safety issues, there is also traffic issues, staffing & funding issues. I understand that the start up is all set and figured out, but there are no guarantees that any of this will continue. It is a know problem to keep staff at any business in Dickinson, even though they would have enough to start. Also as far as the funding goes, at this time in our government cuts, grants and funding are not ever for sure. Eventually it could fall on all of us tax payers in Dickinson.

I'm hoping and trusting that you, as a Board Member will please consider all of our issues and protect us. Please also keep in mind that this is not a matter of all of us not caring about other people who are having troubles in their lives right now – we do care and understand, but THIS LOCATION IS NOT THE RIGHT LOCATION! Please take into account the location. I strongly agree with the community needing this, but not this close to residential homes!

Thank you for taking the time to read my concerns and hopes.

Sincerely,
Shelly Koppinger
Shelly Koppinger

660 21st Street West
Dickinson, ND 58601
May 5, 2025

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

ATTENTION: Natalie Birchak, City Planner
RE: SUP-002-2025

Dear Planning and Zoning Commissioners,

The 14 homeowners who comprise the North Hill Townhouse Unit Owners Association have received notification from the City of Dickinson regarding an application for a Special Use Permit to convert the building that previously housed Evergreen Assisted Living Facility to a group living facility. We have received information from the applicant, United Way of Dickinson, that the plan is to house residents with a variety of disabilities, including mental issues, drug and alcohol addiction, and homelessness. Additionally, United Way plans to provide space for the House of Manna to operate within the building. This proposal has raised concerns from the homeowners, since our property on the east side is adjacent to the Evergreen property and all of our properties are well within 300 feet of the proposed project.

Concerns that have been voiced by homeowners include security, safety, increased noise and traffic, increased crime, decreased property values, and unsightly conditions.

The concerns about security and safety have arisen over the possibility that residents of the facility will be in close proximity to our homes and courtyard when they are outdoors and would have access to our properties, should they so choose, day or night, along with any visitors to the facility. Several of the homes have young children who either live there or visit regularly.

The current building has the capability of housing up to 79 residents. Even if the number of residents doesn't reach the maximum, there is certain to be an increase in traffic, especially with the addition of the House of Manna. There will be an influx of people dropping off items and people coming to pick them up, along with additional residents, visitors, and staff. With an increase in traffic, both motorized and foot, there will necessarily be an increase in the noise level.

An increase in people, both indoors and outdoors, will generate an increase in litter. There will surely be more people outdoors, eating, drinking, smoking, etc., and those activities come with garbage that likely will be left strewn around.

Any or all of these possibilities, or a combination thereof, will result in a decrease in the value of our properties, so we respectfully request that you decline to approve this application.

Sincerely,

Bruce Koppinger

Bruce Koppinger, President
North Hill Townhouse Unit Owners Association

Opposing Special Use Permit SUP-002-2025 – United Way Group Living Facility

Bruce Koppinger
President, North Hills Townhouse Association | Resident of Dickinson for most of my life.

To the Dickinson City and Planning & Zoning Board:

My name is Bruce Koppinger, and I reside at 2160 Prairie Avenue. I have lived in this home for over 24 years and currently serve as the President of the North Hills Townhouse Association, representing 14 homeowners who live directly adjacent, less than 300 feet to the proposed site at 2143 6th Avenue West.

I am writing to formally oppose the approval of Special Use Permit SUP-002-2025 for the operation of a group living facility by the United Way at the former Evergreen Assisted Living site.

We do believe that these services are needed—but **this isn't the right location**.

1. Zoning Incompatibility

, Dickinson's zoning ordinance (Section 39.08.050) still requires that proposed uses demonstrate compatibility with surrounding properties, especially when adjacent to residential homes.

The proposed facility would directly border homes in a quiet residential area. That is not compatible use. ***This is the wrong location***

2. Lack of Screening in Homeless Shelter Component (Pages 73–74)

The United Way's own facility guidelines state that only the homeless shelter portion of the project will operate on a "come-as-you-are" basis, meaning:
- No identification is required to stay
- Sobriety is not a requirement for entry or continued stay
- Visitors are allowed daily from 9:00 AM to 9:00 PM
- Pets are permitted, with no outlined behavioral or containment policies

This means that individuals can enter the shelter without ID, background checks, or sobriety, and may bring guests and animals onto the property with little oversight. For a facility located directly next to homes with children, this introduces significant safety concerns.

In contrast, the mental health and substance abuse programs in the same building will require screening and ID. But those safeguards do not apply to the general shelter, where residents may come and go freely.

3. Emergency Response Plan Highlights Inherent Risk (Pages 71–77)

The applicant's own plan includes:
- Protocols for overdose and Narcan administration
- Mental health crisis intervention procedures
- Emergency response coordination with law enforcement
- 24/7 surveillance and staffing

These are critical safety measures—but if this level of intervention is anticipated, why locate the facility next to family homes in the first place?

4. Dickinson Already Provides Shelter Services—None Like This

Dickinson already supports vulnerable populations through:
- The Emergency Shelter on 21st Street West
- Hope's Landing (sober living with screening)
- The Transitional Living Center (with clinical support)

None of these are located near homes, nor do they operate with an open-access model like the one proposed here.

5. Other North Dakota Cities Don't Place Shelters in Neighborhoods

We reviewed zoning and facility placement in Williston, Jamestown, Bismarck, and Minot:
- None place homeless shelters immediately adjacent to residential homes
- Williston has enforced zoning to block such placement
- Bismarck and Minot site their group facilities near services, not neighborhoods

If other North Dakota cities can uphold this standard, so can Dickinson.

6. Property Values Will Be Affected

Research shows that low-barrier, high-turnover shelters can reduce surrounding property values by 5–12.7%.

In North Hills, where homes average around $250,000, that could mean $12,000–$30,000 in lost equity per household. That's not just theoretical—it's real money for working families, retirees, and homeowners who've built their lives here.

Another important factor that must be taken into consideration is the increase in pedestrian and vehicle traffic.

6-2-25

Final Statement

We believe in compassion. We believe in recovery. But placing a partially unsupervised, 60-bed facility within feet of established homes—without community input or appropriate location planning—is not the right answer.

This is about responsible zoning, safety, and preserving the stability of our neighborhoods.

On behalf of the North Hills Townhouse Association, I respectfully urge the Dickinson City Planning and Zoning Commission to deny Special Use Permit SUP-002-2025.

Thank you for your time and thoughtful consideration.

Bruce Koppinger

Sincerely,
Bruce Koppinger
President, North Hills Townhouse Association
2160 Prairie Avenue, Dickinson, ND
24-year resident

From: Dickinson ND
To: Sylvia Miller
Subject: Planning and zoning - Evergreen Building
Date: Wednesday, April 30, 2025 10:32:41 AM

Name: Laura Russ
Email: laurar@gcremn.com

Message: April 30th, 2025 To: City Commission and Zoning Committee 38 1st Street W Dickinson, ND 58601 Subject: Opposition to Proposed Zoning Change for Homeless Shelter Dear Members of the City Commission and Zoning Committee, I am writing on behalf of GC Real Estate Partners and our ownership group to express strong opposition to the proposed rezoning of the property located directly across from our office and within 300 feet of two of our apartment communities, to allow for the development of a homeless shelter. Our greatest concern is for our tenants—many of whom have made their homes in our communities for five, ten, or even more years. These residents have built their lives here, raised families, and created a strong sense of neighborhood. They chose to live in a quiet, residential environment, and this proposed change would dramatically alter that dynamic. We've already received concerns from some residents, and the prospect of a shelter being placed so close to their homes will inevitably lead many to consider moving elsewhere. Even the perception of reduced safety or neighborhood stability can deeply affect someone's comfort in their own home. We believe this proposal risks displacing families and individuals who have been committed members of this community for a long time. In addition, we operate our business office directly across the street from the proposed site. While we are concerned about the potential impacts on our operations, our top priority is still the residents who depend on us to maintain a safe, stable, and welcoming place to live. We recognize and support the city's efforts to address homelessness, but we respectfully ask the Commission and Zoning Committee to reconsider this location. There must be more appropriate sites that can serve those in need without jeopardizing the well-being of long-term community members. Thank you for your time and thoughtful consideration. Sincerely, Laura Russ GC Real Estate Partners

GC REAL ESTATE PARTNERS

2068 Prairie Ave #8, Dickinson, ND 58601
Office: 701.483.8020 | Fax: 701.483.6505
www.gcremn.com

Laura Russ
Senior Portfolio Property Manager
2068 Prairie Ave #8
Dickinson, ND 58601
Laurar@gcremn.com
701-483-8020

April 30th, 2025

To:
City Commission and Zoning Committee
38 1st Street W
Dickinson, ND 58601

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Sincerely,

Laura Russ | Senior Portfolio Property Manager
2068 Prairie Ave #8, Dickinson, ND 58601
Phone: 701.483.8020 | Cell: 701.300.2352
laurar@gcremn.com | www.gcremn.com
REAL ESTATE PARTNERS
An SVN® affiliated office.

From: Dickinson ND
To: Sylvia Miller
Subject: Zoning 2143 6th Ave W
Date: Monday, June 9, 2025 5:08:48 PM

Name: Daisy Heidt
Email: daisyheidt@gmail.com

Message: Myself, my daughter and her children and my son and daughter in law and their child all live in different homes withing 1 1/2 to 2 1/2 blocks away from the old Evergreen building. We have a very nice, safe community there and that is why we live there and purchased homes there. I have seen a lot of research and looked at statistics on what happens to neighborhoods where places like these are put and it is not good. Crime goes up not only residentially but commercially as well along with many other crimes towards people that live in close proximity. Please believe me when I say I completely understand there are people out there that need assistance and I am all for people receiving help but I truly believe putting something like in this particular building is not safe for our citizens and children. There is a park and grade school only a few blocks away and when you have shelters like this that do not have the proper security it attracts drug dealers. This is a proven fact. Please please please do not pass this right now. There needs to be more research done and a good location chosen. I also believe there would need to be restrictions put in place like drug testing, people having to apply for jobs etc. to make something like this good for our community. Again, I believe in helping people but it needs to be done in the correct way. Thank you,

From: Dickinson ND
To: Sylvia Miller
Subject: Homeless shelter
Date: Monday, June 9, 2025 3:56:50 PM

Name: James Ernst
Email: ernstjim@yahoo.com

Message: Dear Planning & Zoning board members, I live two blocks from the Evergreen building. At your upcoming Meeting on Wednesday I'm sure you will be presented information about crime increase when a homeless shelter is located near a residential area. Any increase is unacceptable but the increase around a homeless shelter is staggering. I doubt any of you would want to live close when you hear those numbers. I understand it will house drug addicts and alcoholics also. I've visited friends at Heartview in Bismarck in the past. Heartview does a good job of security and monitoring what comes in. With their level of security even they can't keep drugs and alcohol out of their place. This place won't have anywhere near that level of security. At a similar place in Minot a friend of mine said every time they left the building to go for a walk the drug dealers were there waiting to sell them. They know they have a building full of potential customers. Kostelecky Park is one block away from this place. When the people leave this place where do you think they will be hanging out. This will ruin that Park. We don't need the drug dealers hanging around that Park. I agree there is a need for places for the homeless. Those places have to be located where they won't have the ability to commit crimes. A place where the drug dealers won't be able to hang out waiting to prey on them. The old Evergreen building is not the location for such a place. Thank you for your time.

From: Sharyl Prescott <prescottsharyl@gmail.com>
Sent: Saturday, June 7, 2025 1:15 PM
To: Natalie Birchak <Natalie.Birchak@dickinsongov.com>
Subject: SUP - 002-2025

Dear Ms. Birchak,

I am writing as a deeply concerned homeowner of Northern Hills Condos of Dickinson to express strong opposition to the proposed use of the former nursing home facility as a residential center for individuals experiencing homelessness, mental illness, and addiction.

Let me be clear: while many of us in the community support compassionate solutions for vulnerable populations, the placement of such a facility in a residential neighborhood is highly inappropriate and detrimental to the well-being, safety, and stability of local families and homeowners.

Our primary concerns include:

1. Public Safety – Introducing a high-risk population into a neighborhood not equipped to manage such needs raises serious safety concerns. Families with children and elderly residents deserve peace of mind—not uncertainty about who is being housed nearby. The potential for increased crime, loitering, and emergency incidents cannot be dismissed.
2. Property Value Decline – Homeowners have invested heavily in this area, and the presence of such a facility is likely to depress home values and discourage future investment in this neighborhood.
3. Zoning Incompatibility – If I'm not mistaken, the zoning regulations for nursing homes and

mental health institutes are generally different. The proposed use does not appear to align with the area's zoning and contradicts the original intent of the facility. Facilities of this nature belong in properly zoned areas, not nestled among family homes and schools. This sets a concerning precedent for future zoning decisions that ignore residential protections.

4. Impact on Property Values and Quality of Life: Residents have invested in this community with certain expectations. Introducing a high-intensity facility will definitely decrease property values and reduce overall quality of life through increased traffic, noise, potential loitering, and increased neighborhood crime.
5. HOA and Neighborhood Liability Risks – As a landlord in a neighborhood governed by a Homeowners Association (HOA), I must stress the serious concerns this proposal raises for HOA board members and the broader community. In the event that an HOA member is forced to confront a resident of the facility over neighborhood disturbances, several risks arise:
    6.

    - Personal safety threats from individuals dealing with mental illness, addiction, or trauma.
    - Legal liability for the HOA if any interaction results in injury, accusation of discrimination, or escalation.
    - Lack of enforcement authority, since the facility would be outside HOA jurisdiction.
    - Damage to community relations if confrontations become frequent or hostile.

7. Expecting untrained, unpaid volunteers to manage this type of risk is unfair, unsafe, and legally irresponsible.

In summary, this plan does not reflect responsible urban planning or respectful community development. I urge you and the City of Dickinson to reject this proposal and seek more appropriate, better-resourced locations that serve those in need without sacrificing the safety and stability of residential neighborhoods.

Thank you for your time and for considering the serious concerns of your constituents. I respectfully request that this matter be brought before the public in an open forum before any further action is taken.

Sincerely,
Sharyl L. Prescott

From: Sharyl Prescott <prescottsharyl@gmail.com>
Sent: Saturday, June 7, 2025 1:37 PM
To: Natalie Birchak <Natalie.Birchak@dickinsongov.com>
Subject: I Strongly Oppose the Proposed United Way Facility in Our Neighborhood

Dear Ms. Natalie Birchak,

I am writing to state my complete opposition to the proposed United Way facility near our residential neighborhood. I am deeply alarmed by both the nature of the services being offered and the lack of clarity, transparency, and community input surrounding this proposal.

This facility is not just a shelter — it's a multi-service center for individuals experiencing homelessness, mental health crises, and addiction. While I support the need for services to help vulnerable populations, placing such a facility in a residential area is both reckless and irresponsible.

Here are the key reasons for my opposition:

1.

Unacceptable Proximity to Homes and Families

Placing this facility steps from private homes and shared community spaces places undue risk and stress on the families, retirees, and working individuals who live here. This neighborhood was never intended to serve as an extension of a transitional treatment campus.

2.

Overflow and Loitering Will Affect Residents

If individuals are turned away for failing screenings or arriving outside operating hours, where will they go? Common sense tells us — they will stay close. That means wandering the area, loitering near buildings, garages, and entryways, and potentially causing disturbances. Our homes are not shelters or holding zones.

3.

Safety and Crime Concerns

Facilities that are poorly monitored or loosely structured can become hot spots for drug use, theft, vandalism, or worse. We have worked hard to make this community a safe place — and that safety should not be compromised by a facility that lacks a clearly defined security and oversight plan.

4.

Devaluation of Our Property

The presence of this type of facility — especially without guarantees of safety, transparency, or neighborhood accountability — will very likely lower home values. That is a direct financial loss for residents who have invested in this area in good faith.

5.

Lack of Clear Testing and Entry Requirements

The proposal suggests a low-barrier, open-door policy. If there are no firm requirements for drug or alcohol testing, or if testing is done only once, the safety of everyone nearby is jeopardized. We cannot be expected to simply trust that this facility will regulate itself effectively.

6.

No Community Involvement

This project seems to have been planned with zero input from those it affects most. There have been no community forums, no transparent documentation, and no direct outreach to nearby homeowners. That is unacceptable.

To be clear: I am not opposed to helping people — but this location is the wrong place for a facility of this kind. It is simply not compatible with the surrounding residential area, and no version of the proposal has made that compatibility clear.

I urge you and other city leaders to reject this special permit and to instead explore locations that are more appropriate — locations where services can be offered without placing families, homes, and entire neighborhoods at risk.

Sincerely,

John Prescott

662 21st Street West
Dickinson, ND 58601
June 4, 2025

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

ATTENTION: Natalie Birchak, City Planner
RE: SUP-002-2025

Dear Planning and Zoning Commissioners,

We have attended both the Planning and Zoning Commission meeting on May 14, 2025 and the United Way Community Engagement Meeting on May 28, 2025. A considerable amount of time was allocated at both meetings detailing the need for a group living facility in Dickinson/Southwest North Dakota to include drug and alcohol evaluation and treatment on an inpatient basis, inpatient treatment of those with mental issues, rooms to house the homeless, and space to operate the House of Manna. The issue is not the need for this type of facility. The issue is the above-referenced Special Use Permit application requesting that the facility be allowed to locate at 2143 6th Avenue West, immediately adjacent to a residential area classified as ASFR (Attached Single Family Residence) and in close proximity to a predominantly residential (R-1) neighborhood.

Current city ordinances, as detailed in the Dickinson Municipal Code, and put in place to protect owners and their properties, do not allow this usage pertinent to the current zoning of the property. Additionally, a Special Use Permit has never been granted by the City of Dickinson to allow an exception to city ordinances for a group living facility.

We have heard concerns from our neighborhood, both residential and business, and from residents throughout Dickinson, all stakeholders who will impacted. You have heard our concerns, and we don't feel the need to belabor them. We do ask that everyone address the issue at hand, which is not the need for this facility or what may become of the building if this proposal is denied or where this facility might be located if not here. The issue is the numerous concerns and negative impacts of locating this facility at 2143 6th Avenue West.

We are, regrettably, unable to attend the June 11, 2025 meeting of the Planning and Zoning Commission, but respectfully request that your recommendation to the City Commission be denial of SUP-002-2025.

Sincerely,

Gene Miller

Jackie Miller

From: Dickinson ND
To: Sylvia Miller
Subject: United Way Shelter
Date: Tuesday, June 10, 2025 10:56:57 AM

Name: Miki Thompson
Email: nateandmiki@gmail.com

Message: Planning & Zoning Commissioners My name is Miki Thompson. I live on 22nd near the site of the new “temporary” homeless shelter. I attended the last zoning meeting and also the special informational meeting ran by Tracey Tooz and Dakota Gant that was a stipulation in order to get their special use permit approved. I attended the informational meeting with an open mind and to find out more information as to the facility they were bringing into my neighborhood. Unfortunately I was unable to get very many questions answered at that meeting. It was a very eye-opening meeting regarding the thoughts the agencies had about the neighborhood and its residents that they are going to work beside. The hard questions were brought up and unfortunately answered with disdain, contempt, or just plain rudeness. Instead of the reassurance residents sought, we were met with sneering comments and unprofessional attitudes. I personally had to email Dakota with questions because the meeting got out of control many times. I am including those emails in this letter. I can tell you this. This venture will only work if there is respect for the residents and businesses in this neighborhood. The people who already live and work here have the most to lose in this situation. And we do need to acknowledge that homeless shelters have horrible reputations for a reason. The residents do deserve respect and patience. This is their home. We have worked hard to make this a desirable place to live. The agencies and investors involved need to remember that this facility quite literally looks into the backyard of the condos next door. This isn’t a lack of compassion on the residents part. It is them protecting the safety, health, and comfort of the place we live and call home. And that is now that is being threatened. I do not know of any American that would not fight to maintain that! This will change the area forever. We are being railroaded by this, and at the same time being told it is all going to be puppies and rainbows. When we inquire about the cons of this moving to our neighborhood, we are met with rudeness and honestly, gaslighting. The programs that fund this are at risk of being cut by our current presidential administration. Our governor who sent a representative to speak for this facility at the last meeting, just vetoed 35 million dollars for housing assistance. We are being told no tax money is being used. From what I gathered at the meeting ONLY tax money is being used. It is just coming from our income instead of our property. The individuals that work at this facility get to leave and go home at the end of the day. We have to live here. This is not a decision that should be made rashly or taken lightly. Our city should be prepared. Appropriate zoning needs to be implemented to take on a facility like this. Protective ordinances need to be adopted. Unbiased sources regarding home value and crime rates need to be considered. We need to be proactive, not reactive. I believe all this should be in place before any approvals are made. Use Bismarck and Fargo as examples. Both have growing homeless population, numerous different shelters, and yet they are trying to pass ordinances that should have been done before the first shelter was opened. No panhandling/begging on public roads, no camping on public property, and so on. Bismarck’s United Way is closed during the day due to lack of funding. Forcing that population to wander the streets, causing problems with businesses and residents in that area. KFYR just recently did a report on that very fact. The end of the article was a call out for 250 people to donate $2500 each so they can reopen the shelter during the day. This is only one shelter out of the many in Bismarck. Clearly what is being done is not working. So why imitate that here? One of Fargo’s shelters asked for millions of dollars

during the legislative session from the state, so they can be added to the state budget. It was denied, rightly so. We keep hearing that the city will not be contributing to this. Just because they haven't asked for money yet does not mean the city will not be monetarily affected. Traffic, both pedestrian and vehicle will rise greatly. We have no studies being done or data being gathered as to the effect of the facility on this. Those studies should be done before the zoning is approved. If there is no data on that, then it is up to the United Way and investors to do the studies and provide that assurance and mitigated risk. Especially when they are planning to add the House of Manna. There is only one turn directly into the property from 21st. Other than that you have to take the frontage road from Prairie Ave, in front of residential driveways, or enter from 6th Ave. The traffic from donations alone will be a significant increase. Safety improvements would need to be made. I also want to address the Hope's Landing House in the area. It has been used as an example many times that we already have a shelter in the area. Hope's Landing and an emergency United Way homeless shelter are not comparable. Hope's Landing is a charity onto themselves that does run on donations. Their board has the utmost respect for the surrounding neighborhood. They make sure that property is well maintained and clean. They have so much respect for the neighborhood that they built a separate area in the back to conceal the residents that choose to smoke. They operate so well that many of the people living in the area had no idea that Hope's Landing is there. Also a 10 person transitional living in a house should not be compared to a 13 room emergency shelter. Very different. Maybe we can learn a few things from the way Hope's Landing and their board operates. In conclusion, I ask you to be proactive. To set in place appropriate protections for the city, businesses and residents who have no stake in this venture. The hurried nature of this project is concerning. And we all have been advised not to rush into things in our life. We have time to research this, adapt it to our town and area via appropriate zoning. There is no rush. Taking a step back to do more research is in the best interest of the health, safety, and future of our town. Thank you for your consideration and time on reading my thoughts on the matter. I unfortunately am unable to attend this next meeting due to previously scheduled appointments, but hope to watch later that day. Please have a good week and thank you for your service on this board. Miki Thompson Emailed questions to Dakota: Hello Dakota, Miki Thompson here. We met at the meeting on Wednesday morning. I have some follow up questions and some clarification questions about the shelter that were asked, but got overshadowed by other agencies or citizens responding instead. I have several questions and I think listing them off would be convenient for both of us. 1. In the last month of May Bismarck and Williston have had High Risk Sexual Offenders register as homeless and move into their cities. Would this shelter house an individual that is a sexual offender? Does the shelter have policies and security measures ready to implement that would not only protect the neighborhood around the shelter from these individuals but also the women and children already in the facility? 2. Do you have any data showing that a facility like this has improved or eliminated the homelessness in the areas they have been implemented? 3. An older gentleman at the meeting brought up a rise in crime due to shelters moving into neighborhoods, fearful of letting his daughters walk the neighborhood they live in after the shelter moves in. Unfortunately instead of getting a direct answer to that question, he got a rude response by several people. The question remained unanswered and the reassurance he was seeking was not provided. How would the shelter reassure that the residential neighborhood and businesses nearby would not have to deal with a rising crime rate that is associated with temporary shelters? 4. The issue of property value came up of course. I heard many answers to that in the uproar that question caused at the meeting. The one that was most surprising was that home values would not be affected and will not fall.. Do you know of any data showing that home values rise or stay the same after a shelter moves into the neighborhood? 5. A question now from someone who was not able to attend the meeting and

could not hear the recording properly. As you well know some homeless and transient individuals choose that as their lifestyle. So how will the shelter deal with those individuals that will come to only use the services provided, but still remain outside the facility? Will individuals be required to move into transitional housing or recovery after a certain length of stay at the shelter? Also will they be allowed to actively be under the influence and using while at the shelter? Will illegal drugs be allowed in the temporary shelter? (I believe the gentleman in the first row asked a similar question, but the people behind me were trying to talk over the answer and discussion you were having.) 6. Is it confirmed that the House of Manna is moving into part of the facility? Also, if you are informed or not, how will it be assured that dumping will no longer be tolerated. Unfortunately, the outside of the current facility gets filled will trash. People will just about dump anything. We have thrift stores in our neighborhood that are pristine. They make sure their building and grounds are well taken care of and do not tolerate any dumping. How would House of Manna meet that expectation? 7. You mentioned at the planning and zoning meeting pets are going to be welcome. Are licenses and up to date vaccinations going to be required for pet admittance? Where would the residents with dogs go so the pet can do its business? If there is a certain area, will that area be maintained? I thank you once again for the grace you showed at the meeting. It was an eye opening meeting in many ways for me. I look forward to hearing from you soon! Please have a wonderful weekend and blessings to you and your family! Miki Thompson Hello Miki, 1. Regarding High-Risk Sexual Offenders and Violent Offenders: We are absolutely not accepting high-risk sex offenders or high-risk violent offenders into our facility—period. The safety of the women, children, and all residents inside the facility, as well as the safety of the surrounding neighborhood, is our top priority. In addition to strict intake procedures, including background checks and risk assessments, we are designing the facility with separate, secure areas specifically for women and children. These areas will provide privacy, protection, and peace of mind for our most vulnerable residents. We will also have trained security on site 24/7 and a close working relationship with local law enforcement to help ensure everyone's safety both inside and outside the facility. 2. Data on Impact: While no shelter alone can eliminate homelessness, facilities like this are proven to reduce visible homelessness, increase access to services, and improve long-term housing outcomes when paired with supportive services like case management and recovery programs. I can provide examples that show how a facility like this contributes to a healthier, safer community. I would be happy to send those resources over. - Housing First Model: This approach prioritizes providing permanent housing to individuals experiencing homelessness, followed by supportive services. Studies have shown that: Nine out of ten people remain housed a year after receiving Housing First assistance. Housing First can be three times cheaper than criminalization approaches. The model pays for itself within 1.5 years and can reduce homelessness and government reliance, all while getting people back to work. WikipediaWikipedia+5USICH+5National Low Income Housing Coalition+5 UCLA Study: Research by Elior Cohen at UCLA found that targeted housing assistance to people experiencing homelessness: Reduces the probability of committing a crime by 80%. Increases the probability of reporting employment by 24 percentage points. Lowers the number of emergency department visits by 80%. National Low Income Housing Coalition Systematic Review: A comprehensive review of 43 studies concluded that interventions like high-intensity case management, Housing First, and critical time intervention are more effective than usual services in reducing homelessness and improving housing stability. PMC These findings underscore the effectiveness of structured, supportive housing solutions in not only reducing homelessness but also in enhancing overall community well-being. 3. Crime and Safety Concerns: The gentleman who expressed concern about crime and the safety of his daughters in the neighborhood raised a very valid point, and I want to make sure it is answered directly and respectfully. First and foremost, this facility will

not be housing high-risk sexual offenders, violent offenders, murderers, rapists, or individuals who take advantage of others. That is not who this facility is for. We are housing individuals who are already living in our community, many who are quietly struggling with addiction, mental health challenges, or homelessness. These are people who are asking for help, who want to change their lives but may not know how. This facility is for those who voluntarily choose to be part of a structured program, not for individuals forced in by the system or coming from incarceration. Addiction, alcoholism, and behavioral health issues exist on every street in every town, including ours. The difference with this facility is that we are providing support and accountability within a safe, structured, and supervised environment. That includes 24/7 staff, trained security, secure and separate areas for women and children, and regular collaboration with local law enforcement. Rather than causing crime to rise, facilities like this help reduce it, by removing people from unsafe situations and connecting them with real support. This is about creating solutions, not problems. And we are fully committed to making sure this facility is a positive part of the neighborhood it is in. 4. Property Values: This question has come up in many communities, and understandably so. National data shows that well-managed, service-based shelters and housing programs like ours do not decrease surrounding property values—especially when the property is kept clean, well-secured, and the program is responsibly managed. In some cases, values remain stable or even rise due to community investment and improvement in social conditions. I can share specific studies upon request. - Concerns about property values are completely understandable, and I want to be transparent and data-driven in responding to this. Multiple studies have shown that well-managed supportive housing and shelter facilities do not lower property values—and in some cases, property values have actually increased. For example, a study conducted by the NYU Furman Center in New York City found that property values in neighborhoods with supportive housing increased at similar or even greater rates than those without such housing. The key factor was proper management, community engagement, and strong operational standards (Furman Center, 2008). In Minneapolis, a study on affordable and supportive housing developments showed no negative impact on surrounding property values, and in several cases, modest increases were observed in adjacent neighborhoods (Family Housing Fund, 2000). Additionally, a report by Enterprise Community Partners found that investing in affordable and supportive housing often stabilizes and improves neighborhoods, especially when combined with services like job support, addiction treatment, and mental health care (Enterprise Community Partners, 2014). Our facility is being designed with these same principles in mind: it will be clean, well-maintained, secured, and structured with safety and support as top priorities. We believe this project will contribute to a healthier, more stable community—one where fewer people are living on the streets, fewer emergency services are needed, and more individuals are on a path to recovery and independence. 5. Individuals Who Decline Services: Our program is designed to be far more than just a place to sleep—it is built to help individuals take real, lasting steps toward a better life. People coming into this facility are doing so voluntarily. They are not being forced or court-ordered to be here. They have made the choice to seek help, which is a powerful first step. When someone wants to be there, and when they are provided with the right support, the odds of lasting success increase dramatically. We will have clear policies in place that limit the length of stay in emergency shelter, with the goal of moving individuals into transitional housing, treatment programs, or permanent housing as quickly and appropriately as possible. Every person will be connected with a dedicated case manager who will work with them on individualized plans for recovery, stability, and long-term housing. Although we believe in a low-barrier approach to entry—meaning we do not turn people away just because they are struggling—we will not tolerate drug use or illegal activity within the facility. If someone is actively using in a way that puts others at risk, they will be asked to leave and referred to appropriate services. Our focus is on

creating a supportive, structured, and safe environment that respects both the individuals inside and the surrounding community. 6. House of Manna Concerns: Yes, House of Manna is planning to occupy a portion of the new facility. I want to acknowledge that I fully understand the concerns raised about its relocation—particularly around issues like increased traffic, drop-off dumping, or changes to the appearance of the property. These are valid concerns, and I have had open and ongoing conversations with House of Manna's leadership to ensure we are aligned on maintaining the highest standards of cleanliness, order, and respect for the surrounding neighborhood. We will have security cameras and enforcement policies in place to strictly prohibit illegal dumping and to maintain a clean and welcoming exterior. House of Manna, like United Way Dickinson, is committed to being a good neighbor. That said, we also recognize the importance of listening to the community. If, after further evaluation and input from residents, it becomes clear that moving House of Manna into the new facility would not be in the best interest of the surrounding area—due to traffic flow, misuse of donation areas, or any other disruption—then they will remain at their current location. Our priority is to build a facility that lifts the community up, not one that creates added stress or frustration for those who live and work nearby. 7. Pets at the Shelter: Yes, we do plan to allow pets at the facility because we recognize that many individuals experiencing homelessness will not seek shelter if it means leaving their animals behind. However, we will have strict policies in place to ensure that pet ownership is managed responsibly and in full alignment with local laws. All pets will be required to be up to date on vaccinations, licensed, and kept on a leash at all times while on the property. We will follow every pet-related ordinance and law currently in place in our community. In addition, there will be a designated pet area on-site for walking and bathroom needs, and this space will be routinely maintained to ensure cleanliness and safety for all residents and visitors. Our goal is to make the shelter welcoming while maintaining structure, hygiene, and respect for all individuals—both residents and neighbors. In Conclusion: United Way Dickinson is fully committed to building a facility that not only meets the urgent needs of those experiencing homelessness, addiction, and mental health challenges—but also honors and protects the surrounding community. We are not doing this in isolation; we are doing this with the community. If there are ideas, suggestions, or conditions that you believe would strengthen the safety and success of this facility, I genuinely welcome your input. I am fully committed to working hand-in-hand with residents, local leaders, and stakeholders to ensure that this becomes the safest, most effective, and most respected facility of its kind in North Dakota. The need is real, and it is here. But with the right approach, we can be part of a solution that uplifts both the individuals we serve and the neighborhoods we serve within. Please do not hesitate to reach out. I am here, I am listening, and I am ready to work together. Thanks, Dakota Gant Executive Director, United Way Dickinson

From: Dickinson ND
To: Sylvia Miller
Subject: SUP 002 2025 Ordinance #1798
Date: Tuesday, June 10, 2025 2:17:39 PM

Name: Pam Kostelecky
Email: saxpam@yahoo.com

Message: I am not in favor of accepting the Special Use request, project SUP 002-2025. The UW request is predicated on the premise that the property (previously known as Evergreen) could safely and effectively house and safely serve multiple social services (to include House of Manna and the homeless) at this location. It does not address the multiple concerns of citizens residing in the area, or of commercial businesses nearby. Unfortunately, this location does pose multiple safety concerns for the neighborhood adjacent to or near this property, as well as the users of 21st St W and Highway 22. Area residents and users adjacent to or near Evergreen include adults, children, the elderly, pedestrians and four wheel and two-wheel vehicles. Most members of residential areas and commercial entities near to or adjacent to Evergreen object to this Special Use permit because of valid safety issues with regard to their family and/or their property. As a longtime resident and property owner in Dickinson, I have an additional concern, that of the Planning and Zoning Board and the City Commission considering acceptance of a proposal that, in effect, exchanges their commitment to safety for permanent residents of Dickinson for that of commitment to a primarily transient population. This does not have to be an either-or answer, rather a re-evaluation of what might be a more equitable solution other than focusing solely on the Evergreen location. While most of the permanent residents acknowledge and support the basic missions of social services, we also know that the location targeted to house and service these various transient populations may also fall well short of sustained funding, availability of trained personnel, management, maintenance, and oversight. Sustainability for the UW proposal is tenuous at best. In summary, to be consistent in mission, location for such an umbrella proposal should be near medical facilities and services already available or planned for in the community. They should not be located in a facility adjacent to or near an already established residential/commercial area and busy traffic corridor in Dickinson. Thank you for thoughtfully considering probable long term and variable consequences when establishing a precedent for such a facility in a primarily residential area of Dickinson.

United Way Group Living SUP Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: June 4, 2025
Re: **SUP-002-2025 United Way Group Living Special Use Permit**

OWNER/APPLICANT
Tracy Tooz
4038 3rd Avenue West
Dickinson, ND, 58601
Tracy@toozconstruction.com
(701) 260-4431

APPLICANT
Dakota Gant / United Way
PO Box 501
Dickinson, ND, 58602
dakota.unitedway@gmail.com
(701) 483-1233

Public Hearing	June 11, 2025	Planning and Zoning Commission
Final Action	June 17, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Special Use Permit (SUP) application for a group living facility that would be located on a 1.25-acre property located at 2143 6th Avenue West in the City of Dickinson. The property is zoned Community Commercial (CC).

Staff Recommendation: Approval subject to conditions.

According to Section 62-55 of the City's Municipal Code, a Special Use Permit shall become void after its effective date if the applicant has not carried out development or occupancy during that period.

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 the South 117 feet of Lot 3 and All of Lot 4 in Block 5 of the Lutz's First Addition Subdivision.

CURRENT ZONING	**CC**
FUTURE LAND USE MAP DESIGNATION	**COMMERCIAL**
GROSS SITE ACREAGE	**+/- 1.25**
LOTS PROPOSED	**N/A**

ADJACENT ZONING & LAND USE		
Direction	**Zoning**	**Land Use**
North	CC	Undeveloped
East	CC	Southwestern District Health Clinic
South	CC	Car Wash
West	R-2	Residential Uses

STAFF ANALYSIS

BACKGROUND

Group living facilities are an allowed use in Community Commercial (CC) zoning following approval of a Special Use Permit (SUP) by the City Commission. The requirements for an SUP application for a group living facility, as listed in Municipal Code Section 62-468 (4), are as follow:

"1. Information regarding the proposed group living facility operation, which includes, but is not necessarily limited to, the following:

a. *A complete statement of the types of services to be provided, including a client case management plan as well as the provision of "wrap around" services;*
b. *Consent to a background investigation of the owner/operator of the facility;*
c. *A list of required licenses and/or certificates, if any;*
d. *A list of agencies expected to provide services at the facility;*
e. *The applicant's history of residency, employment, and business ownership for five years prior to the date of the application;*
f. *A copy of the facility's house rules and regulations;*
g. *A copy of the facility's on-site security plan;*
h. *A copy of the facility's on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster;*
i. *Any additional information deemed necessary by Development Services, the Planning and Zoning Commission, and/or the City Commissioner.*

2. No Group Living use may be located within 300 feet of another Group Living use, measured by lot line to lot line, unless such location is otherwise reviewed and approved as a Special Use.
3. If located within 150 feet of a single-family residential zoning district, including overlay districts and/or planned unit developments, all outdoor activity shall be screened from public view and from the view of adjacent properties.
4. Lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.
5. Any permit issued under this Section shall be non-transferrable as to the permit holder and/or the premises to be permitted. A permit holder may not relocate their operation using the same permit. A permit approved at a particular location may not be transferred to a new individual or business.
6. The permit holder shall conduct an annual compliance audit. The results of that annual compliance audit shall be made available to the Community Development Department.
7. The permit holder shall appear annually before the Planning and Zoning Commission for renewal of the permit. In addition to the annual compliance audit, the Community Development Department may require additional information or an annual site inspection prior to renewal.
8. Group living facilities shall comply with all applicable local, state and federal requirements.
9. Group living facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions. (Ord. No. 1798 § 9)"

City Community Development staff has requested a complete plan of operations from the applicant, detailing which organizations will be operating within the facility, how the site will be utilized, the number of expected and maximum occupants, traffic impacts and flow, and how the project will be funded initially and continually, as is listed in Section 62-468(4)(a)(9). All required information has been supplied to City staff by the applicant.

Section 62-55(c)(4) requires applicants submit a site plan demonstrating how the site will be utilized. A site plan was submitted at the Planning and Zoning Commission meeting on May 14, 2025 that includes the locations of House of Manna operations and where secure doors separating distinct areas of the facility shall be located.

CURRENT ORDINANCE REVIEW

The property is not located within 300 feet of any group home, group care, or group living facilities. Activities taking place outdoors shall require screening from the residential properties located to the West of the site.

The applicant has indicated the second floor of the facility will be utilized as a group care facility for substance abuse disorder treatment. The proposed treatment facility would be operated by the Southwest Multi-County Correction Center. This use is permitted in CC-zoned districts, however this proposed use must be included in the SUP scope due to the possible overlap of operations. As outlined in Municipal Code Section 62-468(3)(a), this facility must be licensed with the North Dakota Department of Human Services' Behavioral Health Division.

According to the projected revenue sources and projected expenses submitted by the applicant, the facility should be able to operate financially without a loss, whether it is at quarter capacity, half capacity, or full capacity.

COMPATIBILITY WITH LOCAL USES

The lot to the West of the proposed property is zoned Medium-Density Residential (R-2). Opaque screening of the rear elevation of the development is required, and a landscape buffer of 20 feet would be required for any expansions or new construction. The applicant has indicated they will install a privacy fence on the property's perimeter, as indicated on the site plan. The location of existing buildings does not need to be adjusted unless significant reconstruction of said buildings takes place.

The third floor of the facility is identified as transitional housing to support residents who are pursuing permanent housing and financial stability. The facility is located on the western edge of a cluster of CC-zoned properties that house affordable businesses such as thrift stores or fast-food restaurants. These businesses can be accessed by residents of the facility on foot, and these businesses shall serve not only as opportunities to provide affordable goods and services, but they may also provide residents with entry-level job opportunities.

A group living facility may result in an increase in the amount of pedestrian traffic along 21st Street West, particularly at the intersection of 6th Avenue West. Depending on the level of this potential impact, a rapid-rotating flashing beacon (RRFB) may be a possible future improvement to this intersection.

The proposed facility is not within walking distance of other relevant service providers, including the Stark County Roughrider North Human Service Zone, Stark County Social Services, and/or the Stark County Housing Authority. The applicant/permit holder shall be responsible for coordinating transportation.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: The City has received a total of six letters of opposition for this project from surrounding homeowners, property owners, and real estate agencies. These letters cite a possible increase in crime and a decrease in property values as cause for opposition. The applicant submitted a letter of support for the facility from the clinical director of the Southwest Multi-County Correction Center. The City received a call from Louise Neurohr in opposition of the House of Manna moving into this facility due to the limited parking availability and potential traffic congestion.

As per the request of the Planning and Zoning Commission, a public engagement meeting was held by the applicant in the City Commission Chambers on May 28, 2025. During this meeting, the applicant presented the plan of operations for the project in addition to a traffic study. At the meeting, the applicant solicited public questions and comments. Numerous residents both spoke against and in favor of this facility during the meeting.

Staff Recommendation: The City of Dickinson Community Development Staff recommends **approval** of SUP-002-2025, subject to the conditions listed below:

- **Development shall be in accordance with the application materials received by the City of Dickinson as found in Attachment A;**
- **Prior to submittal of a building permit application, the permit holder/developer shall submit an onsite lighting plan for review and approval by the Development Services Department. Lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood;**
- **Any permit issued under this section shall be nontransferable as to the permit holder and/or the premises to be permitted. A permit holder may not relocate their operation using the same permit. A permit approved at a particular location may not be transferred to a new individual or business;**
- **The permit holder shall conduct an annual compliance audit. The results of that annual compliance audit shall be made available to the Community Development Department;**
- **For at least one year after final approval of this SUP, the applicant shall appear quarterly in front of the Planning & Zoning Commission to give a status update on the progress made toward operations, including reporting on staffing, grants obtained, and construction progress. The duration of time these quarterly updates will be required can be extended by the Planning and Zoning Commission if a majority of members vote an extension to be necessary. After the first year, the permit holder shall appear annually before the Planning and Zoning Commission for renewal of the permit. In addition to the annual compliance audit, the Community**

Development Department may require additional information or an annual site inspection prior to renewal;

- **Facility operations must be as outlined by the applicant in this Special Use Permit. Significant changes to operations will require an amendment to the SUP;**
- **The Board of City Commissioners may revoke a special use permit should the operation of the use subject to such permit violate the conditions under which the permit was granted. The Planning and Zoning Commissioners may recommend the City Commissioners consider a revocation at any time with a majority vote;**
- **Group living facilities shall comply with all applicable local, State and Federal requirements; and**
- **Group living facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.**

MOTIONS:

*****Approval*****

"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-002-2025: United Way Group Living 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-002-2025: United Way Group Living 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."*

ORDINANCE NO. 2025

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 62-162 OF CHAPTER 62, RELATING TO AG-DISTRICT LOT SIZE MINIMUM REQUIREMENTS

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

SECTION 1: Section 62-162. Development regulations of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

Sec. 62-318. - Boundaries.

Table 62-162-3a. Summary of Site Development Regulations

Regulator	AG	RR	R-1	R-2	R-3*
Minimum lot area (square feet)	10 acres	1 acre (Note 1)*	7,500	7,000	7,000
Minimum lot width (feet)	300	100			
Single-family detached			60	50	50
Single-family attached			45	45	45
Other residential			60	75 (Note 3)	75 (Note 3)
Site area per housing unit (square feet)					
Single-family detached	10 acres	1 acre	7,500	7,000	7,000
Single-family attached				4,000	4,000
Duplex				10,000	10,000
Townhouse or multifamily up to 4 units				7,000 for the first unit and 3,000 thereafter (Note 6)	7,000 for the first unit and 3,000 thereafter
Each additional multifamily unit over 4 units					7,000 for the first unit, 3,000 for the next three units and 1,000 thereafter
Retirement residential	(Note 10)		(Note 10)	(Note 10)	(Note 10)
Front yard arterial streets	50	40	25	25	25
Other streets	50	40	25	25	25
Street side yard	15	15	15	15	15
Interior side yard	15	15	6	6 (Note 2)	6 (Note 2)
Rear yard	50	25	20	20 (Note 5)	20 (Note 5)

Maximum height (feet)		40	40	SUP in excess of 65 feet	60
Maximum building coverage	NA	25 percent	40 percent	60 percent	70 percent
Maximum impervious coverage	NA	35 percent	50 percent	65 percent	75 percent
Floor area ratio	NA	NA	NA	NA	

Notes accompanying this table appear after Table 62-162-3c.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

_____
Scott Decker, President
Board of City Commissioners

ATTEST

_____
Dustin Dassinger, City Administrator

First Reading: _____, 2025
Second Reading: _____, 2025
Final Passage: _____, 2025