



23rd Street Addition Final Minor Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: November 5, 2025
 Re: FLP-012-2025 23rd Street Addition Final Minor Subdivision

APPLICANT/OWNER

Mike Klein
 23rd Street Apartments, LLC
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 Dickinson, ND, 58601
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APPLICANT'S REPRESENTATIVE

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Public Hearing	November 24, 2025	Planning and Zoning Commission
Final Consideration	December 2, 2025	City Commission

The applicant is requesting a final minor subdivision plat for the 23rd Street Addition Major Subdivision Plat. The proposed subdivision is a replat of Lots 26-31, Lots 36-41, the East 38.23 feet of Lot 32, and the East 38.23 feet of Lot 35 of Block 5 of The Replat of Lots 5-11, Block 1, and all of Block 5 of the Country Oaks Estates Second Addition Subdivision, located in the SE1/4 of the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, within the City of Dickinson. The proposed subdivision is +/- 1.88 acres. According to the applicant, the purpose of this subdivision is to combine the existing lots in order to provide additional paved parking spaces on the property.

Staff recommendation: Staff recommends **approval** of this proposed final minor subdivision.

LOCATION

The property is a replat of Lots 26-31, Lots 36-41, the East 38.23 feet of Lot 32, and the East 38.23 feet of Lot 35 of Block 5 of The Replat of Lots 5-11, Block 1, and all of Block 5 of the Country Oaks Estates Second Addition Subdivision, located in the SE1/4 of the SW1/4 of Section 28, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. The subject lots are developed with multi-family structures.

CURRENT ZONING	R-3
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.88 acres
LOTS PROPOSED	1

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-3	Duplexes; multi-family residential
East	R-3; R-1	Multi-family residential; single-family residential
South	R-2	Multi-family residential
West	R-3; R-2	Multi-family residential; single-family residential

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compliance with The Zoning Ordinance

A minor subdivision plat is defined in Section 52-1 of the City Subdivision chapter as follows:

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

The proposed 23rd Street Addition Subdivision meets the definition of a minor subdivision plat.

The site is currently zoned High Density Residential (R-3). According to Table 62-162-2: Permitted Uses by Zoning Districts, Multiple-family residential and Group home uses are permitted within the R-3 zoning district. According to Table 62-162-3a: Summary of Site Development Regulations, the minimum lot size requirements for multi-family residential uses in the R-3 zoning district is 7,000 square feet for the first unit, 3,000 square feet for the next three units and 1,000 square feet for each unit thereafter

According to the applicant, the purpose of the proposed subdivision is to allow for the future paving of additional parking spaces to be used by residents and employees of the apartment complex. According to Table 62-162-3a: Summary of Site Development Regulations, in Section 62-162 – Development regulations of the Municipal Code, the maximum impervious surface coverage permitted in the R-3 zoning district is 75%. Prior to increasing the amount of pavement on the property, the applicant shall submit a concrete permit and include an exhibit that confirms the proposed paving will not cause the lot to exceed the R-3 75% impervious surface coverage maximum.

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 FLP-012-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-012-2025: The 23rd Street Addition Subdivision** 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 **FLP-012-2025: The 23rd Street Addition Subdivision** 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."*