



# State 9<sup>th</sup> Addition major plat staff report

**To:** City of Dickinson Planning & Zoning Commission  
**From:** City of Dickinson Planning Department  
**Date:** January 8, 2024  
**Re:** **PLP-001-2024 State 9<sup>th</sup> Addition Major Plat**

**OWNER/APPLICANT**

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

**APPLICANT'S REPRESENTATIVE**

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

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

**EXECUTIVE SUMMARY**

Current Plat Legal Description

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

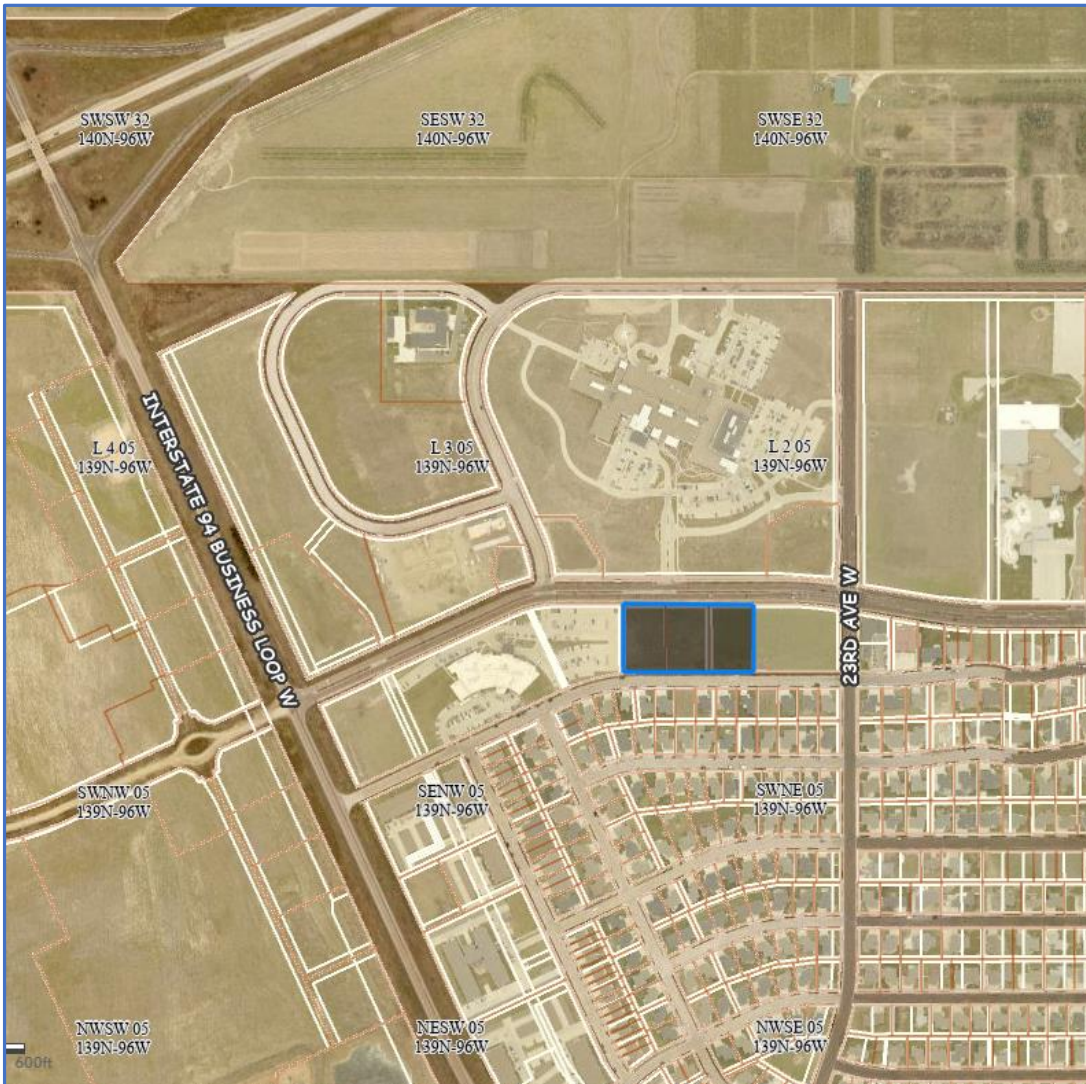
Request

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

Staff Recommendation: Approval.

**LOCATION**

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



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

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

**STAFF ANALYSIS**

This application contributes to furthering policies adopted by the Comprehensive Plan. Particularly, this major plat encourages infill development opportunities, commercial diversification, and possible improvement to the community’s residential supply.

The southern lots in the proposed subdivision are intended by this applicant to be rezoned to high-density residential (R-3) and developed with duplexes or single-family residences in the future. Approving this major plat along with its companion rezone petition would result in the residential properties fronting the 8<sup>th</sup> Street W local road on the south face of the block. The larger CC-zoned lots on the north would front Fairway Street. Fairway Street is currently classified as a collector and in accordance with the Transportation Master Plan, will be reclassified to Minor Arterial. Both street classifications work synergistically with the intent of the Community Commercial zoning district.

Staff has communicated a walkability concern to the property owner. Though approval is recommended, staff encourages Planning & Zoning Commissioners to take this concern under advisement. This block’s length extends over 2,200 feet with no reasonable pedestrian through-paths. Staff has requested the applicant to explore site development plans which would include a sidewalk easement or some other measure which would improve access to surrounding development. However, the applicant has asserted that any such condition would effectively terminate their development possibilities.





The current plat resulting in a 2,200 ft block had already been approved. Because this is a re-plat, staff identified an opportunity to rectify a negative outcome resulting from the State 8<sup>th</sup> Addition plat, recorded in November, 2010. From the perspective of community development, any opportunity to improve the community during re-plats should be explored. Developing a neighborhood intentionally over time depends upon locating and implementing solutions before those opportunities are lost.

While solutions are not being pursued in this case, staff would like to advise the Planning & Zoning Commission that policies and visions described by the Comprehensive Plan,

### **STAFF REVIEW AND RECOMMENDATIONS**

**Compatibility with Local Uses:** The current plat contains lots which span the entire block face. This re-plat, however, increases developed street frontage. The resulting lot sizes, with the companion rezone petition, are likely to result in positive development along Fairway Street as a minor arterial and in the State 7<sup>th</sup> Addition neighborhood.

**Compliance with Zoning and Subdivision Regulations:**

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

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

**Staff Recommendation:** The City Development Team staff recommends **approval** of this rezone petition.

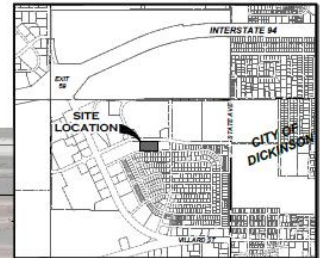
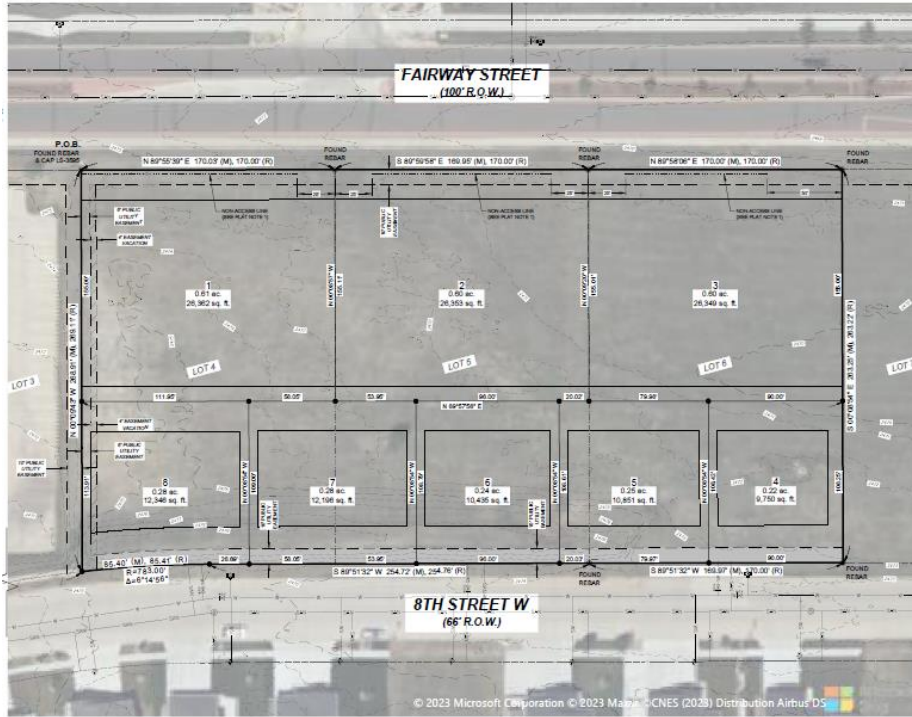


Matthew Galibert, City Planner

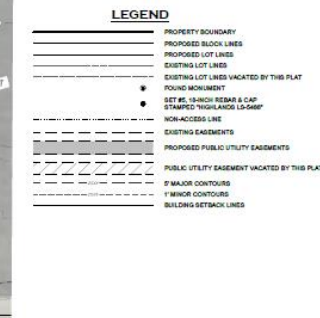
**APPENDICES**

**Appendix A - Preliminary Plat (Cropped)**

**STATE 9TH ADDITION**  
BEING THE REPLAT OF LOTS 4, 5, AND 6, BLOCK 1 OF STATE EIGHTH ADDITION  
SECTION 5, T139N, R96W, OF THE 5TH PRINCIPAL MERIDIAN  
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



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



**MINIMUM BUILDING SETBACKS - COMMUNITY COMMERCIAL (CC)**

- 1) FRONT YARD: 35-FEET
- 2) REAR YARD: 10-FEET
- 3) INTERIOR SIDE YARD: 5-FEET

**MINIMUM BUILDING SETBACKS - MULTI-FAMILY RESIDENTIAL (R3)**

- 1) FRONT YARD: 35-FEET
- 2) REAR YARD: 30-FEET
- 3) INTERIOR SIDE YARD: 5-FEET

**Appendix B - Zoning Map**



**MOTIONS:**

**\*\*\*Approval\*\*\***

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-001-2024 State 9<sup>th</sup> Addition** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

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

1. \_\_\_\_\_;
2. \_\_\_\_\_.

**\*\*\*Denial\*\*\***

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