



# STAFF REPORT

**To:** Planning and Zoning Commission  
**From:** City of Dickinson Planning  
**Date:** November 8, 2023  
**Re:** REZ-007-2023 Energy Center 3<sup>rd</sup> Addition Rezone

**OWNER/APPLICANT**

City of Dickinson  
 38 1<sup>st</sup> Street E

<b>Public Hearings:</b>	November 15, 2023	Planning and Zoning Commission
	November 21, 2023	City Commission
	December 5, 2023	City Commission

**EXECUTIVE SUMMARY**

To consider approval of a rezone petition from General Industrial (GI) to Public (P) of a property legally described as Lot 1, Block 1, Energy Center 3<sup>rd</sup>. Approval of this Future Land Use Amendment is required for legal conformity of the concurrent rezone petition of this property.

Staff recommends approval of REZ-007-2023. Staff has received no comments from the public.

**LOCATION**

The property proposed for this Rezone is legally described as Lot 1, Block 1, Energy Center 3<sup>rd</sup> Addition, located within the SE ¼ Section 1, Township 139N, Range 96W of the 5<sup>th</sup> Principal Meridian, City of Dickinson, Stark County, North Dakota. The subject parcel is generally located on the west side of Energy Drive, approximately 1,100 feet north of Villard Street E.

<b>CURRENT ZONING</b>	<b>General Industrial</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>Industrial</b>
<b>GROSS SITE ACREAGE</b>	<b>25.64 acres</b>
<b>LOTS PROPOSED</b>	<b>N/A</b>

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	GI	Industrial
East	GI	Industrial
South	GI	Industrial
West	GI	Industrial

**STAFF ANALYSIS & RECOMMENDATION**

The property is owned by the City of Dickinson, and the land uses on the property have been; North Dakota National Guard outdoor equipment storage area on the eastern portion of the property, and the western portion has been used for miscellaneous storage for public works. The new North Dakota National Guard Readiness Center is currently being constructed within the general footprint of what was previously the outdoor equipment storage area. The City of Dickinson staff has been in discussions with the North Dakota National Guard about the City’s proposal for a Public Safety Training Facility on the western portion of the property. The intent is for the North Dakota National Guard and the City of Dickinson Public Safety departments to utilize the others facilities, providing mutual benefit. This City of Dickinson project is currently out for Request for Proposal to complete the engineering and design for the site layout and utility connections with the intent of submitting the plans for a Department of Defense grant in 2024. Both the North Dakota National Guard Readiness Center and the proposed Public Safety Training Facility would be best suited in the proposed Public zoning district.

An amendment to the Future Land Use Map approval of this petition. Staff has reviewed the surrounding GI-zoned area and has determined that approval of the rezone and FLUM amendment will have negligible or no impact on future infill and development of the area.

**Compatibility with Local Uses**

The introduction of the National Guard Readiness Center and Fire Safety Training Center should have no deleterious effect on nearby local uses. The applicant and those utilizing the subject property must understand that being embedded within General Industrial zoning may lead to future conflicts, depending on the nature of any nearby future industrial development. Per current ordinance, future industrial uses will be permitted in this area.

**Compliance with Zoning and Subdivision Regulations**

If approved, the subject parcel will comply with requirements as set forth by Articles 39 Zoning and 34 Subdivision.

The Public zoning district is not subject to bufferyard standards set forth in **Section 39.08.005 Bufferyard**. Similarly, the adjacent GI lots are permitted to develop as if the National Guard facility were zoned GI.

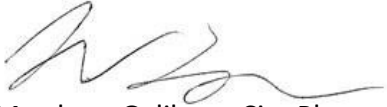
**Provisions Table 8-2 Buffer-yard Requirements.** If approved, the subject parcel will comply with requirements as set forth by Articles 39 Zoning and 34 Subdivision.

**Public Input**

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

**Staff Recommendation**

Staff recommends approval of the Future Land Use Map Amendment FLM-002-2023.



Matthew Galibert, City Planner

**APPENDICES**

None

**ATTACHMENTS**

A – Staff report

**MOTIONS:**

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

*“I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLM-002-2023** 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 **FLM-002-2023** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*