



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, September 11, 2024 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
Troy Bosch
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Troy Bosch
Commissioner Val Decker

ABSENT

Commissioner Aaron Johansen
Commissioner Zach Keller

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business.

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

2. MINUTES

A. AUGUST 24TH, 2024 MINUTES

Motion to approve as presented.

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

3. REGULAR AGENDA:

A. FINAL MINOR PLAT (FLP-016-2024) - *Presented by: City Planner, Natalie Birchak*

To consider a Minor Subdivision Plat for the Caden and Holly Tuhy Subdivision located in the SE ¼ of the SE ¼ of Section 14, Township 140 North, Range 97 West, located in the City of Dickinson's ETZ. The site consists of +/-5 acres.

City Planner Natalie Birchak presents the minor plat application. She explains they will be constructing a single family residence. It is zoned AG. Staff has not received any public comment and staff recommends approval.

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

Motion to approve made by Commissioner Haugen, Seconded by Commissioner Decker.

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

B. SPECIAL USE PERMIT (SUP-002-2024) - *Presented by City/County Planner, Steve Josephson*

To consider a Special Use Permit for a heavy industry use to allow above-ground chemical storage at 4637 Villard Street West. The property is legally described as Lots 2 & 3 in the Replat of the Dickinson Industries Subdivision located in Section 7, Township 140 North, Range 96 West, located in the City of Dickinson's ETZ. The site consists of +/- 2.7 acres.

City/County Planner Steve Josephson presents the SUP application. He explains this item was heard at a previous meeting and approved but it was later noted there was an error in the publication of the legal ad so it is being heard again. Staff recommends approval.

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

Motion to approve made by Commissioner Bosch, Seconded by Commissioner Schwab.

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

C. FINAL MINOR PLAT (FLP-017-2024) - Presented by: City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Moore 1st Subdivision located in the SE ¼ of the SW ¼ of Section 6, Township 139 North, Range 95 West in the City of Dickinson's ETZ. The site consists of +/- 5.22 acres.

Ms. Birchak presents the minor plat. She explains there will be a single family residence constructed. It is zoned AG. Staff has not received any public comment and recommends approval. This had been previously heard as a 2-acre lot with a recommendation from the commission to bring it back with a 5-acre lot.

Andrew Schrank, Highlands Engineering is representing the applicant. He explains the previous history of this property. This is a 5-acre lot so a FLUM or rezone will not be needed.

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

Motion to approve made by Commissioner Decker, Seconded by Commissioner Bosch.

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

D. SPECIAL USE PERMIT (SUP-005-2024) - Presented by: City Planner, Natalie Birchak

To consider a Special Use Permit for a home occupation for small-scale commercial chocolate production at 860 20th Street West in the City of Dickinson. The property is legally described as Lots 7 & 8, Block 10 of the Prairie Hills 2nd Replat located in Section 33, Township 140 North, Range 96 West. The site consists of +/- 0.55 acres.

Ms. Birchak presents the SUP request. She explains this is zoned as R1. This permit will allow a small based home business. Staff has not received any public comment and does recommend approval with conditions lined out on the staff report.

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

Motion to approve made by Commissioner Franchuk, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,

Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker

E. PRELIMINARY MAJOR PLAT (PLP-006-2024) - *Presented by: City Planner, Natalie Birchak*

To consider a Preliminary Major Plat for the West Ridge 4th Subdivision Addition Being the Replat of Lots 13-15, Block 6 of the Replat of the West Ridge 1st Addition, Block 1, Lots 1 and 17-12 located in the SW ¼ of SW ¼ of Section 31, Township 140 North, Range 96 West in the City of Dickinson. The site consists of +/- 1.51 acres.

Ms. Birchak presents the major plat request. She explains this will consist of seven townhome units on individual lots and two units located on one duplex lot. The individual townhome lots will be sold to the applicant and the duplex lots will be rented out. It is currently zoned R2. Staff has not received any public comment and recommends approval.

Andrew Schrank, Highlands Engineering is representing the applicant. He states the property lines match the existing utility services. That is why Lot 5 will contain two units and they will rent those units out.

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

Motion to approve made by Vice Chairman Bullinger, Seconded by Commissioner Franchuk.

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

F. REZONING (REZ-002-2024) - *Presented by City/County Planner, Steve Josephson*

To consider a Zoning Map amendment from General Industrial (GI) to Agriculture (AG) for a property located in the SW 1/4 of Section 11, Township 139 North, Range 96 West in the City of Dickinson's ETZ. The site consists of +/- 27.83 acres.

Mr. Josephson presents the rezone request. He again explains that this item was heard at a previous meeting and approved but it was later noted there was an error in the publication of the legal ad so it is being heard again.

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

Motion to approve made by Commissioner Haugen, Seconded by Commissioner Decker.

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

G. SPECIAL USE PERMIT (SUP-004-2024) - Presented by City/County Planner, Steve Josephson

To consider a Special Use Permit for convenience storage at 677 Livestock Lane in the City of Dickinson. The property is legally described as BN Lease Site # BF69076 located in Section 3, Township 139 North, Range 96 West. The site consists of +/- 4.22 acres.

Mr. Josephson presents the SUP request. He explains the background on this. It was originally approved in 2013 and the ownership has changed. They are changing the type of storage. They are proposign a change to the layout and will need a new SUP. Staff did find out they are doing outdoor storage of vehicles and it is not permitted. The applicant has been notified of that. This will not go to CC until they are compliant with the code. They also asked for a setback waiver in the previous SUP and they have requested the same. Staff recommends approval subject to the conditions.

The applicant is available on Teams. Jim Mccor ? He says it is the exact number of units that were approved. Non change to land. They have notified the tenants that were parked that they need to remove their vehicles. These will be modular units.

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

Motion to approve made by Commissioner Decker, Seconded by Commissioner Franchuk.

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

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

Motion to adjourn made by Commissioner Schwab, Seconded by Commissioner Haugen.

Voting Yea: Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Bosch, Commissioner Decker

