



RIGHT-OF-WAY VACATION STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
 From: City of Dickinson Planning Department
 Date: February 13, 2023
 Re: VAC-001-2024 Baker Boy Right-of-Way Vacation

OWNER/APPLICANT

Guy M. Moos
 Moos Enterprises, LLP

Public Hearing	February 14, 2024	Planning and Zoning Commission
Final Approval	March 5, 2024	City Commission

EXECUTIVE SUMMARY

Description: To consider a request to vacate the remainder of a dedicated right-of-way legally described as dedicated public right-of-way along all of Lot 7, West 100' of Lot 6, & West 100' of Lot 8, Block 2, A Replat of Dickinson Industries Subdivision, in the W1/2 of Section 7, Township 139 North, Range 96 West, Stark County, North Dakota.

This request is to vacate the remainder public right-of-way east of 48th Ave SW, for roughly 210 feet toward the east, along 1st Street SW. Additionally, the applicant is vacating an access easement displayed as a cul-de-sac. The purpose for this request is to further improve operations as the applicant deems fit at the Baker Boy industrial facility. Further information is provided in the attachments; see: Transmittal Letter.

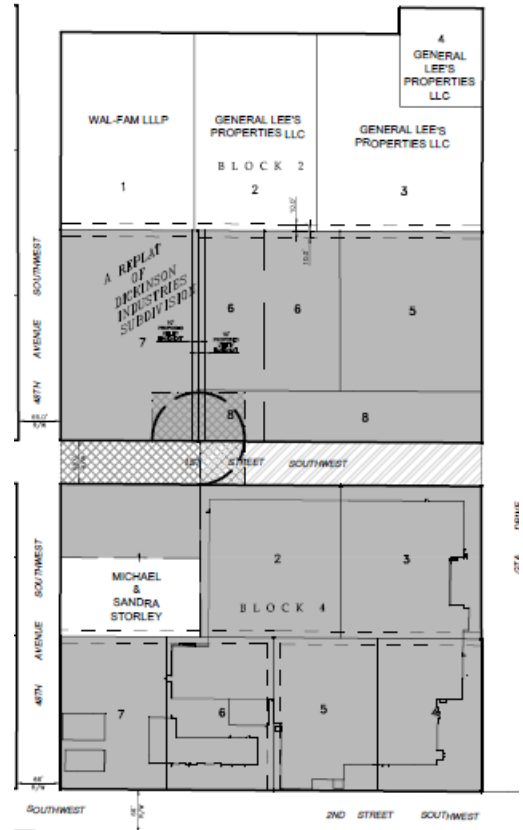
No comments have been received by City of Dickinson staff as of the date of this report.

LOCATION

Legal Description

Dedicated public right-of-way along all of Lot 7, West 100' of Lot 6, & West 100' of Lot 8, Block 2, A Replat of Dickinson Industries Subdivision, in the W1/2 of Section 7, Township 139 North, Range 96 West, Stark County, North Dakota.

General Location



STAFF CONCLUSIONS

Municipal Code Compliance:

The lots exhibited constitute a common development owned by Baker Boy. No lot will, therefore, be functionally landlocked and no neighboring property owner is anticipated to be affected. Staff has reviewed the right-of-way vacation process and finds this request to be in compliance of the City of Dickinson municipal code Chapters 33, 34, and 39 – Streets, Subdivision, and Zoning.

Fulfillment of this development, as proposed by the applicant and submitted documents, would be in compliance with the following sections and all other applicable municipal codes:

Section 39.09.006 Off-Street Parking Design Standards

Entrances and Exits

Section 39.09.007 Off-Street Loading

Loading Requirement

Recommendation: City of Dickinson Community Development Services staff recommends approval of this request.

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of **VAC-001-2024** 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 **VAC-001-2024** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.