



# Eagles Point 2<sup>nd</sup> Preliminary Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners  
 From: City of Dickinson Community Development Services  
 Date: April 1, 2026  
 Re: PLP-002-2026 Eagles Point 2<sup>nd</sup> Preliminary Major Subdivision

**APPLICANT**

Janice Kouba  
 Bruce & Janice Kouba Life Estate  
 11311 33<sup>rd</sup> Street SW  
 Dickinson, ND, 58601

**APPLICANT'S REPRESENTATIVE**

Andrew Schrank  
 Highlands Engineering  
 319 24<sup>th</sup> Street East  
 Dickinson ND 58601

<b>Public Hearing</b>	April 8, 2026	Planning and Zoning Commission
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The applicant is requesting approval of the Eagles Point 2<sup>nd</sup> preliminary major subdivision, being a replat of Lot 2 of Block 1 of the Eagles Point Subdivision, located in the SE ¼ of Section 18, Township 140 North, Range 96 West, in the City of Dickinson. According to the applicant, the purpose of this subdivision is to divide the lot for future residential development. The site is zoned Agricultural (AG). The site consists of +/- 40.01 acres.

Staff recommendation: Staff recommends **approval** of this preliminary major subdivision contingent on approval of REZ-002-2026.

The companion Eagles Point rezoning request is also scheduled for public hearing at the April 8, 2026 Planning and Zoning Commission meeting (REZ-002-2026).

**LOCATION**

The property is generally located to the north of 33<sup>rd</sup> Street Southwest, and it is legally described as Lot 2 of Block 1 of the Eagles Point Subdivision, located in the SE ¼ of Section 18, Township 140 North, Range 96 West, of the 5<sup>th</sup> Principal Meridian, Stark County, North Dakota.

<b>CURRENT ZONING</b>	<b>AG</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>AGRICULTURAL</b>
<b>GROSS SITE ACREAGE</b>	<b>+/- 40.01 acres</b>
<b>LOTS PROPOSED</b>	<b>8</b>

<b>ADJACENT ZONING &amp; LAND USE</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
North	AG	Single-family residential, agricultural
East	AG	Agricultural
South	RR	Single-family residential
West	AG	Undeveloped

**SERVICES**

The proposed subdivision is located outside of the City’s Urban Service Area. Potable water would be provided either by the Southwest Water Authority or by potable water wells. Wastewater service would be provided by the use of private septic systems.

Law Enforcement would be provided by the Stark County Sheriff’s Office. The Dickinson Rural Fire Department would serve the proposed subdivision.

Access would be provided by existing private access roads along the eastern and western portions of the property. A proposed access easement to allow for private and emergency access will be finalized and recorded prior to final plat approval. The proposed access agreement states that both private access roads will be maintained by the lot owners in the proposed subdivision. In an email dated March 21, 2026, the Stark County Road Superintendent, Todd Miller, stated the County Road Department had no issues with the proposed subdivision.

**CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS**

**Consistency with the Comprehensive Plan**

According to the City's Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated AGRICULTURAL. Rural Residential (RR) is an acceptable zoning district within the AGRICULTURAL FLUM designation.

### **Compatibility and Compliance with The Municipal Code**

A major subdivision plat is defined in Section 52-1 of the City Subdivision chapter as a subdivision that does not meet at least one of the following conditions:

- 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 Eagles Point 2<sup>nd</sup> Subdivision consists of a total of eight lots. Therefore, the proposed subdivision does not meet the above requirements and is classified as a major subdivision.

The proposed subdivision replats Lot 2 of the Eagles Point Subdivision into eight total five (5)-acre lots. According to Table 62-162-3a: Summary of Site Development Regulations in the Municipal Code, the minimum lot size for lots in the AG zoning district is 10 acres. The proposed lots do not meet the minimum lot size requirement for the AG zoning district. The applicants are requesting to rezone the property into the Rural Residential (RR) zoning district, which has a minimum lot size of 1 acre. All proposed lots meet the 1-acre lot size minimum for the RR zoning district.

### **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 PLP-002-2026 contingent on the approval of REZ-002-2026.

**MOTIONS:**

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

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **PLP-002-2026: The Eagles Point 2<sup>nd</sup> Preliminary Major 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 **PLP-002-2026: The Eagles Point 2<sup>nd</sup> Addition Preliminary Major 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."*