



## STAFF REPORT

**To:** Planning and Zoning Commission

**From:** City of Dickinson Development Team

**Date:** September 14, 2023

**Re:** **FLP-011-2023 CenterPointe Addition Subdivision**

### OWNER

Larry Nygard  
 1918 9<sup>th</sup> St E,  
 West Fargo ND 58078  
 lnygard@crowndevelopmentnd.com  
 (701)936-7469

### APPLICANT

Trent Karel, Houston Engineering  
 1027 Lockport Street  
 Bismarck ND 58501  
 tkarel@houstoneng.com  
 (701)499 2046

<b>Public</b>	September 20, 2023	Planning and Zoning Commission
<b>Hearings:</b>	October 3, 2023	City Commission

### EXECUTIVE SUMMARY

To consider a Preliminary/Final Plat for Center Pointe Subdivision being a re-plat of Lot 6B, Block 3 of West Ridge 1<sup>st</sup> Addition in the S ½ of Section 31, Township 140N, Range 96W. The site consists of +/- 4.35 acres. The subject parcel is zoned General Commercial (GC).

### REQUEST

- A. Request:** The applicant seeks approval of a minor plat of the subject property. The proposed land use for the subject parcel is defined as a *General and Limited Retail Services*, per Section 39.03.007 Commercial Use Types, and is permitted within the General Commercial zoning district.
- B. Location/Legal Description/Area:** The proposed two-lot subdivision is generally located along Legend Drive, approximately 500 feet east of 38<sup>th</sup> Ave W. It is legally described as Lots 1-2, Block 1 of the Replat of Parcel 6B of Lot 6, Block 3, West Ridge 1<sup>st</sup> Addition

<b>ZONING</b>	<b>GC</b>
<b>FUTURE LAND USE MAP DESIGNATION</b>	<b>Commercial</b>
<b>GROSS SITE ACREAGE</b>	<b>4.35 acres</b>
<b>LOTS PROPOSED</b>	<b>2</b>

<b>CURRENT ADJACENT LAND USE/ZONING</b>		
<b>Direction</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	<b>GC &amp; P</b>	<b>Undeveloped</b>
<b>East</b>	<b>GC</b>	<b>Lodging</b>
<b>South</b>	<b>I-94 Interstate ROW</b>	<b>Federal Highway</b>
<b>West</b>	<b>GC</b>	<b>Undeveloped</b>

### Context:

**Background:** The property owner wants to sell the eastern portion of the existing Lot 6B, Block 3 of the West Ridge 1<sup>st</sup> Addition Subdivision. As Lot 6B was originally created through the administrative lot split process as found in Chapter 34 of the Municipal Code Subdivision of Land, additional division of Lot 6B requires approval of a minor subdivision plat. Therefore, this minor subdivision is required because the lot was previously split.

### STAFF REVIEW AND RECOMMENDATIONS

- **Compatibility with Local Uses:** The proposed “tire center” use will be compatible with the existing uses within the immediate vicinity. This parcel is located within a previously planned yet relatively undeveloped area. Approval of this application furthers fulfillment of previously adopted plans.
- **Compliance with Zoning and Subdivision Regulations:** The proposed lot satisfies zoning requirements regarding minimum square footage per Section 39.04.005 of the municipal code. The proposed Preliminary/Final Plat satisfies all lot boundary requirements, current zoning requirements, and Minor Subdivision Plat requirements.

The minimum lot size in the GC zoning district is 12,000 square feet. Both proposed lots satisfy the minimum lot size of the GC zoning district. Both proposed lots satisfy the GC minimum lot width of 100 feet.

**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 the minor plat application.

**Attachments:**

- A - Application Material

**MOTIONS:**

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

*"I move the City of Dickinson Planning and Zoning Commission recommend Approval of **FLP-011-2023 CenterPointe Addition** subject to the conditions above, 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 the **FLP-011-2023 CenterPointe Addition** petition as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

**ATTACHMENT A –**

**APPLICATION MATERIALS**