



Transmittal Letter

To: Joshua Skluzacek – Community Development Director
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
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Date: April 5, 2024

Re: Rezone Application – Moore 1st Subdivision

Message: Enclosed you will find the following Rezone application documents for the above referenced project being submitted for consideration at the May Planning and Zoning Meeting:

- Pre-submittal Meeting Letter
- Narrative (included, below) of the Project Description
- Legal Descriptions (included, below) for the Proposed FLUM Designations
- Warranty Deed for the Property
- Map of Current Zoning Designations from City's GIS Information
- Parcel Map for the Property from City's GIS Information
- Utility Map from City's GIS Information
- Flood Hazard Areas from City's GIS Information

Rezoning Request

The applicant is requesting a change from Agricultural (AG) to Rural Residential (RR) for the area described by this application.

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Legal Description of Proposed FLUM Changes

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) OF SECTION SIX (6), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE NINETY-FIVE WEST (R95W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF A TRACT OF LAND AS RECORDED AT THE STARK COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 3099394 BEING A FOUND REBAR AND CAP LS-5771; THENCE N 00°28'44" E ALONG THE EAST LINE OF SAID TRACT, A DISTANCE OF 262.27 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 89°57'41" E PARALLEL TO THE SOUTH LINE OF SAID SECTION SIX (6), A DISTANCE OF 349.86 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 00°05'45" E, A DISTANCE OF 262.25 FEET TO A FOUND REBAR AND CAP LS-1225 AT THE NORTHEAST CORNER OF A TRACT OF LAND AS RECORDED AT THE STARK COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 3037698; THENCE N 89°57'50" W ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 352.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.11 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

Project Description

This property is currently owned by Donald L. Gerber, and he would like to convey this ±2.11-acre parcel to his grandson, Dawson Moore, so that he can build his primary residence within this site. The current Future Land Use Map (FLUM) depicts this property as *Industrial* and the current zoning is *Agricultural (AG)*, which does not allow for this proposed lots size and residential use. Therefore, this zone change to *Rural Residential* is being requested to allow for the proposed minor plat to meet City Ordinances.

In reviewing the land uses surrounding this site that are present to date, they are predominantly agricultural and residential with some intermixed industrial uses. Existing residences are present within ¼-mile of this site to the west, south, and east, making this proposed change a better fit for the current surrounding land uses than the current Industrial designation.

The applicant, Dawson Moore, indicated that his grandfather has no desire to develop or sell this property for development. Donald Gerber owns a large majority of the property on the easter side of the City's Corporates located just south I-94 that lie in the vicinity of this parcel. Therefore, he has control over a good portion of this area that is designated as Industrial. With his ownership of this property, industrial development is not anticipated in this area for the foreseeable future based on input from the applicant.

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Allowing property to be passed down from generations to give younger individuals the opportunity to remain in Dickinson and the surrounding area is something that we believe the City should encourage. Approving this change will not significantly impact development patterns in this area since this is a smaller parcel of property, and it will provide an opportunity for this family to continue spreading their roots in the City and its surrounding area.

Access to this property is provided by an existing gravel driveway that connects from the SE corner of this property to Villard Street E. An access easement that will be recorded along with this minor plat, if approved, is being submitted with the minor plat application.

This area is also located outside of the City's Corporate Limits in the City's ETZ, and it is outside of the City's Urban Service Area, but within the City's Water Service Area.

Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!



Andrew Schrank, PE, CFM
Highlands Engineering