



Eagles Point 2nd Final Major Subdivision Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: June 3, 2026
 Re: FLP-003-2026 Eagles Point 2nd Preliminary Major Subdivision

APPLICANT

Janice Kouba
 Bruce & Janice Kouba Life Estate
 11311 33rd Street SW
 Dickinson, ND, 58601

APPLICANT'S REPRESENTATIVE

Andrew Schrank
 Highlands Engineering
 319 24th Street East
 Dickinson ND 58601

Public Hearing	June 10, 2026	Planning and Zoning Commission
Final Consideration	June 16, 2026	City Commission

The applicant is requesting approval of the Eagles Point 2nd final 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's Extra-Territorial Zone (ETZ). 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 final major subdivision contingent on approval of REZ-002-2026.

The Planning and Zoning Commission recommended approval of the associated Eagles Point zoning map amendment (REZ-002-2026) at the April 8th, 2026 P&Z Commission meeting.

LOCATION

The property is generally located to the north of 33rd Street Southwest, and is currently 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 5th Principal Meridian, Stark County, North Dakota.

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

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
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 shall 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.

The Eagle’s Point 2nd preliminary major subdivision received a recommendation of approval from the Planning and Zoning Commission at the April 8th, 2026 meeting. Since that approval, the applicant has requested to reduce the proposed water line easement to 20 feet wide, and

the proposed public utility easement to 10 feet wide. Staff does not have any concerns regarding the requested reductions.

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 2nd Subdivision consists 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 one (1) acre. All proposed lots exceed the one-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 FLP-003-2026 contingent on the approval of REZ-002-2026.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-003-2026: The Eagles Point 2nd Final 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 **FLP-003-2026: The Eagles Point 2nd Addition Final 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."*