



WOOD ACRES MAJOR FINAL PLAT STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Community Development
Date: August 7, 2024
Re: **FLP-005-2024 Wood Acres Subdivision Final Plat**

OWNER/APPLICANT

Johnny Wood
 Big Three Builders
 3389 108H Avenue SW
 Dickinson, ND, 58601
 Johnny.wood@yahoo.com
 701 290-1019

Public Hearing	August 14, 2024	Planning and Zoning Commission
Final Action	August 20, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting that the City consider a final major subdivision plat of the Wood Acres Subdivision located within the City of Dickinson's Extra Territorial Zone. The property is legally described as located in the SW ¼ of Section 30, Township 140 North, Range 96 West. The applicant intends to subdivide the existing parcel into three lots for residential purposes.

A public hearing on the preliminary plat was held at the June 12, 2024 Planning and Zoning Commission meeting. The Planning and Zoning Commission recommended approval subject to the following:

- The final plat shall include a note that the proposed North/South Right-of-Way shall be dedicated to the City for 25 years;
- After 25 years, the property owners within the subdivision may request a vacation of the Right-of-Way; and
- The above referenced Right-of-Way is reduced from 50 feet to 33 feet.

The proposed final plat map shall include notes reflecting the Planning and Zoning Commission’s recommendation.

A companion rezoning application was heard at the June 12, 2024 Planning and Zoning Commission meeting (REZ-005-2024). A first reading of the proposed rezoning was held at the June 18, 2024 City Commission meeting.

Staff Recommendation: Approval subject to the following:

- The final plat map shall be revised to reflect the Planning and Zoning Commission’s recommendations as stated above; and
- The 30-foot wide private road easement shall be paved within the public Right-of-Way limits

LOCATION

The property is located north, directly adjacent, of 21st Street West, and west of 30th Avenue West approximately 0.5 miles.

CURRENT ZONING	AG
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 20
LOTS PROPOSED	Three

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Undeveloped
East	AG	Undeveloped
South	AG	Undeveloped
West	AG	Undeveloped

STAFF ANALYSIS

City staff has identified the following issues:

- The plat meets the final major plat requirements and includes the required Right-of-Way dedications based on the City of Dickinson 2013 Transportation Master Plan. The Right-of-Way dedications required for the plat are as per City of Dickinson Transportation Master Plan Figure 4-2: Proposed 2035 Functional Classification of Streets in Study Area. Minor arterial roadways are proposed for the south and east side of this proposed subdivision. A collector roadway is proposed for the north side of this subdivision. As per the City of Dickinson Transportation Master Plan Figure 4-3: Typical Urban Roadway Sections, minor arterials and collectors require 100-feet and 80-feet of Right-of-Way, respectively.
- The applicant provided feedback in a written statement included in item three of the statement letter. They are requesting the Right-of-Way dedication be vacated to the current lot owners within 10-years if the City does not construct the roadways by that time. The City is currently updating the Transportation Master Plan and Comprehensive Plan for a planning period of 25-years. The lot owner will be required to follow the Right-of-Way vacation process that is in place at that date and time.
- Although larger acreage residential lots are not typically recommended by staff within the Extra Territorial Zone, this development pattern already exists east of the proposed subdivision. The concerns are related to the limited future opportunities for infill development, efficient expansion of roadways, and efficient provisions for utility services. These factors can be addressed in the future, but there will be additional costs to the City for the infrastructure required to traverse around the proposed platted property.

STAFF REVIEW AND RECOMMENDATIONS

Compliance with Subdivision Regulations:

Staff reviewed the final major plat and finds it to be compliant with the subdivision and zoning regulations as submitted by the applicant.

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Community Development staff recommends **APPROVAL** of the final major plat subject to conditions.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-005-2024, the Wood Acres Subdivision Final Plat, subject to conditions, 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. The 30-foot wide private road easement shall be paved within the public Right-of-Way limits.
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **FLP-015-2024, the Wood Acres Subdivision Final Plat, as NOT meeting all the requirements of Chapter 34 Subdivision of Land of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."***