



Winn Heart River 4th Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
From: City of Dickinson Community Development Services
Date: November 5, 2025
Re: REZ-007-2025 Winn Heart River 4th Zoning Map Amendment

APPLICANT

Billie and Willis Winn
1872 7th Street West
Dickinson, ND, 58601
wwinn@ndsupernet.com
(701) 290-1190

OWNER

Clint Heim Trust
3448 115th Avenue SW
Dickinson, ND, 58601

Public Hearing	November 12, 2025	Planning and Zoning Commission
Public Hearing	November 18, 2025	City Commission
Final Consideration	December 2, 2025	City Commission

The applicants are requesting the approval of a zoning map amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lots 32-36 of Block 1 of the Heart River Fourth Subdivision, located within the City of Dickinson. The purpose of this rezoning is to allow for the construction of three four-unit multifamily residential buildings, which would also require a future replat of the property.

Staff recommendation: Staff recommends approval of this rezoning request.

LOCATION

The property is generally located on the southwest corner of 7th Street Southwest and 2nd Avenue Southwest, and it is legally described as Lots 32-36, Block 1, of the Heart River Fourth Subdivision, located within the SE1/4 of the SE1/4 of Section 9, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota.

CURRENT ZONING	R-1
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.14 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-1	Single-family residential
East	R-1	Single-family residential
South	R-1	Quonset storage structures
West	R-2; R-1	Multi-family residential; single-family residential

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 RESIDENTIAL. Medium Density Residential (R-2) is an acceptable zoning district within the RESIDENTIAL FLUM designation.

Compatibility

The proposed rezoning is comparable to and compatible with the R-2 zoning district of the adjacent properties to the west along this segment of 7th Street Southwest.

Compliance with The Zoning Ordinance

The site is currently zoned R-1, and the applicant is proposing to rezone the site to R-2. The applicant has indicated an interest in re-platting the property in order to construct three four-

unit multi-family residences. According to Table 62-162-2: Permitted Uses by Zoning Districts, in the City's Municipal Code, multi-family residences with up to four units are permitted in the R-2 zoning district. The proposed lots shall utilize the existing 2nd Avenue Southwest right-of-way for access. As part of the subdivision process, the applicant shall enter a development agreement with the City to construct a portion of 2nd Avenue Southwest up to the south lot line of Lot 32.

According to Table 62-162-3a. Summary of Site Development Regulations, a four-plex constructed in the R-2 zoning district would require a minimum lot size of 16,000 square feet. The total lot size of the site being rezoned is 49,400 square feet, which would be large enough for a maximum of three four-plex structures. The applicant has indicated they are looking to replat the property to create three lots of roughly 16,467 square feet in order to place each four-plex on a separate lot. No building permit for a four-plex shall be issued for the property until both this rezone and a subdivision of the property have been approved.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Community Development staff has received numerous calls from nearby property owners stating that they do not want to see an increase in the density of the surrounding area. Community Development staff received one letter from an adjacent property owner expressing concern on the impact to traffic in the area. A petition opposing the project with fifteen signatures was submitted by a nearby property owner.

As per the request of the Planning and Zoning Commission, a public engagement meeting was held by the applicant in the City Commission Chambers on October 29, 2025. During this meeting, the applicant presented the planned lot layout and site plan for the proposed construction. There was a discussion over how the construction of 2nd Avenue Southwest would be funded, and conversation about whether development would be possible or feasible without approval of the rezone.

The Planning and Zoning Commission requested the history of accidents, traffic stops, and complaints along 7th Street Southwest. Based on research completed by the Dickinson Police Department, there had been three (3) documented driving complaints, two (2) accidents, and one (1) citation/warning in the area. The details of each of these incidents are included in Attachment A.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-007-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-007-2025: The Winn Heart River 4th Rezoning Request** 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 **REZ-007-2025: The Winn Heart River 4th Rezoning Request** 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."*