



PLANNING AND ZONING MEETING MINUTES

Wednesday, September 09, 2026 at 7:10 AM MT
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Jahner
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Mathew Rothstein

CALL TO ORDER

Meeting called to order at 7:10AM.

ROLL CALL

PRESENT

Chairman Jason Fridrich
Vice Chairman Scott Bullinger
Commissioner Dean Franchuk
Commissioner Aaron Johansen
Commissioner Richard Haugen
Commissioner Mike Schwab
Commissioner Val Decker
Commissioner Mathew Rothstein
Commissioner Zach Jahner

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve as presented.

Motion made by: Vice Chairman Bullinger, **Seconded by:** Commissioner Johansen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

2. MINUTES

A. AUGUST 12TH, 2026 MINUTES

Motion to approve as presented.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Haugen.
Voting Yea: Chairman Fridrich, Commissioner Franchuk, Commissioner Johansen, Commissioner Schwab, Commissioner Decker, Commissioner Jahner

3. REGULAR AGENDA

A. PRELIMINARY MAJOR PLAT (PLP-006-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the preliminary major subdivision plat for the Gunwall Subdivision, a portion of the SW $\frac{1}{4}$ of Section 24, Township 140 North, Range 97 West, located within the City of Dickinson's Extra-Territorial Zone (ETZ). The property is zoned Agricultural (AG) and consists of approximately 5.00 acres.

The applicant is requesting approval to establish a 5-acre lot for the purpose of transferring it to a family member. Birchak noted the property is currently zoned AG; however, a companion rezoning request is scheduled for consideration later in the meeting. The rezoning would change the district to Rural Residential to meet minimum lot-size standards, as 5 acres is too small for the AG district. Staff reported no public comments had been received. Both staff and the applicant's representative were available for questions, and staff recommended approval contingent upon the approval of the associated rezoning request.

No commissioners had questions for staff, and the applicant declined to provide additional remarks prior to the public hearing.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of PLP-006-2026, the Gunwall preliminary major subdivision, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Johansen, **Seconded by:** Commissioner Decker.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

B. REZONING (REZ-004-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the zoning map amendment request for Lot 1, Block 1 of the proposed Gunwall Subdivision, located in the $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 140 North, Range 97 West, within the City of Dickinson's Extra-Territorial Zone (ETZ). The site is zoned Agricultural (AG) and consists of approximately 5 acres.

The applicant is requesting a rezoning from Agricultural (AG) to Rural Residential (RR). Birchak explained the purpose of the request is to allow the Gunwall Subdivision to meet the minimum lot-size requirements of the Rural Residential district, which

requires a minimum of 1 acre, whereas the Agricultural district requires 10 acres. The associated preliminary plat application proposes establishing a 5-acre lot for transfer to a family member. Staff reported receiving no public comments regarding the request. Both staff and the applicant's representative were available for questions, and staff recommended approval contingent on approval of the related preliminary plat (PLP-006-2026).

No commissioners had questions for staff, and the applicant offered no additional comments prior to the public hearing.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of REZ-004-2026, the Gunwall zoning map amendment, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Haugen, **Seconded by:** Commissioner Rothstein.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

C. PRELIMINARY MAJOR PLAT (PLP-005-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the preliminary major subdivision plat for the Zowie Heights Addition Subdivision, a portion of the SE $\frac{1}{4}$ of Section 27, Township 140 North, Range 96 West, located within the City of Dickinson's Extra-Territorial Zone (ETZ). The property is zoned Agricultural (AG) and consists of approximately 40.01 acres.

The applicant is requesting approval to dedicate portions of the property as right-of-way for 4th Avenue East and 10th Avenue East and to establish one 8.745-acre lot to the east, which would continue to be utilized as a primary residence. The proposal also includes creating three 10-acre lots to the west that may be sold and developed in the future. Birchak noted the site remains zoned AG.

Birchak explained that at the previous Planning and Zoning Commission meeting, the preliminary plat had been tabled at the Commission's request so the applicant could submit a rezoning request, a future land use map amendment, and an annexation petition for the three 10-acre lots intended for future development. Those applications—FLM-001-2026, REZ-005-2026, and ANX-001-2026—are included later on the agenda for consideration. The eastern lot, which is proposed to remain in the ETZ, does not meet the minimum AG lot-size requirement and is scheduled to go before the Board of Adjustment to request a lot-size variance.

Staff reported receiving public comments from a property owner to the north requesting that a fence be required as part of future development of the western lots. At this time, staff is not requiring construction of a fence; however, if the property is

rezoned and development proceeds, fencing would be required at the building-permit stage due to the increased intensity of use. Birchak also noted that the city is preparing a development agreement with the owner to ensure that any future development on the western lots includes coordination with a licensed North Dakota engineer, proper connection to municipal services, and review of any future subdivisions.

Staff and the applicant's representatives were present to answer questions, and staff recommended approval of the preliminary plat contingent on approval of the associated FLM-001-2026, REZ-005-2026, ANX-001-2026, and the development agreement.

No commissioners had questions for staff, and the applicant did not provide additional comments.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of PLP-005-2026, the Zowie Heights Addition preliminary major subdivision, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Johansen, **Seconded by:** Vice Chairman Bullinger.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

D. FUTURE LAND USE MAP AMENDMENT (FLM-001-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the future land use map amendment request for approximately 30 acres located in the SE $\frac{1}{4}$ of Section 27, Township 140 North, Range 96 West, within the City of Dickinson's Extra-Territorial Zone (ETZ). The subject property corresponds to proposed Lots 1, 2, and 3, Block 1 of the Zowie Heights Addition Subdivision.

The applicant is requesting to amend the future land use designation from Agricultural within the Rural Reserve to Commercial. Birchak explained that this amendment is being brought forward in conjunction with the applicant's intent to rezone the property from Agricultural (AG) to General Commercial (GC) and to annex the land into the city. These related applications—REZ-005-2026, PLP-005-2026, ANX-001-2026—appear later on the agenda and are part of the coordinated review process. Staff reported receiving no public comments regarding the proposal. Both staff and the applicant's representative were available for questions, and staff recommended approval contingent upon approval of the companion applications and the associated development agreement.

No commissioners had questions for staff, and the applicant did not provide further comments prior to the public hearing.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of FLM-001-2026, the Zowie Heights Addition future land use map amendment, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Decker, **Seconded by:** Commissioner Rothstein.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

E. REZONING (REZ-005-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the zoning map amendment request for approximately 30 acres located in the SE $\frac{1}{4}$ of Section 27, Township 140 North, Range 96 West, within the City of Dickinson's Extra-Territorial Zone (ETZ). The subject property corresponds to proposed Lots 1, 2, and 3, Block 1 of the Zowie Heights Addition Subdivision.

The applicant is requesting a rezoning from Agricultural (AG) to General Commercial (GC). Birchak explained the purpose of the rezoning is to allow the property to be annexed into city limits and developed as commercial lots in the future. She noted that General Commercial zoning already exists to the west of the site, and the proposed district would be consistent with the surrounding zoning pattern. Staff also reported receiving public comments requesting that a fence be constructed along the north and east boundaries. Birchak clarified that while a fence is not being required at this stage, fencing would be required at the building-permit stage if the lots are developed for more intensive commercial uses.

One commissioner inquired about the narrow strip of land to the south, where a well is located, and how the rezoning would affect that area. Birchak explained that the southern portion would remain Agricultural unless future development is proposed, which would likely require well head reclamation, something not anticipated in the near future.

Staff and the applicant's representative were present to answer questions, and staff recommended approval contingent upon approval of the associated PLP-005-2026, FLM-001-2026, ANX-001-2026, and the development agreement.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of REZ-005-2026, the Zowie Heights Addition zoning map amendment, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Rothstein, **Seconded by:** Commissioner Franchuk.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

F. ANNEXATION (ANX-001-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the annexation request for approximately 30.64 acres located in the SE ½ of Section 27, Township 140 North, Range 96 West, within the City of Dickinson's Extra-Territorial Zone (ETZ). The request includes proposed Lots 1, 2, and 3, Block 1 of the Zowie Heights Addition Subdivision, as well as the west 40 feet of the proposed right-of-way dedication associated with the subdivision.

Birchak explained the applicant is seeking to annex the property into city limits in coordination with associated applications to amend the future land use map from Agricultural to Commercial and to rezone the property from Agricultural (AG) to General Commercial (GC), consistent with existing commercial zoning to the west. These companion items—FLM-001-2026, REZ-005-2026, and PLP-005-2026—are being considered at the same meeting. Staff reported receiving no public comments regarding the annexation. Both staff and the applicant's representative were available for questions, and staff recommended approval contingent on approval of the related applications and the associated development agreement.

Commissioners had no questions for staff, and the applicant did not offer additional comments.

A public hearing was opened. No comments or concerns were presented. The hearing was closed.

A motion was made to recommend approval of ANX-001-2026, the Zowie Heights Addition annexation request, as being consistent with the City of Dickinson Comprehensive Plan, compliant with the zoning ordinance, and in the interest of public health, safety, and welfare.

Motion made by: Commissioner Johansen, **Seconded by:** Commissioner Rothstein.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein, Commissioner Jahner

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion to adjourn at 7:34AM.

Motion made by: Commissioner Decker, **Seconded by:** Commissioner Rothstein.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,
Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner
Decker, Commissioner Rothstein, Commissioner Jahner

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/FvUmSgpsS-U>

This link will not be live until approximately 7:05 AM MT on September 9, 2026.

Teams Meeting: <https://tinyurl.com/PZC09092026>

Teams Meeting ID: 250 270 787 635 88

Meeting Passcode: Es3Ko6Lg

Teams Phone #: 1-701-506-0320

Phone Conference ID: 653 776 296#

Local Phone #: 701-456-7006

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator at (701) 456-7744 by the Friday preceding the meeting.