



ENERGY CENTER 6TH Addition
Final PLAT STAFF REPORT

To: City of Dickinson Planning & Zoning Commission
From: City of Dickinson Planning Department
Date: June 5, 2024
Re: **FLP-012-2024 Energy Center 6th Addition Subdivision Final Plat**

OWNER/APPLICANT

Dickinson Energy Park LLC
P.O. Box 1316
Dickinson, ND, 58601
tracyt@toozconstruction.xom
701 260-4431

APPLICANT'S REPRESENTATIVE

Andrew Schrank
Highlands Engineering
319 24th Street East
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701 483 2444

Public Hearing	June 12, 2024	Planning and Zoning Commission
Final Action	June 18, 2024	City Commission

EXECUTIVE SUMMARY

Current Plat Legal Description

To consider a Preliminary Plat for the Energy Center 6th Addition Subdivision. This is a proposed replat of a portion of Lot 1, Block 1 of the Energy Center 3rd Addition Subdivision located in the SE1/4 of Section 1, Township 139N, Range 96W in the City of Dickinson.

Request

The applicant wishes to replat the south portion of Lot 1 Block 1 of the Energy Center 3rd Addition Subdivision. The proposed replat would result in the following:

- The creation of five lots; and
- The provision of a public right-of-way necessary to provide access to the North Dakota National Guard Readiness Center on the adjacent property to the north.

A preliminary plat request for the Energy Center 6th Addition Subdivision was heard by the Planning and Zoning on April 10, 2024. Both the Planning and Zoning Commission and Community Development staff recommended approval subject to conditions.

Staff Recommendation: Approval.

LOCATION

The property is located north of East Villard Street and west of Energy Drive.

CURRENT ZONING	GI
FUTURE LAND USE MAP DESIGNATION	Industrial
GROSS SITE ACREAGE	44.64 acres
LOTS PROPOSED	5

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	GI	National Guard Readiness Center
East	GI	Undeveloped
South	GI	Undeveloped
West	GI	Undeveloped

STAFF ANALYSIS

City staff has identified the following issues. Many of these issues were conveyed to the applicant and their representative in an email dated March 22, 2024.

Platting

- Due to the proposed roadway ending at Energy Drive and East Villard, a 66-foot right-of-way will be sufficient.
- The City of Dickinson will provide feedback on the street name.
- Due to the right-of-way dedication required with this plat, the application will be a major plat.

Engineering

- Utilize the “Local” street typical section as per Figure 4-3: Typical Urban Roadway Sections in the Transportation Master Plan.
- Future drive approaches are required to enter from the new right-of-way and avoid all new approaches onto Energy Drive and East Villard

Development Agreement:

- The Final Plat shall become effective upon recordation of the companion development agreement which is to be recorded by the Stark County Recorder’s office;

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Some key attributes to the development agreement include:

- City of Dickinson is applying for the Department of Defense Local Defense Community Cooperation under the Defense Community Infrastructure Program grant which will include the right-of-way infrastructure costs.
 - The City will commit to apply for the grant in 2024, and if unsuccessful again in 2025.
- If the City is not awarded the grant in 2025, renegotiations will be required for the development agreement as to how the costs will be allocated for the infrastructure within the right-of-way.
- The watermain within the right-of-way has been included on the North Dakota Department of Water Resources Water Development Plan for 2025-2027 which may be funded up to 60% if the grant is awarded.

STAFF REVIEW AND RECOMMENDATIONS

Compliance with Zoning and Subdivision Regulations:

According to Article 39.04 of the City’s Zoning Ordinance, the purpose of the General Industrial

(GI) district is to accommodate a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be

adequately buffered from residential districts. The proposed replat is in compliance with the purpose of the GI zoning district.

The proposed subdivision plat would consist of five lots ranging in size from 5.92 acres to 9.90 acres. As each proposed lot exceeds the minimum GI lot size of 10,000 square feet, and approval of this plat would result in legal conformity with both Chapter 34 Subdivision and Chapter 39 Zoning.

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

Staff Recommendation: City Community Development staff recommends **approval** of the final plat.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-012-2024, the Energy Center 6th Addition Subdivision** 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. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **FLP-012-2024 State 9th Addition** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*