



PLANNING AND ZONING MEETING MINUTES

Wednesday, August 12, 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 Zach Jahner

ABSENT

Commissioner Mathew Rothstein

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS

Motion to approve as presented.

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

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

2. MINUTES

A. JULY 8TH, 2026 MINUTES

Motion to approve as presented.

Motion made by: Commissioner Haugen, **Seconded by:** Commissioner Decker.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk,

Commissioner Johansen, Commissioner Haugen, Commissioner Schwab,
Commissioner Decker, Commissioner Jahner

3. REGULAR AGENDA

A. OATH OF OFFICE FOR ZACH JAHNER

B. PRELIMINARY MAJOR PLAT (PLP-004-2026) - Presented by City Planner, Natalie Birchak

City Planner Natalie Birchak presented the preliminary major subdivision plat for the Taplands Addition Subdivision, a replat of a portion of Lot 1, Block 1 of the Green Acres Addition, located in the southwest quarter of the northwest quarter of Section 9, Township 139 North, Range 96 West, City of Dickinson. The property is zoned Limited Commercial and consists of approximately 2.28 acres.

The applicant is requesting approval to dedicate a portion of the property as right-of-way and combine it with the previously dedicated right-of-way to the west in order to remove an internal lot line that would interfere with redevelopment of the site. Staff noted no public comments had been received and recommended approval. Chairman Fridrich asked for clarification regarding the dedication and the purpose behind the proposed combination. Staff explained the applicant intends to redevelop the parcel into a commercial center that would cross the existing lot line, necessitating the replat.

Andrew Shrank with Highlands Engineering, representing the applicant, provided additional background. He explained the parcel was originally part of Green Acres Addition before State Avenue was constructed, which split the original lot into two pieces. The applicant recently purchased the southern portion and is now seeking to replat it. Shrank stated the request includes vacating an unused 33-foot right-of-way along the west edge, as well as a 10-foot utility easement. All utility providers have signed the vacation petition. He noted limited floodplain along the Heart River and ongoing coordination with city staff regarding sanitary sewer service due to the presence of a city force main. No zoning change is required.

Chairman Fridrich confirmed the site is within city limits and noted this location is the former greenhouse site. Commissioner Schwab asked about access at Deer Run, and Shrank explained access is maintained through a gravel road and a 33-foot access easement granted by the adjacent property owner to the west. Commissioner Bullinger asked whether the west and south boundaries represent the city limits, and Shrank confirmed they do.

A public hearing was opened. No comments or concerns were presented in person or by phone. The hearing was closed.

A motion was made to recommend approval of PLP-004-2026, the Taplands 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 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 Subdivision, located in the southeast quarter of Section 27, Township 140 North, Range 96 West, within the City of Dickinson's Extra-Territorial Zone. The site is zoned Agricultural and consists of approximately 40.006 acres. The applicant is requesting approval to dedicate portions of the property as right-of-way for 4th Avenue East and 10th Avenue East, establish an 8.745-acre lot on the east to continue serving as a primary residence, and create a 30-acre lot to the west that could be further subdivided or rezoned by a future developer.

Birchak noted that the proposed 8.745-acre lot does not meet the minimum 10-acre size requirement for the AG zoning district; however, a variance was approved by the Board of Adjustment on August 10, 2026. Staff reported receiving public comments requesting clarification on future development and expressing concerns regarding access to sanitary sewer to the north and potential screening needs. Staff recommended approval contingent on the applicant obtaining the lot size variance.

The public hearing opened. Ike Kuntz, owner of the property to the north, expressed concerns regarding the east-west sanitary sewer easement. Kuntz requested an easement connection to his property to accommodate potential future development, noting that the natural downhill grade toward the subdivision would make sanitary service more practical from the south. He also requested installation of a chain-link fence along the shared boundary to prevent garbage from blowing onto his property from Lions Subdivision. Chairman Fridrich confirmed Kuntz was requesting these considerations for future development only. Birchak responded that staff could not determine an appropriate easement location due to unknown future development patterns, adding that alternative sanitary sewer access points exist. Public Works Director Josh Skluzacek suggested continuing discussions with the property owner outside of the meeting to better evaluate grades, gravity flow, and future feasibility.

Chairman Fridrich stated concerns about splitting agricultural land when it is unlikely to remain agricultural, particularly since the west lot is anticipated to be sold and is adjacent to city limits. He questioned why the property was not being rezoned at this stage. Birchak explained that without a specific development plan, staff determined it was best to leave the parcel as-is for now and address rezoning and annexation when future development is proposed. She noted the future land use map designates the area as Rural Reserve, meaning any development would require annexation and rezoning to an urban district.

Commissioner Schwab asked for clarification on the future land use designation, and Birchak confirmed it would require urban zoning for future development. Commissioner Decker examined whether approval with stipulations would create inconsistency or precedent; Birchak noted any precedent set would match the future land use map

adopted in October 2025. Chairman Fridrich continued to express concerns about leaving a property zoned AG when it will not remain AG, emphasizing the parcel's small size and proximity to industrial areas and city limits. Skluzacek stated staff could work with the applicant and future west lot owner to establish stipulations preventing future development or building permits until annexation and rezoning occur.

Commissioner Johansen asked whether approval could include stipulations; Birchak clarified stipulations may be added to the final major subdivision. Commissioner Decker suggested delaying action until annexation and rezoning plans are in place, allowing the subdivision, zoning, and future development considerations to be handled at once. Johansen agreed. Commissioner Haugen confirmed the small strip of property to the south remains agricultural.

Chairman Fridrich asked whether these details could be resolved prior to final approval. Skluzacek stated the applicant has been cooperative and staff could work with both parties before the final plat is presented. City Attorney Wenko recommended tabling the application until additional considerations are resolved.

A motion was made to table the application until the next meeting.

Motion made by: Commissioner Decker, **Seconded by:** Commissioner Haugen.
Voting Yea: Chairman Fridrich, Commissioner Haugen, Commissioner Schwab, Commissioner Decker

D. ZONING TEXT AMENDMENT (ZTA-007-2026) - Presented by Engineer/Community Development Director, Joshua Skluzacek

Engineering and Community Development Director Joshua Skluzacek presented the proposed zoning text amendment ZTA-00007-2026. The request is to repeal Article III, Stormwater Management, of Chapter 16 – Environment, and replace it with a new Article VI, Stormwater Management, under Chapter 60 – Utilities of the City of Dickinson Municipal Code. The amendment updates the City's stormwater management requirements and establishes a Stormwater Design Manual (SWDM). Skluzacek explained this is a comprehensive rewrite of all stormwater-related sections of the municipal code. Currently, stormwater regulations are dispersed across multiple chapters, making them difficult to follow and reference. Consolidating these under Chapter 60 will provide clarity and ensure consistency. The update also aligns the City's requirements with federal and state regulations. He noted the work was completed in collaboration with Environmental Specialist Leah Upchurch and included feedback from several engineering firms that regularly work with the City.

Chairman Fridrich commented that he recalls when the prior ordinance was adopted and agreed that it is due for significant updates. Skluzacek added that a new stormwater design manual will accompany the code changes. The manual will contain technical engineering requirements not appropriate for municipal code language. It generally mirrors the Bismarck design manual but has been streamlined, removing unnecessary pages while retaining all essential information. Construction stormwater permitting processes outlined in the manual will rely on the state-issued Stormwater Pollution Prevention Plan, with applicants submitting the approved state permit to the City.

Skluzacek stated the changes are substantial, and if issues arise over time, staff will bring forward additional amendments. The primary goal is to replace outdated language with a functional, enforceable, and compliant stormwater ordinance. The public hearing was opened, but no comments were received. The hearing was closed.

A motion was made to recommend approval of ZTA-00007-2026, the stormwater ordinance update text 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 Johansen.
Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Johansen, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Jahner

4. PUBLIC COMMENT

5. ITEMS NOT ON AGENDA

6. WORK SESSION

7. ADJOURNMENT

Motion to adjourn at 7:44AM

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

Link for viewing Planning and Zoning Commission Meeting:

<https://youtube.com/live/OPyiODU7M0>

This link will not be live until approximately 7:05 AM MT on August 12, 2026.

Teams Meeting: <https://tinyurl.com/PZC08122026>

Teams Meeting ID: 269 208 308 083 37

Meeting Passcode: 4s8i929A

Teams Phone #: 1-701-506-0320

Phone Conference ID: 509 492 613#

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.