



## Transmittal Letter

**To:** Matthew Galibert – City Planner  
City of Dickinson  
38 1<sup>st</sup> Street West  
Dickinson, ND 58601

**From:** Andrew Schrank, PE  
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**Date:** October 23, 2023

**Re:** Rezone Application – Block 1, Highway Department Addition

**Message:** Enclosed you will find the following Rezone application documents for the above referenced project being submitted for consideration at the November 15<sup>th</sup> Planning and Zoning Meeting:

- Presubmittal meeting letter
- Narrative (included, below) of the Purpose Statement for the zone change
- Legal Description (included, below) for the proposed zone change
- Quit Claim Deed for the property
- Current plat of Highway Department Addition
- Current Zoning Map of the property
- Site Sketch showing notable existing and proposed site features

### **Application Request**

- Rezone from CC to Public (to allow for proposed above-ground fuel tanks)

### **Legal Description**

- Block 1 of Highway Department Addition to the City of Dickinson, Stark County, ND.

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## Purpose Statement

The property being rezoned is currently owned by the NDDOT and is used for the Dickinson District offices for the NDDOT as well as by the ND Highway Patrol. The primary use of the property by the NDDOT is a district office and maintenance facility. The NDDOT intends to remove underground storage tanks used for fueling the Dickinson District fleet vehicles and equipment. The underground storage tanks are intended to be replaced with  $\pm 12,000$  gallons of diesel fuel storage and  $\pm 12,000$  gallons of unleaded gasoline above ground storage tanks. The approximate locations of these features are shown on the site sketch submitted with this application. The intent of transitioning to above ground storage tanks is due to the regulation and costs associated with underground storage tanks. There is also a plan to construct a new equipment maintenance building as early as 2024. The property is currently zoned Community Commercial (CC).

Per Chapter 13 of the City of Dickinson Fire Prevention ordinance, Section 13.08.060, Establishment of limits of districts in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited, the note at the end of this section reads: "A 500 gallon max shall be required per commercial site." Due to this requirement, rezoning to a Public zoning district is being requested by this application. According to Table 39.4-1 of the City's zoning code, the Public Zoning District "... accommodates substantial public institutions or uses. It sets aside areas for conservation, public recreation, and full access public facilities". According to this definition, we feel that this zoning district is appropriate for the use of this property as this site is occupied by public institutions. This zoning district is also consistent with the City of Dickinson Future Land Use Map located in the City of Dickinson Comprehensive Plan, which shows the subject property as Public/Civil.

Per Table 39.4-2 Permitted Uses by Zoning Districts, Maintenance Facilities require a "Special Use Permit" in the Public zoning district. However, there are no restrictions in City of Dickinson ordinances for above ground storage tanks in the Public zoning district. Therefore, a separate Special Use Permit application is also planned to be submitted to allow for the existing maintenance facility on this site. We would request that this Special Use Permit be a condition of the approval of the zone change to Public as these two changes will need to be approved together to meet the City's codes.

## Proposed Fuel Storage

As previously indicated, the reason for this zone change is to allow for the replacement of the existing below-ground fuel tanks with above ground fuel tanks. The proposed tanks at the Dickinson facility would include two (2)  $\pm 12,000$ -gallon Fireguard AST's, UL-2085 (or similar depending on product costs and availability) which are  $\pm 8.5$ -feet in diameter by  $\pm 33.5$ -feet long. One tank would store gasoline and the other would store diesel fuel. The above ground tanks are being proposed since they allow for easier monitoring since the tanks are visible, and since the EPA regulations in the U.S. Code, Title 42, Chapter 82, Subchapter IX for underground storage tanks would not need to be met. They are also more economical since the cost of burying the tanks is not necessary.

The following images depict the NDDOT Bismarck District's recent fuel island upgrade showing what these tanks would generally look like at the Dickinson facility.





Existing tree rows are currently present to buffer these tanks from view of the adjacent public right-of-way of 3<sup>rd</sup> Ave W. The following images show the existing tree rows from 3<sup>rd</sup> Ave W in the general vicinity of where these tanks would be placed. We feel that this vegetation provides a sufficient buffer for these proposed fuel tanks. However, if the City finds that additional screening is necessary and required by code, the required screening can be worked out in the permitting process for the installation of these tanks.



Your consideration of this request is greatly appreciated. Feel free to contact me for any additional information or questions regarding this submittal. Thank You!

A handwritten signature in blue ink that reads "Andrew Schrank".

**Andrew Schrank, PE, CFM - Highlands Engineering**

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