



To: Matthew Galibert – City Planner
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Date: October 23, 2023

Re: Special Use Permit (SUP) Application – Block 1, Highway Department Addition

Message: Enclosed you will find the following SUP application documents for the above referenced project being submitted for consideration at the November 15th Planning and Zoning Meeting:

- Presubmittal meeting letter
- Narrative (included, below) of the description of the proposal as well as how the project addresses the criteria listed in Table 12-1, Section 39.12.003 of the Zoning Ordinance
- Legal Description (included, below) for the property
- 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

- SUP to allow for the existing maintenance facility in the proposed Public zoning district (This request is only applicable if zone change to Public is approved)

Legal Description

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

Project Narrative

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 ±12,000 gallons of diesel fuel storage and ±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, this Special Use Permit application is being submitted in conjunction with the rezone application to allow for the existing maintenance facility use on this site.

The operations within this property are not intended to change if this rezone and SUP are approved. This will simply allow for the above ground fuel storage to replace the existing underground fuel storage as indicated.

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Narrative of How Criteria in Table 12-1 is Being Met

Land Use Compatibility Requirements

- *Site area per unit or floor area ratio should be similar to surrounding uses if not separated by natural or artificial features*
- *Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations*
- *Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.*
- *Building coverage should be similar to that of surrounding development of possible. Higher coverage should be mitigated by landscaping or site amenities.*

As shown by the enclosed site sketch, the building sizes within this site are consistent with the surrounding buildings. The building setbacks and heights do not contradict the surrounding uses or city codes. Furthermore, this site is separated from adjacent properties by well-established tree rows which provide an additional buffer from the uses within this site to the surrounding properties.

Site Development Requirements

- *Project frontage along a street should be similar to lot width.*
- *Parking should serve all structures with minimal conflicts. Circulation between pedestrians and vehicles as well as lighting.*
- *All structures must be accessible to public safety vehicles.*
- *Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.*
- *Lighting plan*

Parking facilities are already in-place near the administration building within this site. This parking facility has direct access to a frontage road along 3rd Ave W with two approaches where traffic can enter 3rd Ave W. This existing design has worked well to control the flow of traffic in and out of this site. Existing lighting is provided within this parking lot.

The maintenance yard is located along the eastern portions of this property that are set back further from the high-volume corridor of 3rd Ave W so they are less visible. The proposed storage building will allow a space to park some trucks indoors where they will not be visible which will also add to the site aesthetics. The existing tree rows provide an excellent buffer for this maintenance yard and make it difficult to see from the adjacent roadway.

Landscaping/Street Tree Requirements

- *Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.*

As shown by the enclosed site sketch, this site is separated from adjacent properties by well-established tree rows which provide a buffer from the uses within this site to the surrounding properties. This landscaping also adds to the aesthetic of this site. Environmental features and drainage patterns will not be altered as part of this proposal.

Operating Characteristic Requirements

- *Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.*
- *Project design should direct non-residential traffic away from residential areas.*
- *Projects with long operating hours must minimize effects on surrounding residential areas.*
- *Outside storage areas must be screened from surrounding streets and less intensive land uses.*
- *Developments within 200 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.*
- *Sanitary sewer must have adequate capacity to serve development.*
- *Development should handle storm water adequately to prevent overloading of storm water management system.*
- *Development should not inhibit development of other properties.*
- *Development should not increase probability of erosion, flooding, landslides, or other run-off related effects*
- *Project must be served by utilities*
- *Rural estate subdivisions should be located in designated areas which can accommodate utility and infrastructure installation consistent with the need to protect the environment and public health.*
- *Projects should be consistent with the City of Dickinson's Comprehensive Plan.*

The proposed project will not affect existing traffic patterns as this site already exists. No significant changes to traffic volumes or patterns are anticipated. Traffic from this site has direct access to 3rd Ave W and 21st St W, which are both arterial roadways, so it has limited impact on neighboring properties.

Although not typical, there are times when operating hours of this facility extend into the night, such as during snow emergencies. These operations are buffered from the surrounding properties by the previously mentioned tree rows, and the direct access to adjacent roadways prevents traffic impacts to neighboring properties during these late hours. Furthermore, there are no existing residential properties in the immediate vicinity of this facility that would be affected by these operations.

This facility is already connected to City water and sanitary sewer. No changes to this service are proposed at this time.

No changes are proposed to the current site drainage, and the current site drainage patterns will be maintained throughout the future as required by City ordinance. Since no changes are proposed, there will not be an increase probability of erosion, flooding, landslides, or other run-off related effects.

Since this is an existing facility, the approval of this variance request will not inhibit the development of other properties. To the best of our knowledge, this site meets the requirements of the City of Dickinson Comprehensive Plan. It is understood that a portion of this property lies within the corridor overlay district for Highway 22 and that special development regulations existing within 400-feet of the right-of-way of this roadway to ensure this corridor remains an aesthetically pleasing gateway for the City. Existing improvements within this site pre-date this ordinance and are not intended to be updated at this time. Future improvements made to this site will comply with the regulations of this corridor overlay district as necessary.

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



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