



## STAFF REPORT

**To:** City of Dickinson Board of Commissioners  
**From:** City of Dickinson Planning  
**Date:** December 11, 2023  
**Re:** SUP-005-2023 Maintenance Facility Special Use Permit

### OWNER/APPLICANT

State of North Dakota Department of  
 Transportation  
 1700 3<sup>rd</sup> Ave W Suite 101  
 Dickinson ND 58601  
 rrayhorn@nd.gov  
 701-483-2444

### APPLICANT'S REPRESENTATIVE

Andrew Schrank  
 Highlands Engineering  
 319 24<sup>th</sup> Street East  
 schrank@highlandseng.com  
 701 483 2444

<b>Public Hearing</b>	December 20, 2023	Planning and Zoning Commission
<b>Final Consideration</b>	January 23, 2023	City Commission

### EXECUTIVE SUMMARY

**Description:** To consider a request to issue a Special Use Permit to allow construction of a maintenance facility on a property legally described as Block 1, Highway Department Addition located in the northwest quarter of Section 34, Township 140 North, Range 96 West, 5<sup>th</sup> Principal Meridian, City of Dickinson, Stark County, North Dakota. The site consists of +/- 17.71 acres. This property is located within the City of Dickinson.

**Public Comments:** None

**Staff Recommendation:** Approval. No recommended conditions.

### LOCATION

The property proposed for this Special Use Permit is legally described as Block 1 of the Highway Department Addition located in the northwest quarter of Section 34, Township 140 North, Range 96 West, 5<sup>th</sup> Principal Meridian, City of Dickinson, Stark County, North Dakota. The subject parcel is generally located on 3<sup>rd</sup> Avenue W/ Highway 22, east of Prairie Hills Mall.



<b>CURRENT ZONING</b>	CC
<b>FUTURE LAND USE MAP DESIGNATION</b>	Public/Civic
<b>GROSS SITE ACREAGE</b>	17.71 acres
<b>LOTS PROPOSED</b>	N/A

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	GC and CC	Varied large-lot commercial and office services
East	R-3, R-1, R-2	Undeveloped residential

South	CC	Retail, hospitality, commercial services
West	CC, 3 <sup>rd</sup> Avenue corridor	Prairie Hills Mall, retail, restaurants (drive-through & general), financial services

**STAFF ANALYSIS & RECOMMENDATION**

The primary use of this property is well established as a NDDOT district office and maintenance facility. The applicant’s development plans include the construction of a new maintenance building and to transition from below-ground to above-ground fuel storage. According to the applicant, the storage tanks will accommodate ±10,000 gallons of diesel fuel storage and ±10,000 gallons of unleaded gasoline on site and are considered outdoor equipment, ancillary to primary operations. Images of the fuel tanks are shown in Appendix B.

The proposed maintenance facility will be located near the geometric center of the property (Appendix A). According to the applicant’s Transmittal Letter, “the proposed storage building [(maintenance facility)] will allow a space to park some trucks indoors where they will not be visible,” “the proposed project will not affect existing traffic patterns.”

Review of this development proposal has concluded that future operations are unlikely to change the current community development conditions. Those current conditions are described below in *Compatibility with Local Uses*.

**Compatibility with Local Uses**

The uses on this parcel appear to be in mild and long-term conflict with adjacent local uses. Most notably, the development to the east of the property is “undeveloped residential”. A combination of the industrial appearance of the NDDOT property and a lack of street connections from the east side of the property to 14<sup>th</sup> Street E may contribute to the lack of residential development interest in this area (see Appendix B). With this consideration, staff is recommending the applicant screens the rear lot according to Corridor Overlay design standards as a condition for approval.

**Compliance with Zoning and Subdivision Regulations**

If approved, the subject parcel will comply with requirements as set forth by Articles 39 Zoning and 34 Subdivision.

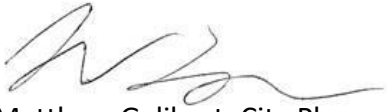
**Public Input**

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

**Staff Recommendation**

City Planning staff recommends approval of SUP-005-2023, subject to the following conditions:

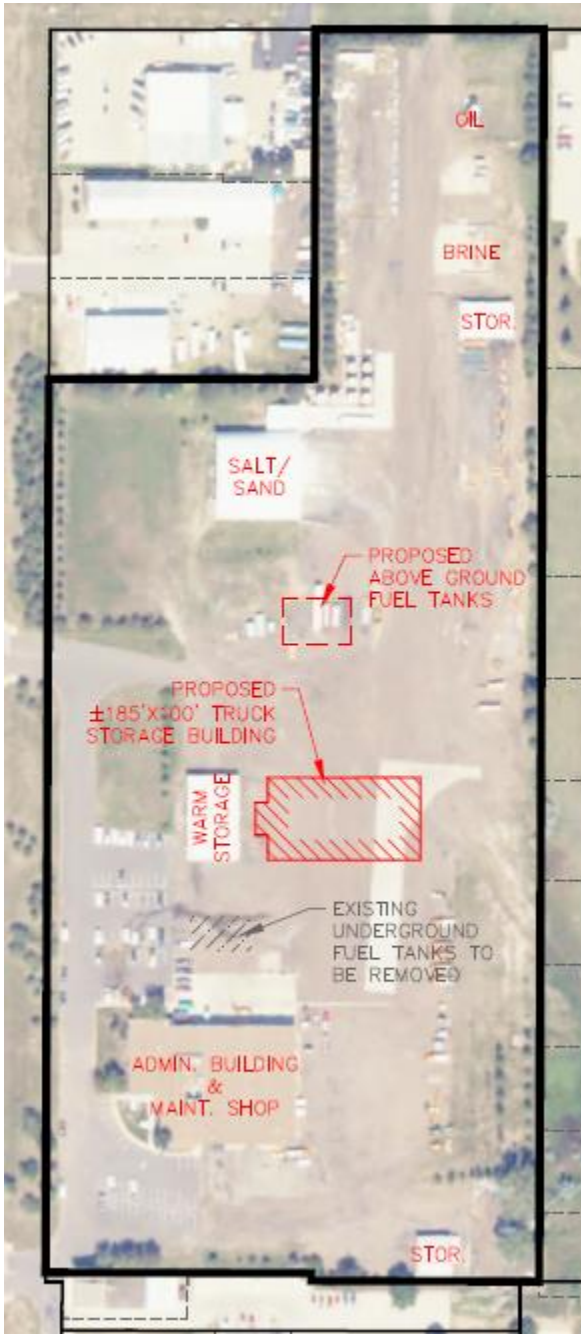
1. **The maintenance facility shall be as described in the application materials found in Attachment A;**  
and
2. **Operation of the maintenance facility shall comply with all applicable City, County, State and Federal regulations.**



Matthew Galibert, City Planner

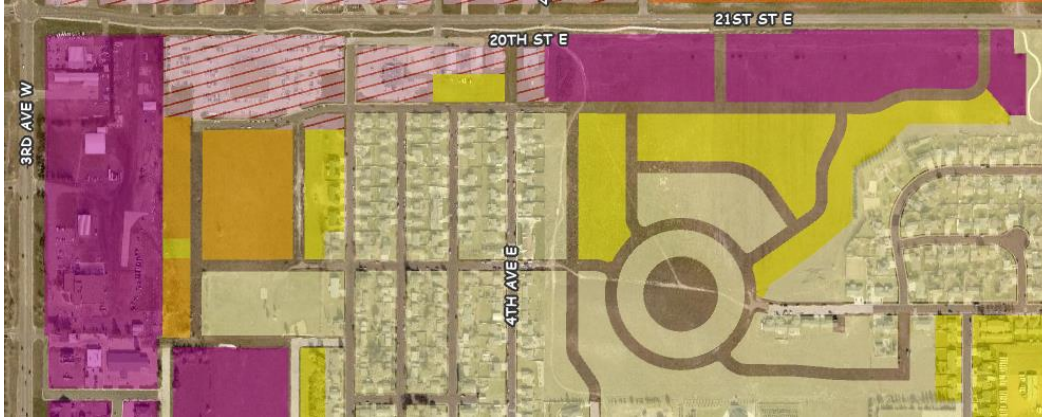
**APPENDICES**

**Appendix A.**










A) Site plan submitted by applicant (cropped).

**Appendix B.**



Zoning Classification

-  Planned Unit Development - PUD
-  Community Commercial - CC
-  Downtown Commercial - DC
-  General Commercial - GC
-  Limited Commercial - LC
-  General Industrial - GI
-  Limited Industrial - LI
-  Low Density Residential - R1
-  Medium Density Residential - R2
-  High Density Residential - R3
-  Rural Residential - RR
-  Mobile Home - MH
-  Public - P
-  Agricultural - AG

B) Current zoning map including the subject property and undeveloped residential land.

**Appendix C.**



C) NDDOT Bismarck District's recent fuel island upgrade. The storage tanks would look generally similar. Image and explanation supplied by the applicant.

**Appendix D.****Section 39.05.034 Corridor Overlay District – Standards**

"All outdoor storage shall be fully screened from view through the use of an opaque decorative fencing material or architectural screen walls."

If the applicant deems it more practical and cost-effective, vegetation may substitute decorative fencing for this project. The tree species would be recommended and approved by the City Forester.

**ATTACHMENTS**

A – Transmittal letter

B – Site sketch supplied by applicant

C – Staff report

**MOTIONS:**

**\*\*\*Approval\*\*\***

*“I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-005-2023** 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 **SUP-005-2023** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare.”*