



Transmittal Letter

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND 58601

From: Andrew Schrank, PE
Highlands Engineering
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Dickinson, ND 58601
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Date: October 3rd, 2025

Re: Rezone Application – Lots 1-5, Block 2, Diamond Acres Subdivision

Message: Enclosed you will find the following Rezone application documents for the above referenced project being submitted for consideration at the next Planning and Zoning Meeting:

- Pre-submittal Meeting Letter
- Legal Description (included, below) of the Rezoning Request
- Narrative (included, below) of the Project Description
- Warranty Deed for Lots 1-5, Block 2, Diamond Acres Subdivision
- City Parcels Map for the Area
- City FLUM for the Area
- City Zoning Map for the Area

Rezoning Request Legal Description

The applicant is requesting a change from **High Density Residential (R3)** to **General Commercial (GC)** for Lots 1-5, Block 2 of Diamond Acres Subdivision.

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Project Description

The owner/applicant is requesting this change in zoning in conjunction with the Minor Plat Application for Sax Second Subdivision in the City of Dickinson to allow for the combination of these lots that are proposed to be rezoned with Lot 1, Block 1 of Sax First Subdivision. Sax Motor Company, which is currently located in Lot 1, Block 1 of Sax First Subdivision, would like to expand their business operations into Lots 1-5, Block 2 of Diamond Acres Subdivision. This request is being submitted to allow for the Auto Sales use within these lots to allow for this business expansion.

We understand that Staff may not support this zone change to GC and would prefer CC zoning with a Special Use Permit on this property according to the pre-application letter. ELGI, LLC's preference is to leave the current GC Zoning on their property, which allows the current land use of Auto Sales, and to expand this existing GC zoning as requested by this application into this additional property. This request will allow for the expansion of a reputable business that has been in Dickinson for over 100-years. A special use permit opens this zoning request up to special conditions, development regulations, and potential revocation if conditions are not met according to City Code, which we do not feel is appropriate for an existing business operation with no history of issues to our knowledge. With this business being in-place, established, and in good standing with the City, the special use permit is not necessary to protect the public health, safety, and welfare in this area. This use is already present adjacent to these undeveloped lots regardless of this change. The current owner of this property, RC Development, LLC, also owns the undeveloped property to the east, and plans to sell this land to ELGI, LLC to be used for the expansion of Sax Motor Company as long as this zone change and plat are approved. Therefore, the neighboring owner of the adjacent undeveloped residential property is not concerned with this request or the expansion of Sax Motor Company affecting their future development plans as they are submitting this application to allow this change. The GC zoning requested meets the City's FLUM designation of Commercial, and it provides an appropriate zoning transition from the NDDOT Storage Yard west of this site and the potential future residential area to the east of this property.

To prevent this zone change from taking place if these lots cannot be combined with Lot 1, Block 1 of Sax First Subdivision, we would like this zone change to be contingent on the approval of the Sax Second Subdivision Plat.

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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