



Sax Motors Zoning Map Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
From: City of Dickinson Community Development Services
Date: November 5, 2025
Re: REZ-010-2025 Sax Motors Zoning Map Amendment

APPLICANT

Christian Kostelecky
ELGI, LLC – Sax Motor Co
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APPLICANT’S REPRESENTATIVE

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Public Hearing	November 24, 2025	Planning and Zoning Commission
Public Hearing	December 2, 2025	City Commission
Final Consideration	December 16, 2025	City Commission

The applicants are requesting the approval of a zoning map amendment from High Density Residential (R-3) to General Commercial (GC) for Lots 1-5 of Block 2 of the Diamond Acres Subdivision, located within the City of Dickinson. The purpose of this rezoning is to allow for the applicant to combine the lots with the property to the north in order to expand the existing Auto Sales use.

Staff recommendation: Staff recommends **approval** of this rezoning request subject to the conditions listed at the end of the staff report.

The companion Sax 2nd final minor subdivision plat is also scheduled for public hearing at the November 12, 2025 Planning and Zoning Commission meeting (FLP-013-2025).

LOCATION

The property is generally located on the corner of 20th Street West and what has been platted as 1st Avenue West, and it is legally described as Lots 1-5, Block 2, of the Diamond Acres Subdivision, located within the NW1/4 of Section 34, Township 140 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota.

CURRENT ZONING	R-3
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	+/- 1.97 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	GC	Auto sales
East	R-3	Undeveloped
South	R-2; R-3	Undeveloped
West	P	North Dakota Department of Transportation facility

CONSISTENCY, COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Consistency with the Comprehensive Plan

According to the City's Comprehensive Plan Future Land Use Map (FLUM), the subject property is currently designated COMMERCIAL. In the proposed FLUM from the Direction 2050 Comprehensive Plan updates, the property is designated HIGH DENSITY RESIDENTIAL. The current COMMERCIAL designation allows for the General Commercial (GC) zoning district, but the proposed HIGH DENSITY RESIDENTIAL designation would not.

Compatibility

The proposed rezoning is comparable to and compatible with the GC zoning district of the adjacent property to the north, however it conflicts with the adjacent R-3 zoning district to the east and south.

The proposed rezoning to GC should not conflict with the existing North Dakota Department of Transportation facility to the west.

Compliance with The Zoning Ordinance

According to Section 62-162 of the Municipal Code, the purpose of GC zoning is that *"this district accommodates a variety of commercial uses, some of which have significant traffic or visual effects. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts."* The south five lots the applicant is looking to purchase are not located on a major arterial street and are near additional R-3 lots. Additionally, the property shares the 1st Avenue West right-of-way, which is intended to be residential in nature and may result in screening and traffic difficulties. This conflicts with the stated purpose of General Commercial.

According to Table 62-162-2. Permitted Uses by Zoning Districts of the Zoning Ordinance, the following uses, which could be considered as incompatible with an adjacent residential subdivision; are permitted in GC zoning:

- Agricultural sales/services;
- Auto rental/sales or auto services;
- Body repair;
- Equipment rental/sales or equipment repair;
- Vehicle storage (short-term);
- Business support services;
- Business/trade school;
- Cocktail lounge, liquor sales, & gaming facility;
- Commercial recreation (indoor/outdoor);
- Food sales, restaurants, and distilleries;
- Laundry services;
- Surplus sales;
- Trade services;
- Custom manufacturing;
- Warehousing

The following uses that may be considered as incompatible with an adjacent residential subdivision could be allowed as special uses in GC zoning:

- Campground;
- Crematorium;

- Kennels;
- Parking structure;
- Construction yard;
- Dairy plant; and
- Truck & transportation terminals.

The applicant has also submitted a minor subdivision that combines the lots with the property to the north and extends the existing Auto Sales use. However, if the property is split or sold off in the future, uses that are incompatible with the residential lots to the east may be introduced. Alternatively, Community Development staff prefers the Community Commercial (CC) zoning district be utilized, to limit the variety of potential incompatible uses that may be introduced in the future.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: City of Dickinson Community Development staff recommends **approval** of REZ-010-2025 with the following conditions:

- **Approval of REZ-010-2025 is contingent on the approval of FLP-013-2025;**
- **A note shall be included on the plat that the property shall not be eligible for an administrative lot modification; and**

MOTIONS:*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-010-2025: The Sax Motors Rezoning Request**, subject to the conditions listed in the staff recommendation above, as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as 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 **REZ-010-2025: The Sax Motors Rezoning Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*