



Seiler Special Use Permit Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: September 3, 2025
Re: **SUP-004-2025 Seiler Special Use Permit**

APPLICANT

Eric Seiler
 GAD Properties LLC
 1462 I-94 Business Loop East
 Dickinson, ND, 58601-6421
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 (701) 590-3309

Public Hearing	September 10, 2025	Planning and Zoning Commission
Final Consideration	September 16, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting a special use permit to operate a medical office within the High Density Residential (R-3) zoning district on a property legally described as Lot 1 in Block 3 of the Hilliard & Manning First Addition Subdivision, and to utilize a property legally described as Lot 11 of Block 4 of the Hilliard & Manning First Addition Subdivision for off-street parking associated with the proposed medical office. Both properties are located in the SW1/4 of the NW1/4 of Section 3, Township 139 North, Range 96 West, within the City of Dickinson. These properties are approximately 0.162 acres. According to the applicant, the purpose of this special use permit is to open and operate a chiropractic medical office within an existing structure.

Staff Recommendation: Staff recommends approval of this special use permit subject to conditions.

LOCATION

The properties are located within the SW1/4 of the NW1/4 of Section 3, Township 139 North, Range 96 West, City of Dickinson, of the 5th Principal Meridian, Stark County, North Dakota.

CURRENT ZONING	R-3
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/-0.162
LOTS PROPOSED	N/A

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	PUD	St. Joe's Plaza PUD
East	R-3	Single-family residential
South	R-3	Single-family Residential
West	R-3	Single-Family Residential

STAFF ANALYSIS

BACKGROUND

The existing structure at 109 7th Street West was previously utilized as a medical office as a part of the former St. Joseph's Hospital complex. The applicant has indicated there will be a total of four medical professionals working in the facility, and there will be no significant changes to the exterior of the building. Hours of operation shall be limited to normal business hours of 8AM to 5PM on weekdays.

CURRENT ORDINANCE REVIEW

According to Table 62-162-2: Permitted Uses by Zoning Districts, both the medical office use and the off-street parking use are allowed upon obtaining a Special Use Permit in the High Density Residential (R-3) zoning district.

Medical offices have an off-street parking requirement of 3 spaces per staff doctor or dentist, as outlined in Table 62-589-1: Minimum Off-Street Parking Requirements, in Section 62-589: Schedule of off-street parking requirements, in the City's Municipal Code. The applicant is requesting to utilize an existing parking lot located on Lot 11 of Block 4 of the Hilliard and

Manning Addition Subdivision to meet this requirement. Section 62-590(b) outlines the following regulations for nonresidential parking:

- 1) Off-street parking for nonresidential uses shall be located on the same lot or site as the use, or on a remote lot within 300 feet of that use if the parking site is within a zoning district that either permits the off-street parking use type or allows off-street parking with a special use permit. Control of ownership or use rights to the remote off-street parking must be demonstrated as a condition of approval.
- 2) Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided by the owner, or unless other traffic control or shuttle bus service is provided by the owner to the remote parking area.
 - a. The granting of off-street parking on a separate lot or site shall be based upon one or more of the following findings:
 1. There are restrictions of topography, title, lot design, existing building footprint, or required access that prohibit the parking requirement from being met on the same lot as the principal use;
 2. The applicant has maximized the space available on the lot to accommodate the required parking;
 3. The disabled parking requirement is met on the lot that the principle use is on;
 4. Parking on the remote lot shall not cause a recognizable impact on traffic or adjacent land uses on either the lot that the principal use is on or the remote lot;
 5. Parking on the remote lot shall not adversely affect the public health, safety and welfare; and/or
 6. Parking spaces available on the remote parking lot are not required to satisfy the required parking for any other use.
 - b. Parking spaces on a remote parking lot shall be:
 1. Secured by a lease to be in effect as long as the principal use exists; and
 2. Covered by an agreement providing for the maintenance of the parking spaces; and
 3. Posted with permanent signage identifying the principal use that the parking spaces are reserved for.

The off-street parking use is allowed with a Special Use Permit in the R-3 zoning district, according to Table 62-162-2: Permitted Uses by Zoning Districts. Additionally, the 1st Avenue West right-of-way has a width of less than 80 feet, and the proposed remote parking lot is less than 300 feet from 109 7th Street West.

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 SUP-004-2025 subject to the conditions listed below:

- Operation of the medical office shall be as described in this staff report as well as in the material found in Attachment A; and
- The maximum number of doctors shall be determined by the number of off-street parking spaces provided; and
- The SUP approval shall expire with any change in ownership of the business or property. All subsequent owners of the property shall be required to reapply for SUP approval; and
- All operations and site designs must abide by all relevant City, State, and Federal guidelines; and
- The two lots included this permit may not be sold separately by the applicant. In the event that either lot is sold, this special use permit is considered voided and the facility must cease all operations.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-004-2025: Seiler Special Use Permit** 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-004-2025: Seiler Special Use Permit** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*