

Devils Lake Planning Commission
3-25-21

Members present: Ray Sletteland, Wyatt Hanson, Dick Johnson, Vonda Markestad, Peter Jerome, Terry Thompson, Tom Traynor, Mike Grafsgaard, Mark Lange.

Others present: Paul Gutschmidt, Russel Crary, Brad Barth, Steven Zimmer (City planning consultant), Mac McFarland, Brenda Bergsrud.

Ray opened the public hearing to review a request for a conditional use permit to allow indoor temperature controlled storage units in the existing building at 701 5th Ave SE (former Kmart building). Approval of the conditional use permit would be contingent on purchase of the building by the applicant.

Russel Crary (Crary) from Crary Real Estate and Development was present to explain the intended use of the building. He stated they have signed an agreement to purchase the building contingent on approval of a conditional use permit to allow indoor storage units. Right now they are asking for the entire building to be included in the request for storage units, but stated they are also open to retail and other uses. Crary Real Estate has purchased the former Kmart in Grand Forks and will be creating the same use as they propose for the former Kmart in Devils Lake.

Mike asked if all the storage would be indoors.

Crary stated the 1st phase of the storage units would occupy about half the building and there would be overhead doors to drive in and access the storage units from indoors. He said they would also like to fully utilize the property by temporary uses such as fishing tournament weigh ins.

Vonda asked if there would be full time employees 24 hours/day and was told by Crary there would be full time staff during business hours only. Vonda asked what provisions would there be if there was a medical emergency and there was no staff available to assist. Crary said they would mitigate any risks as much as possible and will check to see how other similar operations address this.

Mike said we've had a lot of discussion on outside storage over the last few years and long term storage has to be discussed for this site. It's a highly visible area and is not conducive to having items stored outside.

Crary stated they had no intention to store items like campers outside. They have had a discussion about possibly parking DOT equipment in the lot.

Dick stated any outdoor storage is required to be fenced and would require a separate conditional use permit.

Mark said temporary big events such as car shows, carnivals, boat shows, etc would be allowed in the parking lot.

It was noted 27 letters were sent to surrounding property owners and 3 were returned with no objection. (The letters state if they are not returned, it is assumed there is no objection)

Ray closed the public hearing and opened the public hearing to discuss addition of a definition of boarding houses and group homes in the City's zoning regulations.

Steven Zimmer (Zimmer) said the discussion was brought to the planning commission as a result of a group looking at sites for a temporary homeless shelter. Staff looked at the ordinance and none of the zoning district list a homeless shelter as a permitted or conditional use.

Consideration was given to better defining the existing definitions of a boarding house or a group home that would also allow a homeless shelter. It is very seldom we would be running into such a request again so it didn't seem necessary to add a definition for a shelter. Zoning regulations state when a proposed use does not fit into permitted or conditional uses, it would be addressed as a special use request brought to the Board of Adjustment.

The State has a definition of group homes and State law requires group homes as a permitted use in residential area based on the size of the home.

Mark noted the Board of Adjustment would appreciate having some direction from the Planning Commission on the special use permit for a homeless shelter.

Bergsrud stated the Amachi mentoring program would be providing recovery services to help homeless individuals with addiction counseling, assistance with job placement and housing until they are able to support themselves. There will be trained staff to supervise the shelter 24 hours a day. Homeless people are now being housed in motels and that is not be the best situation because there is no supervision.

Zimmer said clients cannot be active drug or alcohol users and if they relapse, they have to leave. There is no supervision for the homeless being put up in motels and it's not working very well for that reason.

Dick has heard a lot of complaints about the homeless that are being housed in motels.

Mike asked what the difference is between the proposed shelter and the City Center Motel.

Bergsrud said she understands the Tribe is running the City Center Motel as a business, but it would be best to ask them directly about the use they intend. The Amachi shelter would house 12 people at a time and they don't provide for users or those with warrants. There would be 24 hour supervision and people staying there would have to check in and out.

Wyatt asked if the people in the shelter would leave when they get a job.

Bergsrud said for example, people would stay long enough to earn money to obtain housing.

Vonda made a motion to table the hearing to discuss definitions of boarding houses and group homes until Tom can look into what is required to make any changes needed. Motion 2nd by Mike. Carried.

Ray opened the regular meeting. Terry made a motion to approve the minutes of the last meeting. Motion 2nd by Wyatt. Carried.

Dick made a motion to recommend approval of a conditional use permit to allow indoor climate controlled storage units in the building at 701 5th Ave SE contingent on completing sale of the property. Motion 2nd by Peter. Carried.

Mike made a motion to recommend reappointment of Terry Thompson, Ray Sletteland and Wyatt Hanson as members of the Planning Commission. Motion 2nd by Vonda. Carried.

Mark said a meeting will be set with the Board of Adjustment to request a special use permit that would allow a homeless shelter at 512 4th St NE. He believes the Board of Adjustment would want to have some type of recommendation from the Planning Commission on their thoughts of how to move forward with a special use.

Mike felt the shelter use is a good fit for an empty building.

Zimmer said he asked a number of other cities how they treat a shelter use and said he got a number of different answers; some treat it like a hotel, some like a group home.

Dick asked what kind of budget is in place to run this particular shelter.

Bergsrud stated the Tribe has committed \$90,000. They have enough funds in place for remodeling the building and operating budget for 2 years.

Dick said it would seem at least 4-5 full time employees would be needed for 24 hour supervision.

Bergsrud there are other funds that will help pay some of the expenses.

Wyatt asked if there is an estimate for annual expenses.

Bergsrud said the initial remodeling would be \$50,000 and the annual rent and staff would run about \$110,000.

Mike asked if there was going to be notification of the shelter request sent to neighbors.

Mark stated there is no requirement to do that, but it could be done. He wondered if it would be creating a problem in the future with sending notifications for this request when notifications haven't been sent for other requests.

Zimmer felt the City's ordinance needs to be changed so that such requests would come before the Planning Commission and City Commission for action, rather than going to the Board of Adjustment.

Ray thanked all those in attendance for their input.

Peter made a motion to adjourn the meeting. Motion 2nd by Terry. Carried.

Respectfully submitted,

Helen Carlson
Recording Secretary