

**Devils Lake Planning Commission**  
**1-3-08**

Present: Tim Greene, Don LaBarre, Fred Bott, Louise Olsen, Al Hanson, Mike Grafsgaard, Mike Veer, Dale Robbins, Marlene Jorgenson, Tom Traynor, Ray Sletteland, Terry Thompson, Marlene Bertsch, Gary Martinson.

Tim opened the public hearing to review a request for a change in zoning from residential medium density to neighborhood commercial for the old Elk's property located on Walnut St E. The request would then allow converting the Elk's building into an office complex.

Gary stated that we tried to find a fit for re-zoning that would allow offices and still offer protection for the neighborhood. There are three commercial districts and while all of them allow offices, neighborhood commercial is more restrictive.

Mike Veer said the owners of the building would like to turn it into an office complex for uses such as 9-5 office types.

Tim asked about it being made into several businesses and the restricted number of employees allowed in neighborhood commercial.

Gary said the neighborhood zoning would allow some types of retail employing no more than 5 employees at a time. He didn't believe there would be a restriction on the number of employees in an office.

Terry asked if the original Elk's was in the area under a conditional use permit.

Gary said that fraternal organizations are allowed in residential areas.

Dale Robbins asked if this office use is speculation for the future or if the renovation would be taking place now.

Mike Veer stated that he has one business ready to go into the building right now.

Don LaBarre questioned the restriction of size of vehicles; some office types might have heavy equipment.

Gary told him that there would be no vehicle size restrictions because the driveway entering the property is a private driveway.

Marlene said she was glad to see some use of the building and asked if Mike Veer had been approached by anyone for a use other than offices.

Mike Veer stated that he sees the use of the building as strictly offices. He would remodel into sections for each type of office use.

Ray mentioned that Devils Lake is approved for a new VA clinic in 2009 and wondered if that use would fit in neighborhood commercial zoning.

Gary said that clinics and hospitals are a permitted use.

Dale Robbins stated that he has no problem with offices being located in the building but his biggest concern is about what could go in there in the future.

Tim closed the public hearing and opened the regular meeting. Ray made a motion to approve the minutes of the last meeting. Motion 2<sup>nd</sup> by Terry. Carried.

It was noted that the driveway to the Elk's property is zoned as single family and the rest of the parcel is residential medium density. Would the driveway stay zoned as single family?

Marlene asked if the owners could construct other buildings on the site.

Gary said the existing building sits pretty much in the center of the lot, but it may be possible to construct other buildings if setbacks and parking requirements were met.

Ray made a motion to recommend approval of the change in zoning for the old Elk's building from residential medium density to neighborhood commercial, leaving the driveway zoned as single family. Motion 2<sup>nd</sup> by Marlene. Carried.

Terry made a motion to adjourn the meeting. Motion 2<sup>nd</sup> by Ray. Carried.

Respectfully submitted,

Helen Carlson  
Recording Secretary