

## BEACH ZONING BOARD PROCEEDINGS

A meeting of the Beach Zoning Board was called to order by Chairperson Al Begger on Tuesday, September 18, 2018 at 8:05 a.m. Zoning Board Members present when the meeting was called to order were Tom Marman, Tony Wanner, Zoning Administrator Kimberly Gaugler, City Council Zoning Committee Members Andy Zachmann, Jeanne Larson, and approximately sixty guests.

Gaugler read the minutes from the meeting on August 20, 2018. Wanner moved to approve the minutes, second by Marman. Motion carried unanimously.

### **Unfinished Business:**

At the previous month meeting, the Zoning Board tabled a decision regarding the Request for Conditional Use by David Grice and Don Sturtevant for a 40-bed in patient residential treatment center for drug and alcohol services at 509 2<sup>nd</sup> Avenue SW.

Sturtevant presented updated information with their proposed conditions (See attachment). Wanner questioned if the following documents can be submitted within 30 days; a copy of provisional lease between property owner and the business owner clearly indicating assignment of responsibility for repair/maintenance/upkeep of property, an inspection/report by qualified building official supporting no threats exist and/or plans for dealing with threats, a copy of incorporation documents listing executive corporate officers and/or trustees with the authority to sign a lease and operate in ND. Sturtevant indicated most of the documentation is already available and will be submitted for review.

Marman moved to approve the Request for Conditional Use with the following conditions;

1. DESCO BHS, LLC is able to obtain licensing from the ND Department of Human Services' Behavioral Health Division in Adult ASAM Level II.5, Adult ASAM Level III.1 and Adult ASAM Level III.2.
2. No treatment services other than what is listed in 1 will be allowed.
3. Provide a signed lease agreement between property owner and business owner(s) clearly indicating assignment of responsibility for repair, maintenance, upkeep of property, etc.
4. Provide an inspection/report by a qualified ND building official supporting no threats exist and/or plans for dealing with threats.
5. Provide incorporation documents listing executive corporate officers and/or trustees with the authority to sign a lease and operate in ND.
6. A Pick, Pack and Ship Business (or any other commercial business) will not be allowed.
7. Conditional Use Permit will expire one year from the date issued unless re-application is made.

second by Wanner. Gaugler read a letter submitted by Zoning Board member Leann Allen as she was not able to be present for the meeting. Allen voted no on the request for conditional use. (See attachment). Roll call vote was taken. Marman – yes, Begger – yes, Wanner – yes. Motion carried. Marman suggested Gaugler provide the recommendation and proposed conditions to the City Attorney for review.

**New Business:**

Two (2) Applications for Building were reviewed:

- 600 4<sup>th</sup> Avenue NW
- 576 4<sup>th</sup> Avenue SE

Wanner moved to approve, second by Marman. Motion carried unanimously.

No other business was discussed. Wanner moved to adjourn, second by Marman. Motion carried unanimously. Meeting adjourned at 9:15 a.m.

Attest:

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Al Begger, Chairperson

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Kimberly Gaugler, Zoning Administrator