

**MINUTES  
CLAY COUNTY PLANNING COMMISSION  
7:00 P.M., TUESDAY, JULY 17, 2018  
MEETING ROOM B - THIRD FLOOR COURTHOUSE**

**Members Present:** Amos Baer, Bill Davis, Andrea Koczur, Tim Brendemuhl, Dan Langseth, Jenny Mongeau, Curt Stubstad, Randy Schellack, Mark Klevgaard, Joel Paulsen

**Members Absent:** Tom Jensen

**Others Present:** Ben Oleson, Lynne Spaeth, Jenny Samarzja, Steve Beitelspacher, Nicholas Aadland, Kevin Martin.

**APPROVAL OF AGENDA**

**On motion by Jenny Mongeau, seconded by Tim Brendemuhl, and unanimously carried, the Planning Commission approved the Agenda as amended.**

**APPROVAL OF MINUTES**

**On motion by Randy Schellack, seconded by Andrea Koczur, and unanimously carried, the Planning Commission approved the June 19, 2018 minutes as presented.**

**There were no citizens to be heard.**

**NICHOLAS AADLAND – CONDITIONAL USE REQUEST FOR CONVERSION OF NON-CONFORMING USE**

The applicant is seeking approval of a Conditional Use Permit to allow the conversion of a non-conforming use (commercial manufacturing) to another non-conforming use (commercial daycare) in an existing building (Chap 2, 8-2-2B2). Said use would be located on a 1.21-acre parcel in Section 29, T139, R48 (Moorhead Twp.). The property is in the Highway Commercial zoning district, and the Urban Expansion Tier 1 overlay zoning district.

**On motion by Joel Paulsen, seconded by Mark Klevgaard, and unanimously carried, the Planning Commission opened the public hearing.**

Ben Oleson, Interim Planning Director, presented photos of the area and proposed building. The building was once used as a printing business. The property is indirectly accessed off Highway 75, by easement. Parking standards are not required by ordinance. Therefore, the parking limit is up to the Commission. The applicant intends to pave the lot for accessibility. The outdoor play area would be enclosed by a fence. Surrounding property is zoned Highway Commercial (HC) and there are upcoming residential lots nearby. Oleson recapped the conditions. He has not received any feedback from the public.

The applicant was present. Nicholas Aadland approached the Board. The center is planned for 72 children, from infancy until preschool age. They plan to employ five full-time staff and 12 part-time staff. They will provide a safe and fun environment for the children. Aadland emphasized the

large greenspace to the north where the fenced-in play area will be located. He has received a bid for the fencing project. Additionally, Aadland said they are required to have a paved parking space for handicapped citizens. The DOT has been contacted, as well as neighbors, and no issues or concerns were raised. Overflow parking could be behind the building. Food will be catered through Square One Kitchens, a commercial kitchen that would deliver meals to the center.

The Board discussed a turnaround, space, and location for the request.

The Chair asked if anyone wanted to speak for or against the proposal.

Kevin Martin, Moorhead Township Officer, advised the Board that the Township approved of the proposal.

**On motion by Jenny Mongeau, seconded by Randy Schellack, and unanimously carried, the Planning Commission closed the public hearing.**

**The Findings of Fact for Interim Use Permit were discussed and the Planning Commission found the following items to be applicable with this proposal:**

- 4. Utilities, Access Roads, Drainage, Off-Street Parking and Loading Spaces:  
Adequate measures have been or will be taken to provide utilities, access roads, drainage and off-street parking and loading spaces.**

**On motion by Andrea Koczur, seconded by Mark Klevgaard, and unanimously carried, the Planning Commission approved Nicholas Aadland's request for a Conditional Use Permit to allow the conversion of a non-conforming use (commercial manufacturing) to another non-conforming use (commercial daycare) in an existing building on property located in Section 29, T139, R48 (Moorhead Twp.) with the following conditions at minimum:**

- 1. Septic system for structure must be inspected by Clay County Environmental Services and found to be compliant with current County Codes and adequately sized for the proposed daycare;**
- 2. Daycare facility must be licensed by Clay County Social Services;**
- 3. Applicant shall meet all elements of the General Review Standards for CUPs;**
- 4. Facility must provide adequate parking spaces; and**
- 5. Facility signage shall meet HC or LHC sign standards (maximum of 128 sq. ft. per sign face (max of 2 faces), or 5% of the wall area on which sign is located) and any other applicable County sign standards.**

**OTHER BUSINESS:**

None.

**ADJURN:**

**On motion by Bill Davis, and seconded by Randy Schellack, and unanimously carried, the meeting adjourned at 7:35 p.m.**

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Mark Klevgaard, Planning Commission Secretary