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**CITY OF NISSWA  
PLANNING COMMISSION/BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
TUESDAY, AUGUST 4, 2020, 5:30 PM**

**Members Present:** Don Jacobson, Bob Fier, Linda Gettelman, Josh Young, Gary Harris

**Members Absent:**

**Others Present:** Mark Hallan, WSN

**Staff Present:** Brittney Cotner, Maggi Wentler

**1. Call Meeting to Order:** Young calls the meeting to order at 5:30pm.

**2. Meeting Roll Call:**

**3. Onsite Visits:**

**a. The intersection of County Road 18 & State Highway 371 (PID 28120666)**

**4. Additions & Deletions from the Agenda: None**

**Motion:** Harris motioned to approve the August 4, 2020 agenda as presented, Johnson seconded. All members voting "Aye", motion carries.

**5. Approval of Minutes:**

**a. July 7, 2020 Regular Scheduled Meeting Minutes:**

**Motion:** Jacobson motioned to approve the July 7, 2020 minutes as presented, Harris seconded. All members voting "Aye", motion carries.

**6. Open Forum: None**

**7. Public Hearings:**

**Motion:** Jacobson motioned to open the public hearing at 6:01pm, Harris seconded. All members voting "Aye", motion carries.

**a. Conditional Use Permit application 012-20: to allow the construction and operation of a service and retail business**

**Property Location: Intersection of County Road 18 & State Highway 371 Parcel ID# 28120666**

**Applicant: Bob Johnson (present)**

**Owner: Paul & Patricia Dullum**

Cotner read her staff report in for the record. She also stated that with the new plans provided that the impervious coverage is at 9%. Cotner noted she spoke with a

47 wetland expert and they are ok with this proposal as long as a berm is created to  
48 protect the wetland.

49  
50 Johnson stated his plan is to build an 18 hole mini golf course with a club house retail  
51 area. He will have a patio area for addition outdoor seating.

52  
53 Gettelman questioned how many parking spots are being proposed. Johnson stated  
54 currently 24 spots, which includes a handicap spot. Harris questioned if that would be  
55 enough. Johnson isn't for sure. He believes that the capacity on the golf course is  
56 around 80 people. He does believe that some will bike or walk from down town as  
57 well as drive, since the business will be right off the trail.

58  
59 Gettelman questioned if there will be any signage. Johnson will have some kind of  
60 signage, but hasn't finalized this yet. He will work with Cotner and follow all city  
61 ordinances. Gettelman questioned if the name of the business will be Wilderness  
62 Adventures. Johnson stated they haven't finalized on a name yet, but it will likely be  
63 something other than Wilderness Adventures.

64  
65 Jacobson questioned the easement verbiage that states 1 family dwelling under item  
66 #2. Johnson stated that is for the property to the south of this parcel. Not for the  
67 parcel they are looking to build on. Jacobson noted he was only able to find 5 light  
68 poles, but the documentation states there are 7. He also questioned where the signage  
69 would be. Johnson stated there are 7 light poles noted on page 5 of 10. He said he  
70 will likely have some signage that is visible from Hwy 317, as this would make the  
71 most sense. Jacobson stated that the ordinance requires that an architectural site plan  
72 be provided. Cotner stated that the application states if the buildings exceed 1500  
73 square feet, this building will not exceed 1500 square feet.

74  
75 Fier questioned if there would be any background music or noise. Johnson stated if  
76 they play music it will be soft. Fier stated there is an ordinance on lighting and noise  
77 and wanted to make sure that Johnson was aware of this. Cotner will send a copy of  
78 the ordinance to Johnson. Johnson stated he will follow the ordinance.

79  
80 Hallan questioned if there will be any restrooms. Johnson stated 1 unisex restroom.  
81 Hallan stated they will be required to hook up to city sewer. Hallan also noted that the  
82 parking lot will need some grading to protect the wetland, based on the survey  
83 provided. Johnson stated that Anderson Brothers is still finalizing the grading for the  
84 parking lot. Hallan noted an update survey will need to be provided with the grading  
85 and impervious calculations.

86  
87 Jacobson questioned if the road from County Road 18 roundabout will be paved.  
88 Johnson stated he is planning on leaving it a dirt road. Hallan noted that the city does  
89 not maintain this road. Hallan suggested that Johnson work with the County to better  
90 define the in and out access from the roundabout.

91

92 Gettelman questioned if there would be any signage at the roundabout for mini golf.  
93 Johnson stated he will work with Brittney to follow the sign ordinance.  
94

95 Jacobson questioned what Johnson's time table is on this project. Johnson stated his  
96 goal is to start this fall and finalize in the spring of 2021 to open.  
97

98 Gettelman stated the application states there would be bike rentals is this correct?  
99 Johnson stated at the beginning stages they were going to have bike rentals, but they  
100 don't have room for this anymore with the final plans. It will just be mini golf and  
101 retail shop.  
102

103 **Motion:** Harris motioned approve this Conditional Use Permit 012-20 at the  
104 intersection of County Road 18 & State Highway 371, parcel ID# 28120666 to allow  
105 the construction and operation of a service and retail business with the following  
106 conditions:

- 107 1. The storage structure may not contain living quarters and may not be utilized  
108 for human habitation.
- 109 2. A landscaping plan must be approved by the Planning & Zoning  
110 Administrator prior to the issuance of a Land Use Permit.
- 111 3. A berm is to be placed between the access point and the wetland to avoid  
112 direct runoff.
- 113 4. All lighting must be downcast.
- 114 5. The Planning & Zoning Administrator and the City Engineer must approve  
115 final grading, impervious coverage calculations, and utility plans prior to the  
116 issuance of a Land Use Permit.
- 117 6. The Metes & Bounds Subdivision must be approved prior to construction.  
118

119 Findings of Fact:

- 120 1. The subject property is located at the southwest corner of Co Rd 18 and State  
121 Hwy 371. PID 28120666.
- 122 2. The subject property is in the "Central Business" Zoning District.
- 123 3. The conditional use permit request is to construct and operate a service and  
124 retail business of miniature golf.
- 125 4. The subject property is 4 acres.
- 126 5. Impervious Surface Coverage: The property will have a 9% impervious  
127 surface coverage.
- 128 6. Water Supply: The subject property is served by private water well.
- 129 7. Sewage: The proposed building will be required to connect to city sewer  
130 service.
- 131 8. The proposed use, with conditions, will ensure the use and enjoyment of  
132 other property in the immediate vicinity.
- 133 9. The proposed use will create and fulfill the need for additional off-street  
134 parking.
- 135 10. The proposed use, with conditions, will not create a public nuisance.
- 136 11. The proposed use will not depreciate property values within the immediate  
137 vicinity of the subject property.

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Gettelman seconded. All members voting “Aye”, motion carries.

**Motion:** Young motioned to close the public hearing at 6:29pm, Harris seconded. All members voting “Aye”, motion carries.

**8. New Business:**

- a. Metes and Bounds Subdivision application 011-20**  
**Property Location: Intersection of County Road 18 & State Highway 371 Parcel ID# 28120666**  
**Applicant: Bob Johnson (present)**  
**Owner: Paul & Patricia Dullum**

Harris noted he would like to see this area platted. Cotner stated they did talk about platting this area, but it would have been more much money and a timely process. She noted she did confirm with the property that the property to the south could have access to State Highway 371 in addition to the easement.

Jacobson questioned if the billboards are staying. Johnson stated yes it was part of the agreement. He signed a 10 year lease.

**Motion:** Harris motioned to approve this Metes and Bounds Subdivision application as presented, with the following Findings of Fact:

1. The subject property is located at PID 28120666.
2. The subject property is in the “Central Business” Zoning District.
3. The proposed parcel is 4.24 acres.
4. The proposed parcel had adequate frontage along County Road 18 and Minnesota State Highway 371.
5. The proposed parcel meets the minimum requirements of “Central Business” Zoning District.

Seconded by Jacobson. All members voting “Aye”, motion carries.

**9. Old Business - None**

**10. Planning & Zoning Administrator’s Report**

**a. Permits**

Cotner noted there were 13 new permits issued this past month. Harris questioned LUP 20-041. The value of \$160,000 seems very low for a 4200 square foot building. It seems like someone is trying to keep the permit price down. Young questioned if

184 we should adapt to a finished square foot fee price. Cotner stated the City  
185 Administrator/Treasure has been working on updating the fee schedule and will check  
186 to see where she is at in the process.  
187

188 **b. Violations List**

189 Cotner noted there were 4 new violations this past month. She noted that there have  
190 been a total of 9 violations this year and 7 have been resolved so far.  
191

192 **c. Correspondences**

193  
194 Cotner noted that there were 3 correspondences this past month.  
195

196 **11. Commissioners' Questions/Comments:**

197  
198 Young questioned if we will be following Crow Wing County's VRBO ordinance.  
199 Cotner stated we still have our own ordinance in place to follow, but would like to bring  
200 to the planning commission this fall/winter to discuss.  
201

202 Gettelman noted she has been on the League of MN Cities website recently and stated  
203 there is a lot of good information and training available. She is trying to learn more about  
204 being a commission member and about city government. She stated there was a Planning  
205 & Zoning 101 that was good and she will be attending a webinar in September "What to  
206 do when people disagree". She stated there is no charge for this and wanted to share with  
207 everyone about this great resource.  
208

209 **12. Adjourn**

210  
211 **Motion:** Young motioned to adjourn the August 4, 2020 meeting at 6:44 pm, seconded  
212 by Fier. All members voting "Aye", motion carries.  
213

214 Respectfully submitted,  
215

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218 \_\_\_\_\_  
Maggi Wentler, Finance Specialist