

City of Mora Kanabec County, Minnesota Meeting Agenda Planning Commission

Mora City Hall 101 Lake Street S Mora, MN 55051

Monday, May 10, 2021	5:30 PM	Mora City Hall

City of Mora Code of Ordinances, Chapter 32: The role of the Planning Commission is to serve the City Council in an advisory capacity on matters relating to citizen requests for action, zoning changes and review, Comprehensive Plan reviews, capital improvement reviews, and other actions as deemed necessary to carry out the functions of a pro-active Planning Commission.

1. Call to Order

- 2. Roll Call: Carmen Finn, Chad Gramentz, Jake Mathison, Todd Sjoberg and Sara Treiber.
- **3.** Adopt Agenda (No item of business shall be considered unless it appears on the agenda for the meeting. Board members may add items to the agenda prior to adoption of the agenda.)

4. Approval of Minutes

a. April 12, 2021 Meeting

5. Public Hearings

- a. Public hearing to consider the Rezoning of property located at 841 Forest Avenue E. from I-1 Limited Industrial District to B-2 General Business District. The applicant is Angela Tvedt and the property owner is East Forest, LLC.
- b. Public hearing to consider a Conditional Use Permit to allow a *Solar Energy System* to be located in the R-1 Single Family Residential District. The subject site is located at 414 Wood Street S. (site of Calvary Lutheran Church of Mora). The applicant is REAL Solar and the property owner is Calvary Lutheran Church of Mora.
- c. Public hearing to consider a Conditional Use Permit to allow a *Solar Energy System* to be located in the B-1 Central Business District. The subject site is located at 101 Park Street S. (site of Tamarack Habilitation Technologies). The applicant is Sun Energy and the property owner is the J. Martin Carlson Trust.

6. Open Forum

7. New Business

a. Amendment to 2021 Meeting Schedule

8. Old Business

None

9. Reports (In addition to the items listed below, each board and staff member will be given the opportunity to share information.)

10. Adjournment

The next regular meeting is scheduled for Monday, June 7, 2021 at 5:30 PM.

City of Mora, MN PLANNING COMMISSION Meeting Minutes

April 12, 2021

Present:	Carmen Finn, Chad Gramentz, Jake Mathison, Todd Sjoberg and Sara Treiber
Absent:	None
Staff Present:	Community Development Director Beth Thorp and City Administrator Lindy Crawford
Also Present:	Evan Johnson, Sean Lewis, David Bolf, Dan Voce, Craig Schultz and Scott Moe

- 1. <u>Call to Order.</u> Chair Sjoberg called the meeting to order at 5:30 pm.
- 2. Roll Call.

Finn – Present Gramentz – Present Mathison – Present Sjoberg – Present Treiber – Present

- 3. <u>Adopt Agenda.</u> Motion by Treiber, second by Gramentz to adopt the April 12, 2021 agenda as presented. All present voted aye, motion carried.
- 4. <u>Approval of Minutes.</u> Motion by Finn, second by Mathison to approve the March 8, 2021 meeting minutes as presented. All present voted aye, motion carried.
- 5. <u>Public Hearings.</u> None.
- 6. <u>Open Forum.</u> No members of the public were present for open forum.
- 7. <u>New Business.</u> None.
- 8. Old Business.
 - a. <u>Tabled from March 8, 2021 Meeting Conditional Use Permit to Allow a School and School Related Facilities to be Located in the R-1 Single Family Residential District.</u> Sjoberg thanked city staff for their work on the proposed Conditional Use Permit. Thorp reviewed her staff report, providing the following updates since the commission's March 8th meeting:
 - The applicant provided several new and updated documents since March 8th including revised civil plans, a landscape plan, a final traffic study and a final drainage report.
 - The applicant submitted a landscape plan and worked with city and utility staff to ensure that plantings did not interfere with underground utilities. Thorp added that staff is satisfied with the proposed landscaping.
 - The revised civil plans showed 40 off-street parking spaces for the wellness center as required by the 2017 Conditional Use Permit.

- All proposed parking spaces and drive aisles were shown meeting the city's minimum size requirements.
- With the addition of four alternate high school classrooms to the civil plans and additional information provided by the applicant in regard to building capacity, offstreet parking requirements were recalculated by staff. Staff determined that without the four alternate classrooms the property owner would be required to provide 315 offstreet parking spaces; and, with the four alternate classrooms the property owner would be required to provide 349 off-street parking spaces. Because the proposed parking lot included 338 parking spaces, Thorp added that construction of the proposed parking lot – shown as Alternate 8 – would be acceptable to meet off-street parking requirements if and when the alternate classrooms were constructed. Thorp stated that the parking lot shown as Alternate 8 would provide an additional 63 parking spaces.
- All accessible parking spaces were proposed to be van accessible.
- The final traffic study included some changes and additions to the Findings and Conclusions section.
- Thorp stated that the final study had been reviewed by city staff, the City Engineer, County Engineer, Sheriff Smith, and MnDOT. Sheriff Smith's comments were shared with the commission.
- Thorp shared that, in response to the City Administrator's concern that the traffic study was completed in a single day during the pandemic on an early release day, the applicant commented that traffic studies are based on both assumptions and observations to create a model of likely scenarios.
- In regard to concerns about a 1,000 foot drop-off lane at the high school and possible stacking on 9th Street, the applicant clarified that the civil plans showed three 1,000 foot drop-off lanes rather than a single lane. Thorp added that the proposed resolution included a condition which authorized the city to require that the school district adjust traffic flow if stacking became an issue.
- The applicant clarified that they intended to grind off existing pavement markings on 9th Street between Wood Street N. and Sunset Lane and repaint with a shared center turn lane. Thorp added that the City Administrator recommended restriping 9th Street to the intersection of Highway 65 and that this would be an issue discussed by the City Council.
- The applicant confirmed that the proposed crosswalk at Village Green Place would be installed in the same manner as the crosswalk at Village Green Lane.
- In regard to concerns about pedestrian safety at 7th Street and Grove Street N., the applicant had responded that the area was outside of the project area. Thorp added that the County Engineer would recommend that the county install a stop sign on Grove Street N. and 7th Street to increase pedestrian safety.
- In response to concerns about traffic on Grove Street N., the applicant proposed the construction of a northbound right turn lane on Grove Street N. at the access road. Thorp shared that the County Engineer had already provided preliminary verbal approval for the turn lane.
- In response to concerns about the construction of an access road in a public roadway easement and the relocation of the city-owned trail from the easement, Thorp shared that the applicant had already started the process to vacate the easement and provide the city with a new trail easement.
- The final drainage and hydrologic report had been reviewed by the City Engineer and County Engineer and both had expressed concerns about drainage from the unnamed

ponds flowing to Lake Mora rather than the Snake River. Thorp requested that the applicant provide additional information on this issue prior to the request being considered by the City Council.

- Thorp stated that the applicant and property owner were working closely with the city and utility to address utility related concerns, including underground electric service.
- The revised civil plans showed the addition of a fire lane on the west side of the high school as required by the Fire Chief.

Thorp commented that staff was satisfied that all major concerns discussed at the commission's March meeting had been addressed and staff was recommending approval of the Conditional Use Permit with several conditions. Sjoberg invited the applicant to address the Planning Commission. Sean Lewis, ICS, provided the following comments:

- The applicant and property owner were interested in working with the city, county and state on traffic related concerns.
- Lewis explained that preliminary investigations showed that drainage from the unnamed ponds would flow to the Snake River as shown in the drainage report but the applicant would provide additional information as requested.
- In regard to Sheriff Smith's concerns about event parking at the school property and the
 possibility of overflow parking on 9th Street, Lewis stated there would be approximately
 1,000 off-street parking spaces available on the school property and parking on 9th
 Street would be unlikely.

Mathison asked if the school district had made a decision on whether the high school would be a closed or open campus; Lewis shared that the high school would be a closed campus. Sjoberg commented that the property owner would need to provide trail and utility easements and asked if there were any concerns or issues with those easements; Thorp shared that the applicant and property owner were in agreement with the easements and had already provided survey work for those easements. Gramentz inquired about the proposed construction schedule; Lewis stated that it was anticipated to be a 26-month project with a goal of starting in May 2021 and finishing construction in summer 2023. Lewis added that utility work would begin in 2021, parking lot construction would occur in 2022, and the project would wrap up in 2023. Commissioners and Lewis discussed the current cost of construction materials and potential impact on the project. Treiber inquired about construction of the high school facility in relation to the elementary school; Lewis stated that most of the construction would be away from the elementary school including construction traffic utilizing the north access road to allow for normal operations at the elementary school. Lewis added that construction of the high school facility was anticipated to begin in June 2021 and finish in early summer 2023. Thorp commented that the proposed resolution did not adequately address easements needed for the project and recommended the addition of a condition requiring that the property owner provide the city with any and all easements necessary for trail and utility purposes. Motion by Mathison, second by Treiber to approve Resolution No. PC2021-401, a resolution recommending approval of a Conditional Use Permit to allow a School and school related facilities to be located in the R-1 Single Family Residential District, as presented and with the added condition that the property owner provide any and all easements necessary for trail and utility purposes. All present voted aye, motion carried.

9. <u>Reports.</u> Thorp shared that she anticipated the Planning Commission would be conducting two public hearings in May to consider requests for Conditional Use Permits to allow solar energy

systems. Thorp added that these would be the first two requests for solar energy systems since the city adopted regulations in 2018.

10. <u>Adjournment</u>. Motion by Mathison, second by Gramentz to adjourn. All present voted aye, motion carried and the meeting was adjourned at 6:02 pm.

	ATTEST:
Todd Sjoberg	Beth Thorp Community Development Director
Chair	Community Development Director



MEMORANDUM

TO:	Planning Commission
FROM:	Beth Thorp, Community Development Director
SUBJECT:	Public Hearing – Rezoning of 841 Forest Avenue E.
DATE:	May 10, 2021

SUMMARY

The Planning Commission will conduct a public hearing to consider the rezoning of property located at 841 Forest Avenue E. from I-1 Limited Industrial District to B-2 General Business District.

SITE INFORMATION

Property Owner:	East Forest, LLC (seller)
Applicant:	Angela Tvedt (buyer)
Location:	841 Forest Avenue E. (PID 22.02145.00)
Current Zoning:	I-1 Limited Industrial District
Proposed Zoning:	B-2 General Business District
Adjacent Zoning:	North: Highway 65 / B-2 General Business District
	South: Howe Avenue / B-2 General Business District / I-1 Limited Industrial District
	East: R-1 Single Family Residential District
	West: B-2 General Business District
Comp Plan Designation:	Commercial
Size of Subject Area:	1.97± Acres
Date Application Complete:	April 15, 2021
Public Hearing Conducted:	May 10, 2021
60-Day Review Period:	June 14, 2021

DISCUSSION

The property located at 841 Forest Avenue E. is currently zoned I-1 Limited Industrial District; the current property owner (East Forest, LLC) and pending property owner (Angela Tvedt) have requested that the property be rezoned to B-2 General Business District. The subject property has been developed with an office building and a warehouse facility and Tvedt intends to use the property for commercial purposes. *Note: The sale of this property closed on April 28th, after the application was submitted and prior to the May 10th public hearing. Tvedt is now the property owner.*

The proposed zoning classification is consistent with the Comprehensive Plan Land Use Map designation of Commercial and is compatible with zoning classifications to the north, west, and south. Properties east of the subject property are zoned R-1 Single Family Residential District. While the Comprehensive Plan identifies the land use relationship between highway oriented commercial and low density residential as being undesirable, staff believes that it's an improvement on the current land use relationship of light industry and low density residential.

The Zoning Code states that the B-2 General Business District is *intended to provide a district for commercial activities that are highway or automobile oriented and for quasi-industrial and wholesale enterprises that do not need an industrial setting and have considerable customer contact*. Tvedt intends to use the existing structures at 841 Forest Avenue E. for her septic service business and leased office and storage space. All proposed uses comply with the intent of and allowable uses within the B-2 District.

FINDINGS

Per Zoning Code § 150.038 it is the responsibility of the Planning Commission to make a recommendation and the City Council to make its determination on the request for rezoning based on the objective findings and established policies of the city. To assist the commission and council in their decision making, staff has provided proposed findings:

Criteria #1	The proposed rezoning is consistent with the goals, objectives and policies of the
	Comprehensive Plan.
Finding #1	The Comprehensive Plan Land Use Map currently designates the subject property as
	<i>Commercial and the proposed rezoning of industrial to commercial is consistent with this designation.</i>
	designation.

Criteria #2 The proposed rezoning is compatible with the overall character of existing development in the immediate vicinity of the affected property.

Finding #2 Existing development immediately north, south and west is commercial, making the proposed rezoning generally compatible with the character of the surrounding area. Existing development immediately east is single family residential. The city finds that a rezoning of industrial to commercial creates a more desirable land use relationship with the adjacent residential district.

- Criteria #3 The proposed rezoning will not have an adverse effect on the value of adjacent properties.
- *Finding #3* There is no evidence to suggest that the proposed rezoning will have any effect on the value of adjacent properties.
- Criteria #4 The subject area proposed for rezoning is adequately served by public facilities and services.
- *Finding #4* The subject area is currently served by municipal water, sewer, electric and all other public facilities and services.

A public hearing notice was published in the Kanabec County Times on April 29, 2021 and notices were sent to all property owners within 350' of the subject property. As of May 5th staff had received one inquiry about the project from a neighboring residential property owner, but there were no expressed concerns.

OPTIONS & IMPACTS

1. Recommend approval of the rezoning, bringing the zoning designation into compliance with the Comprehensive Plan and more compatible with surrounding land uses / zoning designations.

- 2. Recommend denial of the rezoning, citing specific reasons for the written record. If the rezoning is denied, the property will remain out of compliance with the Comprehensive Plan and will potentially be less compatible with surrounding land uses / zoning designations if used for industrial purposes.
- 3. Make no recommendation at this time, deciding to either continue the public hearing for additional public comment or table the request for further consideration. Being that the review period for this request expires on June 14, 2021 not allowing sufficient time for further Planning Commission and City Council consideration staff will automatically exercise the city's statutory right to extend the review period by an additional 60 days.

STAFF RECOMMENDATION

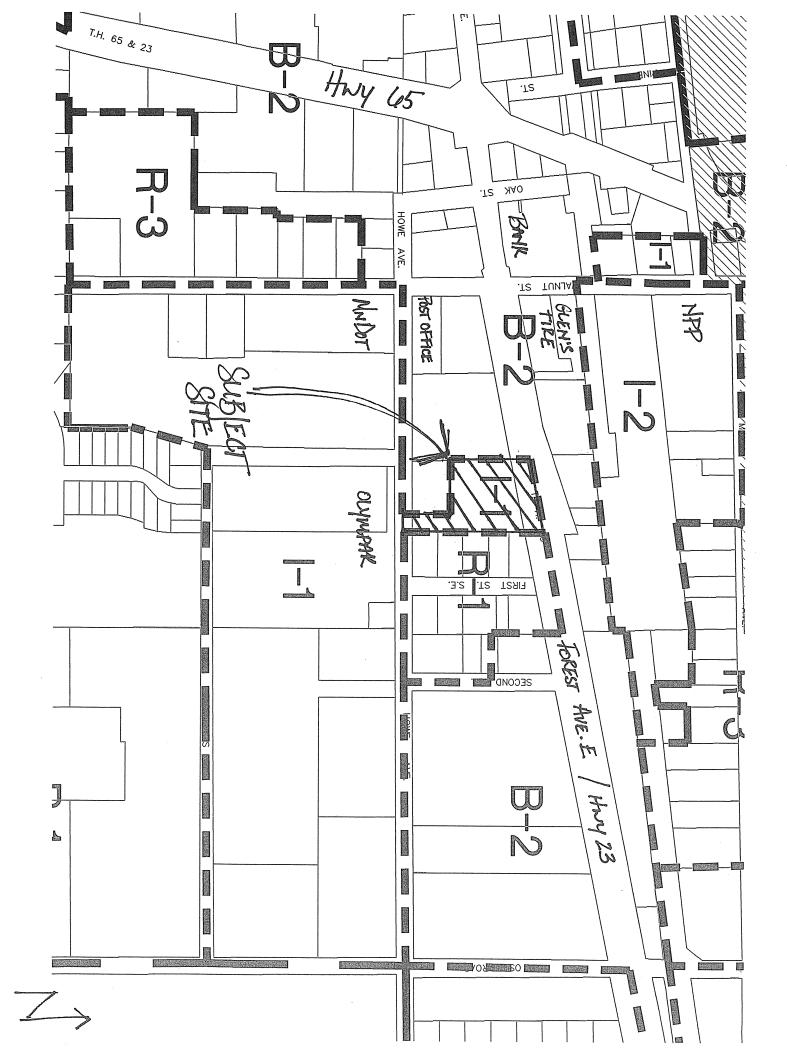
Staff recommends approval of the rezoning.

ACTION REQUESTED

Motion to approve Resolution No. PC2021-501 as presented or amended.

ATTACHMENTS

- 1. Location map with current zoning boundaries
- 2. Proposed Resolution No. PC2021-501



RESOLUTION NO. PC2021-501

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, RECOMMENDING APPROVAL OF THE REZONING OF 841 FOREST AVENUE E. FROM I-1 LIMITED INDUSTRIAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT AS REQUESTED BY EAST FOREST, LLC AND ANGELA TVEDT

WHEREAS, East Forest, LLC, property owner, and Angela Tvedt, applicant, submitted an application dated received April 14, 2021 and considered complete on April 15, 2021 for the rezoning of one parcel from I-1 Limited Industrial District to B-2 General Business District; and

WHEREAS, the subject property is located at 841 Forest Avenue E. and is 1.97± acres in size; and

WHEREAS, the subject property is legally described as:

PID 22.02145.00

Auditor's Subdivision No. 11 Lot 4 except South 150' of West 205' except Highway Right-of-Way; subject to extinguishment of access described on Document No. 228440; and subject to permanent easement described on Document No. 228441 Section 12 Township 039 Range 024 Kanabec County, Minnesota

WHEREAS, notice was provided and on May 10, 2021, the Planning Commission conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several criteria for rezoning and made the following findings:

Criteria #1	The proposed rezoning is consistent with the goals, objectives and policies of the
	Comprehensive Plan.

- Finding #1 The Comprehensive Plan Land Use Map currently designates the subject property as Commercial and the proposed rezoning of industrial to commercial is consistent with this designation.
- Criteria #2 The proposed rezoning is compatible with the overall character of existing development in the immediate vicinity of the affected property.
- Finding #2 Existing development immediately north, south and west is commercial, making the proposed rezoning generally compatible with the character of the surrounding area. Existing development immediately east is single family residential. The city finds that a rezoning of industrial to commercial creates a more desirable land use relationship with the adjacent residential district.
- Criteria #3 The proposed rezoning will not have an adverse effect on the value of adjacent properties.
- *Finding #3* There is no evidence to suggest that the proposed rezoning will have any effect on the value of adjacent properties.

Criteria #4 The subject area proposed for rezoning is adequately served by public facilities and services.
 Finding #4 The subject area is currently served by municipal water, sewer, electric and all other public facilities and services.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, that the Planning Commission hereby recommends approval of the rezoning of 841 Forest Avenue E. from I-1 Limited Industrial District to B-2 General Business District as requested by East Forest, LLC and Angela Tvedt.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 10th day of May, 2021.

Todd Sjoberg	 Carmen Finn	
Chad Gramentz	 Jake Mathison	<u> </u>
Sara Treiber		

ATTEST:

Todd Sjoberg Chair Beth Thorp Community Development Director



MEMORANDUM

TO:	Planning Commission
FROM:	Beth Thorp, Community Development Director
SUBJECT:	Public Hearing - Conditional Use Permit to allow a Solar Energy System to be
	located in the R-1 Single Family Residential District
DATE:	May 10, 2021

SUMMARY

The Planning Commission will conduct a public hearing to consider a request for a Conditional Use Permit to allow a Solar Energy System to be located in the R-1 Single Family Residential District.

SITE & APPLICATION INFORMATION

Applicant:	REAL Solar
Property Owner:	Calvary Lutheran Church of Mora (Calvary Lutheran Church)
Location:	414 Wood Street S.
Current Zoning:	R-1 Single Family Residential District
Adjacent Zoning:	North: R-1 Single Family Residential District
	South: R-1 Single Family Residential District
	East: R-1 Single Family Residential District
	West: R-1 Single Family Residential District
Comp. Plan Designation:	Low Density Residential
Date Application Complete:	April 16, 2021
Public Hearing Conducted:	May 10, 2021
60-Day Review Period:	June 15, 2021

DISCUSSION

REAL Solar, applicant, and Calvary Lutheran Church, property owner, have applied for a Conditional Use Permit (CUP) to allow a *Solar Energy System* to be located in the R-1 Single Family Residential District. The subject site is located at 414 Wood Street S. The proposed project includes the installation of a 19.99 kW solar array, including 51 solar panels, on the sanctuary roof using flush-mount racking. The photovoltaic modules are proposed to sit approximately seven inches above the roof plane. The applicant has stated that the solar array will not be visible from the ground unless standing a fair distance from Calvary Lutheran Church. In addition to the array being 36" from the ridge, the sides of the array are approximately 72" from the gable ends of the roof.

The Zoning Code encourages the use of renewable energy systems, including solar energy systems, which have a positive impact on energy conservation with limited adverse impact on nearby properties. As such, the city has developed standards for the reasonable capture and use of solar energy and related systems. The Zoning Code provides general standards for *Solar Energy Systems* and those standards which are applicable to the proposed system include:

Electrical

• An exterior utility disconnect switch shall be installed at the electric meter serving the property.

- Solar energy systems shall be grounded to protect against natural lightning strikes in conformance with the National Electrical Code as adopted by the State of Minnesota.
- No solar energy system shall be interconnected with the local electric utility company until the utility company has reviewed and commented upon it. The interconnection of the solar energy system with the utility company shall adhere to the National Electrical Code as adopted by the State of Minnesota.

Color

• All roof mounted solar energy systems shall use colors that are the same or similar with the color of the roof material of the building on which the system is mounted.

Location – Roof Mounting

- The solar energy system shall comply with the maximum height requirements of the applicable zoning district.
- The solar energy system shall not extend beyond the perimeter of the exterior walls for the building on which it is mounted and must meet the setback requirements for the zoning district.
- The solar energy system shall be located as to minimize glare directed toward an adjoining property or street.

The proposed *Solar Energy System* has been reviewed by city and utility staff as well as the city's electrical engineer. Staff finds that the proposed system complies with the general standards for roof mounted Solar Energy Systems and no concerns have been identified.

The property owner is required by the Zoning Code and the state to enter into an interconnection agreement with the local electric utility company (MMU) and obtain a building permit prior to installation. The applicant submitted an interconnection application and the city's electrical engineer has approved the application with conditions. These conditions have been incorporated into the proposed resolution for consideration.

A public hearing notice was published in the Kanabec County Times on April 29, 2021 and notices were sent to all property owners within 350' of the subject property. Staff did not receive any verbal or written comments regarding the proposed *Solar Energy System* as of May 5th.

FINDINGS

Zoning Code Section 150.036 (Conditional Uses), Subd. E (Standards) states that, "In considering an application for Conditional Use Permit, the Planning Commission shall make its recommendation upon the finding that the application complies with each of the standards set forth below and, where applicable, any conditional standards for specific uses set forth in the provisions of a specific zoning district." The city shall not grant a Conditional Use Permit without making certain findings. The criteria required for the granting of Conditional Use Permits are listed below with proposed findings for the Planning Commission's consideration.

- Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.
- Finding #1 The Zoning Code identifies the proposed use of Solar Energy System as a Conditional Use within the R-1 Single Family Residential District and the proposed use complies with all district regulations. Further, the Zoning Code encourages the use of renewable energy systems, including solar energy systems, which have a positive impact on energy

conservation with limited adverse impact on nearby properties. Therefore, the proposed use is consistent with the intent of the Zoning Code and the R-1 Single Family Residential District.

- Criteria #2The use is in keeping with the Comprehensive Plan and the policies thereof.Finding #2The city's current Comprehensive Plan, adopted in 2009, does not address the use of
Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan
goal of protecting and enhancing the city's natural resources to preserve the city's living
environment.
- Criteria #3 The use will not cause undue traffic congestion or hazards.
- Finding #3 Given that the proposed Solar Energy System is a flush-mount system located on a structure roof, the proposed use will have no impact on traffic and will not cause undue traffic congestion in the general area.
- Criteria #4 The use will be adequately served by public utilities and all other necessary public facilities and services.
- Finding #4 The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services.
- Criteria #5 The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
- Finding #5 The proposed Solar Energy System is a flush-mount system located on a structure roof with little to no visibility from adjacent properties. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties.
- Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- *Finding #6* The proposed use will have little to no visibility from adjacent residential properties. The city believes that the proposed use is compatible by virtue of its roof-top location.
- Criteria #7The use will not jeopardize the public's health, safety or general welfare.Finding #7There is no evidence to suggest that the proposed use will jeopardize the public's health,
safety or general welfare.

OPTIONS

- 1. Recommend approval of the Conditional Use Permit with conditions as presented or amended.
- 2. Recommend denial of the Conditional Use Permit, providing specific reasons for the recommendation of denial for the written record.
- 3. Make no recommendation at this time, deciding to either continue the public hearing for additional public comment or table the request for further consideration. Being that the review period for this request expires on June 15, 2021 not allowing sufficient time for further Planning Commission and City Council consideration staff will automatically exercise the city's statutory right to extend the review period by an additional 60 days.

STAFF RECOMMENDATION

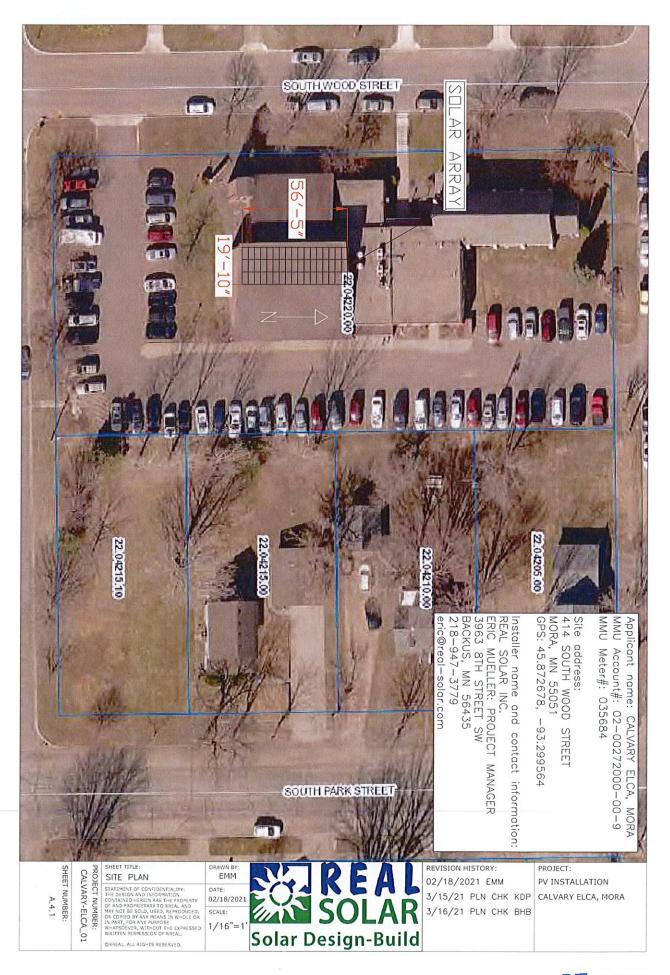
Staff recommends approval with conditions as presented.

ACTION REQUESTED

Motion to approve Resolution No. PC2021-502 as presented or amended.

ATTACHMENTS

- 1. Site plan showing placement of proposed Solar Energy System
- 2. Illustration of Solar Energy System (<u>not</u> shown on Calvary Lutheran Church)
- 3. Proposed Resolution No. PC 2021-502



BT APR 0 6 2021

2013 5.56kW Crosslake Presbyterian Crosslake, MN

Photo Courtesy of the Initiative Foundation

RESOLUTION NO. PC2021-502

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING A SOLAR ENERGY SYSTEM TO BE LOCATED IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AS REQUESTED BY REAL SOLAR AND CALVARY LUTHERAN CHURCH OF MORA

WHEREAS, REAL Solar, applicant, and Calvary Lutheran Church of Mora, property owner, submitted an application dated received April 6, 2021 and considered complete on April 16, 2021 for a Conditional Use Permit allowing a *Solar Energy System* to be located in the R-1 Single Family Residential District; and

WHEREAS, the subject property is located at 414 Wood Street S.; and

WHEREAS, the subject property is legally described as:

PID 22.04220.00 Lots 7, 8, 9, 10, 11 & 12, Block 8, Park Addition to Mora Section 14 Township 039 Range 024 Kanabec County, Minnesota

WHEREAS, notice was provided and on May 10, 2021, the Planning Commission conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment; and

WHEREAS, the Planning Commission has made the following findings as required by Zoning Code §150.036 Conditional Uses, Subd. E Standards:

- Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.
- Finding #1 The Zoning Code identifies the proposed use of Solar Energy System as a Conditional Use within the R-1 Single Family Residential District and the proposed use complies with all district regulations. Further, the Zoning Code encourages the use of renewable energy systems, including solar energy systems, which have a positive impact on energy conservation with limited adverse impact on nearby properties. Therefore, the proposed use is consistent with the intent of the Zoning Code and the R-1 Single Family Residential District.
- Criteria #2The use is in keeping with the Comprehensive Plan and the policies thereof.Finding #2The city's current Comprehensive Plan, adopted in 2009, does not address the use of
Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan
goal of protecting and enhancing the city's natural resources to preserve the city's living
environment.
- Criteria #3The use will not cause undue traffic congestion or hazards.Finding #3Given that the proposed Solar Energy System is a flush-mount system located on a
structure roof, the proposed use will have no impact on traffic and will not cause undue
traffic congestion in the general area.

Criteria #4	The use will be adequately served by public utilities and all other necessary public facilities and services.
Finding #4	The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services.
Criteria #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
Finding #5	The proposed Solar Energy System is a flush-mount system located on a structure roof with little to no visibility from adjacent properties. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties.
Criteria #6	The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
Finding #6	The proposed use will have little to no visibility from adjacent residential properties. The city believes that the proposed use is compatible by virtue of its roof-top location.
Criteria #7 <i>Finding #7</i>	The use will not jeopardize the public's health, safety or general welfare. There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, AS FOLLOWS:

That the Planning Commission recommends approval of the Conditional Use Permit with the following conditions:

- 1. The Solar Energy System shall be installed in conformance with the plans and specifications dated received April 6, 2021. Any major deviation, as determined by city staff, shall require further review and approval by the City Council.
- 2. The property owner is required to enter into an interconnection agreement with Mora Municipal Utilities.
- 3. The applicant and/or property owner shall coordinate with Mora Municipal Utilities electric utility staff regarding:
 - a. Installation and location of required visible, lockable disconnect and metering equipment and associated labeling.
 - b. Verification of inverter equipment and related protection per submittal (verify UL1741 and IEEE 1547 designations on Fronius 10.0-3 240 Inverters and verify fuse rating of 60A per one-line diagram).
 - c. Acceptance testing of the installation prior to commercial operation.
 - d. Involvement of electric utility staff during power switchover.
- 4. A service / meter upgrade may be necessary. The expense of equipment and labor shall be the responsibility of the property owner.
- 5. The Solar Energy System shall be certified by Underwriters Laboratories, Inc. and comply with the requirements of the International Building Codes and Minnesota State Building Codes.
- 6. Issuance of a building permit is required prior to installation. The manufacturer's specifications must be submitted with the building permit application.

- 7. The manufacturer's specifications must be on-site and available to city and utility staff at all times during installation and inspections.
- 8. If the property owner re-roofs the structure at any time while the solar panels are located on the roof, the color of the new roofing materials must be the same as or similar to the color of the solar panels.
- 9. This Conditional Use Permit shall be utilized and all conditions shall be met within one year of recording or the Conditional Use Permit shall become null and void.
- 10. If the Solar Energy System becomes inoperable for 12 successive months, the system shall be deemed abandoned and a public nuisance. The property owner shall remove the abandoned system and all associated equipment at their expense after obtaining a demolition permit. Removal must be completed within 90 days following the 12 month period.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 10th day of May, 2021.

Todd Sjoberg	
Chad Gramentz	
Sara Treiber	

Carmen Finn ______ Jake Mathison ______

ATTEST:

Todd Sjoberg Chair Beth Thorp Community Development Director



MEMORANDUM

TO:	Planning Commission
FROM:	Beth Thorp, Community Development Director
SUBJECT:	Public Hearing - Conditional Use Permit to allow a Solar Energy System to be
	located in the B-1 Central Business District
DATE:	May 10, 2021

SUMMARY

The Planning Commission will conduct a public hearing to consider a request for a Conditional Use Permit to allow a Solar Energy System to be located in the B-1 Central Business District.

SITE & APPLICATION INFORMATION

Applicant:	Sun Energy	
Property Owner:	J. Martin Carlson Trust (Marty Carlson)	
Location:	101 Park Street S.	
Current Zoning:	B-1 Central Business District	
Adjacent Zoning:	North: B-1 Central Business District	
	South: B-1 Central Business District	
	East: B-1 Central Business District	
	West: R-3 Multiple Dwelling District	
Comp. Plan Designation:	Commercial	
Date Application Complete:	April 16, 2021	
Public Hearing Conducted:	May 10, 2021	
60-Day Review Period:	June 15, 2021	

DISCUSSION

Sun Energy, applicant, and Marty Carlson, property owner, have applied for a Conditional Use Permit (CUP) to allow a *Solar Energy System* to be located in the B-1 Central Business District. The subject site is located at 101 Park Street S. The proposed project includes the installation of a 9.88 kW solar array, including 26 solar panels, on the building's roof using flush-mount racking. The modules are proposed to sit approximately eight inches above the roof plane.

The Zoning Code encourages the use of renewable energy systems, including solar energy systems, which have a positive impact on energy conservation with limited adverse impact on nearby properties. As such, the city has developed standards for the reasonable capture and use of solar energy and related systems. The Zoning Code provides general standards for *Solar Energy Systems* and those standards which are applicable to the proposed system include:

Electrical

- An exterior utility disconnect switch shall be installed at the electric meter serving the property.
- Solar energy systems shall be grounded to protect against natural lightning strikes in conformance with the National Electrical Code as adopted by the State of Minnesota.
- No solar energy system shall be interconnected with the local electric utility company until the utility company has reviewed and commented upon it. The interconnection of the solar energy

system with the utility company shall adhere to the National Electrical Code as adopted by the State of Minnesota.

Color

• All roof mounted solar energy systems shall use colors that are the same or similar with the color of the roof material of the building on which the system is mounted.

Location – Roof Mounting

- The solar energy system shall comply with the maximum height requirements of the applicable zoning district.
- The solar energy system shall not extend beyond the perimeter of the exterior walls for the building on which it is mounted and must meet the setback requirements for the zoning district.
- The solar energy system shall be located as to minimize glare directed toward an adjoining property or street.

The proposed *Solar Energy System* has been reviewed by city and utility staff as well as the city's electrical engineer. Staff finds that the proposed system complies with the general standards for roof mounted Solar Energy Systems and no concerns have been identified.

The property owner is required by the Zoning Code and the state to enter into an interconnection agreement with the local electric utility company (MMU) and obtain a building permit prior to installation. The applicant submitted an interconnection application and the city's electrical engineer has approved the application with conditions. These conditions have been incorporated into the proposed resolution for consideration.

A public hearing notice was published in the Kanabec County Times on April 29, 2021 and notices were sent to all property owners within 350' of the subject property. As of May 5th staff had received one inquiry about the project, but there was no opposition.

The subject property has an existing *Solar Energy System* that was installed prior to the city adopting regulations for such uses. Staff is not aware of any issues or complaints regarding the existing system.

FINDINGS

Zoning Code Section 150.036 (Conditional Uses), Subd. E (Standards) states that, "In considering an application for Conditional Use Permit, the Planning Commission shall make its recommendation upon the finding that the application complies with each of the standards set forth below and, where applicable, any conditional standards for specific uses set forth in the provisions of a specific zoning district." The city shall not grant a Conditional Use Permit without making certain findings. The criteria required for the granting of Conditional Use Permits are listed below with proposed findings for the Planning Commission's consideration.

- Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.
- Finding #1 The Zoning Code identifies the proposed use of Solar Energy System as a Conditional Use within the B-1 Central Business District and the proposed use complies with all district regulations. Further, the Zoning Code encourages the use of renewable energy systems, including solar energy systems, which have a positive impact on energy conservation

with limited adverse impact on nearby properties. Therefore, the proposed use is consistent with the intent of the Zoning Code and the B-1 Central Business District. Criteria #2 The use is in keeping with the Comprehensive Plan and the policies thereof. Finding #2 The city's current Comprehensive Plan, adopted in 2009, does not address the use of Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan goal of protecting and enhancing the city's natural resources to preserve the city's living environment. Criteria #3 The use will not cause undue traffic congestion or hazards. Finding #3 Given that the proposed Solar Energy System is a flush-mount system located on a structure roof, the proposed use will have no impact on traffic and will not cause undue traffic congestion in the general area. Criteria #4 The use will be adequately served by public utilities and all other necessary public facilities and services. Finding #4 The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services. Criteria #5 The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties. Finding #5 The proposed Solar Energy System is a flush-mount system located on a structure roof so as to create the least amount of visibility from adjacent properties. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties. Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land. Finding #6 The proposed project includes the installation of dark-colored solar panels on a roof with dark-colored shingles. The city believes that the proposed use is compatible by virtue of its roof-top location and similar coloring with existing roofing materials. Criteria #7 The use will not jeopardize the public's health, safety or general welfare. Finding #7 There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.

OPTIONS

- 1. Recommend approval of the Conditional Use Permit with conditions as presented or amended.
- 2. Recommend denial of the Conditional Use Permit, providing specific reasons for the recommendation of denial for the written record.
- 3. Make no recommendation at this time, deciding to either continue the public hearing for additional public comment or table the request for further consideration. Being that the review period for this request expires on June 15, 2021 not allowing sufficient time for further Planning Commission and City Council consideration staff will automatically exercise the city's statutory right to extend the review period by an additional 60 days.

STAFF RECOMMENDATION

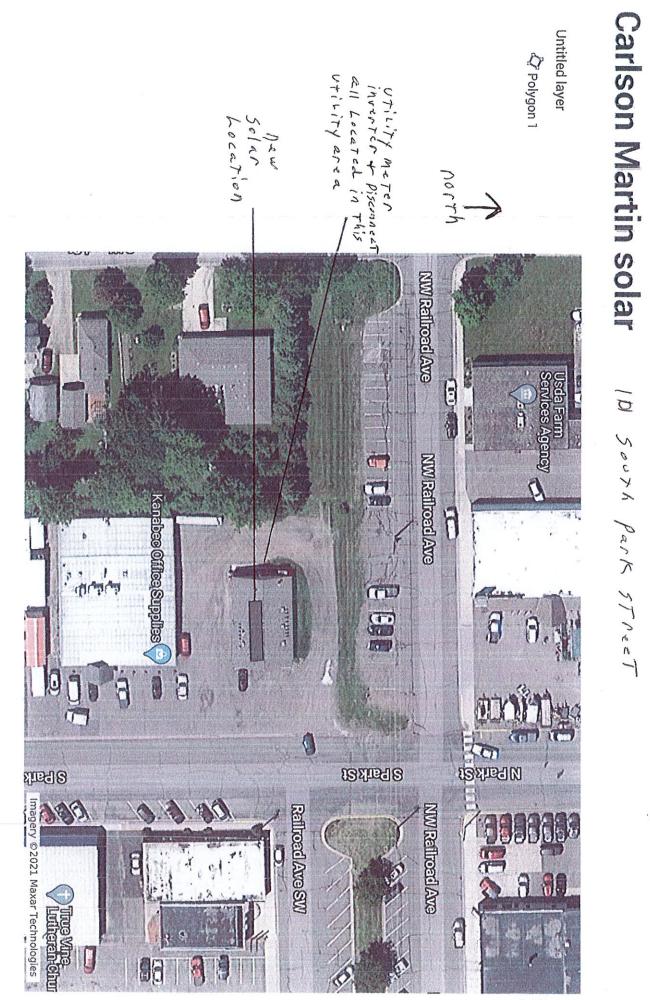
Staff recommends approval with conditions as presented.

ACTION REQUESTED

Motion to approve Resolution No. PC2021-503 as presented or amended.

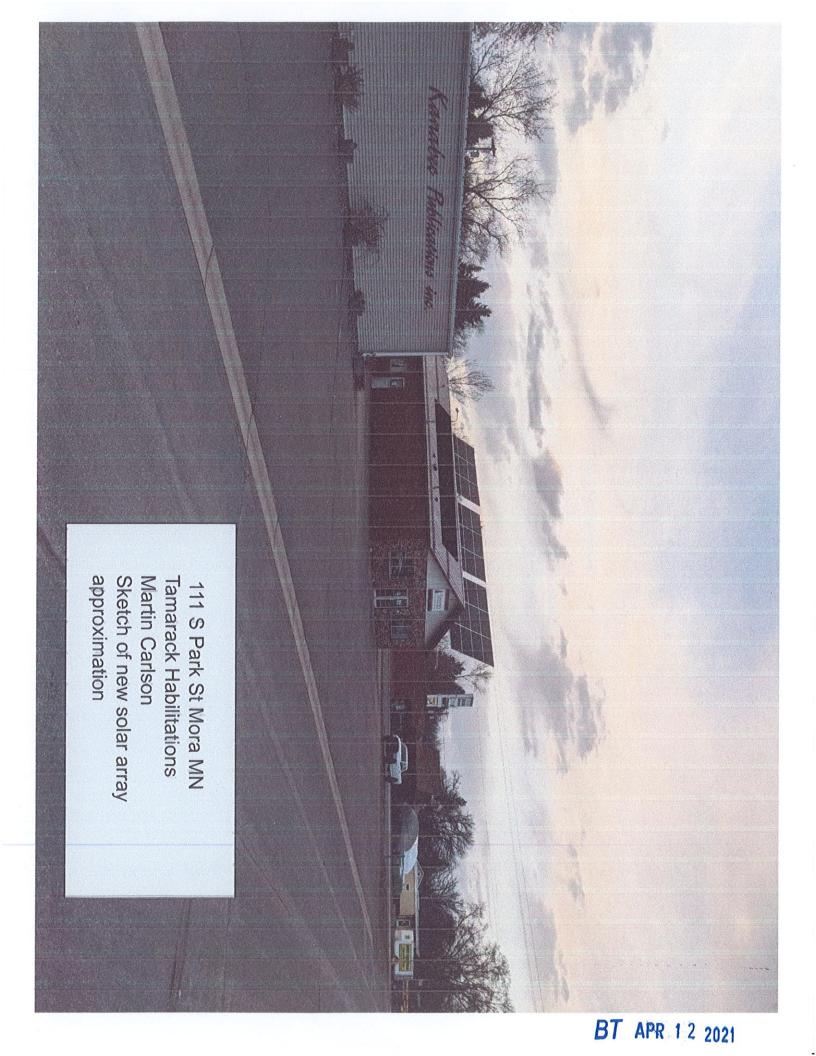
ATTACHMENTS

- 1. Location map showing placement of proposed Solar Energy System
- 2. Illustration of Solar Energy System placement from street view
- 3. Proposed Resolution No. PC 2021-503



SMC

BT APR 1 2 2021



RESOLUTION NO. PC2021-503

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING A *SOLAR ENERGY SYSTEM* TO BE LOCATED IN THE B-1 CENTRAL BUSINESS DISTRICT AS REQUESTED BY SUN ENERGY AND THE J. MARTIN CARLSON TRUST

WHEREAS, Sun Energy, applicant, and the J. Martin Carlson Trust, property owner, submitted an application dated received April 12, 2021 and considered complete on April 16, 2021 for a Conditional Use Permit allowing a *Solar Energy System* to be located in the B-1 Central Business District; and

WHEREAS, the subject property is located at 101 Park Street S.; and

WHEREAS, the subject property is legally described as:

PID 22.03290.00

North Half of Lot one (N ½ of Lot 1), Block Eight (8), Kent & Danforth's Addition to the Village of Mora, Minnesota.

AND

All that part of SE ¼ of SW ¼ Section Eleven (11), Township Thirty-Nine (39), Range Twenty-Four (24), Kanabec County, Minnesota, lying between Lot 1, Block 8, Kent & Danforth's Addition to the Village of Mora, Minnesota and the Great Northern Railway right of way.

AND

That part of the former Great Northern Railway right of way, located in the Southeast Quarter of the Southwest Quarter of Section 11, Township 39, Range 24,

Kanabec County, Minnesota, described as follows:

Commencing at the northeast corner of Lot 1, Block 8, Kent & Danforth's Addition to the Village of Mora, Kanabec County, Minnesota, thence northerly, along the northerly extension of the east line of said Lot 1, a distance of 45 feet to the point of beginning of the property to be described; thence westerly, parallel with the north line of said Lot 1 a distance of 150 feet, more or less, to the intersection with the northerly extension of the west line of said Lot 1, thence southerly, along the northerly extension of said west line a distance of 20 feet, more or less, to the southerly right of way line of said former Great Northern Railway; thence easterly, along said right of way line a distance of 150 feet, more or less, to the intersection with the northerly extension of the east line of said Lot 1; thence northerly, along the northerly extension of said east line a distance of 20 feet, more or less, to the point of beginning.

WHEREAS, notice was provided and on May 10, 2021, the Planning Commission conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment; and

WHEREAS, the Planning Commission has made the following findings as required by Zoning Code §150.036 Conditional Uses, Subd. E Standards:

Criteria #1	The use is consistent with the purposes and intent of the Zoning Code and the purposes
	and intent of the zoning district in which the applicant intends to locate the proposed
	use.

Finding #1 The Zoning Code identifies the proposed use of Solar Energy System as a Conditional Use within the B-1 Central Business District and the proposed use complies with all district

regulations. Further, the Zoning Code encourages the use of renewable energy systems, including solar energy systems, that have a positive impact on energy conservation with limited adverse impact on nearby properties. Therefore, the proposed use is consistent with the intent of the Zoning Code and the B-1 Central Business District.

Criteria #2 The use is in keeping with the Comprehensive Plan and the policies thereof.

- Finding #2 The city's current Comprehensive Plan, adopted in 2009, does not address the use of Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan goal of protecting and enhancing the city's natural resources to preserve the city's living environment.
- Criteria #3 The use will not cause undue traffic congestion or hazards.
- Finding #3 Given that the proposed Solar Energy System is a flush-mount system located on a structure roof, the proposed use will have no impact on traffic and will not cause undue traffic congestion in the general area.
- Criteria #4 The use will be adequately served by public utilities and all other necessary public facilities and services.
- Finding #4 The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services.
- Criteria #5 The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
- Finding #5 The proposed Solar Energy System is a flush-mount system located on a structure roof so as to create the least amount of visibility from adjacent properties. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties.
- Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- Finding #6 The proposed project includes the installation of dark-colored solar panels on a roof with dark-colored shingles. The city believes that the proposed use is compatible by virtue of its roof-top location and similar coloring with existing roofing materials.
- Criteria #7 The use will not jeopardize the public's health, safety or general welfare. Finding #7 There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, AS FOLLOWS:

That the Planning Commission recommends approval of the Conditional Use Permit with the following conditions:

1. The Solar Energy System shall be installed in conformance with the plans and specifications dated received April 12, 2021. Any major deviation, as determined by city staff, shall require further review and approval by the City Council.

- 2. The property owner is required to enter into an interconnection agreement with Mora Municipal Utilities.
- 3. The applicant and/or property owner shall coordinate with Mora Municipal Utilities electric utility staff regarding:
 - a. Installation and location of required visible, lockable disconnect and metering equipment and associated labeling.
 - b. Verification of inverter equipment and related protection per submittal (verify UL1741 and IEEE1547 designations on Fronius 10.0-3 240 Inverters and verify 40A breaker ratings per one-line diagram).
 - c. Acceptance testing proving that the anti-islanding and metering equipment is working properly prior to commercial operation.
 - d. Involvement of electric utility staff during power switchover.
- 4. A service / meter upgrade may be necessary. The expense of equipment and labor shall be the responsibility of the property owner.
- 5. The Solar Energy System shall be certified by Underwriters Laboratories, Inc. and comply with the requirements of the International Building Codes and Minnesota State Building Codes.
- 6. Issuance of a building permit is required prior to installation. The manufacturer's specifications must be submitted with the building permit application.
- 7. The manufacturer's specifications must be on-site and available to city and utility staff at all times during installation and inspections.
- 8. If the property owner re-roofs the structure at any time while the solar panels are located on the roof, the color of the new roofing materials must be the same as or similar to the color of the solar panels.
- 9. This Conditional Use Permit shall be utilized and all conditions shall be met within one year of recording or the Conditional Use Permit shall become null and void.
- 10. If the Solar Energy System becomes inoperable for 12 successive months, the system shall be deemed abandoned and a public nuisance. The property owner shall remove the abandoned system and all associated equipment at their expense after obtaining a demolition permit. Removal must be completed within 90 days following the 12 month period.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 10th day of May, 2021.

Todd Sjoberg	
Chad Gramentz	
Sara Treiber	

Carmen Finn ______ Jake Mathison ______

ATTEST:

Todd Sjoberg Chair Beth Thorp Community Development Director



MEMORANDUM

TO:	Planning Commission
FROM:	Beth Thorp, Community Development Director
SUBJECT:	Amendment to 2021 Meeting Schedule
DATE:	May 10, 2021

SUMMARY

The Planning Commission will consider changing the July 2021 meeting date and corresponding application deadline.

DISCUSSION

Due to a scheduling conflict, staff is requesting that the Planning Commission amend the 2021 meeting schedule by selecting an alternate meeting date for the July meeting and corresponding application deadline. The July meeting is currently scheduled for Monday, July 12th. In order to stay as close to the scheduled meeting date as possible and ahead of the July 20th City Council meeting, staff is recommending that the July Planning Commission meeting be held on either Wednesday, July 7th at 5:30 pm or Thursday, July 8th at 5:30 pm.

ACTION REQUESTED

Motion to amend the 2021 meeting schedule by changing the July meeting date and *corresponding deadline application* to either Wednesday, July 7th (*Monday, June 14th*) or Thursday, July 8th (*Tuesday, June 15th*).

ATTACHMENTS

1. Adopted 2021 Meeting Schedule



City of Mora Planning Commission

2021 Meeting Schedule

Meetings will be held at 5:30 pm on the Monday before the second Tuesday of each month unless otherwise specified with an asterisk.

Application Deadline	Meeting Date
Fridays unless otherwise specified	Mondays unless otherwise specified
December 18, 2020	January 11
January 15	February 8
February 12	March 8
March 19	April 12
April 16	May 10
May 14	June 7
June 18	July 12
July 16	August 9
August 20	September 13
September 13* (Monday)	October 6* (first Wednesday due to holiday)
October 15	November 8
November 19	December 13