



Meeting Agenda
City of Mora, Planning Commission
5:30 p.m. Monday, November 13, 2023
Mora City Hall

Mora City Hall
101 Lake Street S
Mora, MN 55051
Kanabec County,
Minnesota

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: ☐ Jody Anderson ☐ Sheldon Shepard ☐ Lance Strande
☐ Sara Treiber ☐ Tim Dahlberg
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. Minutes
 - a. Approve minutes from October 2, 2023
5. Open Forum
(Individuals may address the committee about any item not contained on the regular agenda. There is a maximum of fifteen (15) Minutes set aside for open forum. A maximum of three (3) minutes is allotted per person. The Planning Commission will take no official action on items discussed at the forum, with the exception of referral to staff for future report.)
6. Old Business: (none)
7. Public Hearings:
 - a. Conditional Use Permit (CUP) Request for solar system at 711 Fair Oaks St.
 - i. Recommend approval/denial of request (Resolution PC 2023-1111)
 - b. Conditional Use Permit (CUP) Request - Recovering Hope
 - i. Recommend approval/denial of request (Resolution PC 2023-1112)
8. New Business
 - a. 2024 Meeting Schedule
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 meeting of the Planning Commission is scheduled for **5:30 p.m. Monday, Dec. 11, 2023.**

**City of Mora Planning Commission
Minutes
5:30 p.m. Monday, October 2, 2023
Mora City Hall, 101 Lake St, Mora, MN 55051**

Pursuant to due call and notice thereof Sheldon Shepard called to order the regular meeting of the Planning Commission at 5:35 p.m. Monday, October 2, 2023, in the Mora City Hall council chambers.

2. Roll call:

Commissioners present: Sheldon Shepard, Tim Dahlberg, Jody Anderson and Lance Strande

Commissioners absent: Sara Treiber

Staff present: City Administrator Glenn Anderson, Community Development Director Kirsten Faurie

3. Adopt Amended Agenda: MOTION made by Dahlberg, seconded by Strande and unanimously carried to adopt the agenda as presented.

4. Approval of Minutes: MOTION made by J. Anderson, seconded by Dahlberg and unanimously carried to approve the Sept. 11, 2023 minutes as presented.

5. Open Forum: No one spoke during open forum

6. Old Business: J. Anderson asked for an update on Maple Avenue East's commercial truck traffic. G. Anderson reported that "TRUCK ROUTE" signs have been placed, directing trucks away from Maple Avenue East. Staff has not heard any complaints from the street's residents since the September 19 City Council meeting.

7. Public Hearings:

- a. Conditional Use Permit (CUP) Request for solar system at 413 Cardinal St.
Shepard opened the public hearing at 5:38 p.m. Faurie presented the CUP request by Solcius (applicant) and Robert Gilbert (property owner) to allow a Solar Energy System to be located in the R-1 Single Family Residential District. Faurie noted that this solar array was smaller than similar ones recently approved by the Planning Commission. Staff had no concerns about the project; a nearby property owner had submitted a letter in support of the project. The Planning Commission members expressed no concerns for the project. Shepard closed the public hearing at 5:42p.m.
 - i. MOTION by J. Anderson to approve Resolution # PC 2023-0911, seconded by Dahlberg and unanimously carried.

8. Other Business:

- a. Preliminary discussion regarding dog training facility In the B-1 District: Faurie explained that a new dog-training business is interested in opening in the B-1 District. The City's ordinances contain guidance for pet shops, pet grooming, veterinarian clinics and kennels, but not specifically for dog training. Faurie asked for direction regarding how the Planning Commission would prefer a possible ordinance change to include dog training services in the B-1 District. After discussion, the consensus of the commission was they would prefer dog-training to be added to B-1

**City of Mora Planning Commission
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permitted uses if it did not include overnight stays; if training included overnight stays it should be a conditional use. The commission encouraged Faurie to do additional research regarding the number of animals served, and how other cities manage noise and odor issues of pet-related businesses.

- b. Preliminary discussion regarding former Mora High School site Faurie explained that the former Mora High School at 400 Maple Ave. East will soon be demolished and the school district intends to sell the land. Faurie has had some preliminary discussions with the school board and is proposing they attempt to sell the site through a Request for Proposal process. While the decision on who to sell the land to is ultimately up to the school board, Faurie is willing to assist the school in marketing the site in the hopes of securing interest from a quality developer and guiding a coordinated, unified housing development. In marketing the site, Faurie asked if the Planning Commission would consider some flexibility in use of the site. The site is currently zoned R-1 Single-Family Residential District and R-3 Multiple Dwelling District. The Commission noted that the priority for the area is housing, but indicated it would consider proposals for commercial development on some portions of the land.

The Commission further discussed the effects of the new high school addition on 9th Street. J. Anderson noted that the school's athletic tournaments seem to be bringing more customers to downtown businesses.

- 9. Reports:** Faurie reported she anticipates a number of projects to be on the agenda of the November 13 Planning Commission meetings, so please plan to attend. Faurie has started conversations with the City Attorney regarding a review of city ordinances when the Planning Commission has little other business. Faurie also announced that a property developer has expressed serious interest in the vacant city lot in downtown Mora known as the Downtown Commercial Corner or former Feed Mill site. The developer will be bringing his proposal to the Mora EDA at their Nov. 7 meeting.
- 10. Adjournment:** MOTION to adjourn by Dahlberg, seconded by Strande, and unanimously carried to adjourn the Planning Commission meeting at 6:14 p.m. The next regular meeting of the Planning Commission is scheduled for **5:30 p.m. Monday, November 13, 2023.**

Commission Chair

Attest: _____

Kirsten Faurie
Community Development Director



MEMORANDUM

TO: Planning Commission
 FROM: Kirsten Faurie, 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: November 13, 2023

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:	All Energy Solar
Property Owner:	Paul Stenberg
Location:	711 Fair Oaks Dr. Mora, MN, 55051
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:	October 12, 2023
Public Hearing Conducted:	November 13, 2023
60-Day Review Period:	December 11, 2023

DISCUSSION

All Energy Solar, applicant, and Paul Stenberg, 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 711 Fair Oaks Dr. The proposed project includes the installation of a 15-panel, 4.725kW ac solar array, including nine photovoltaic modules mounted on the roof of the home.

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.

A public hearing notice was published in the Nov. 2, 2023 edition of the *Kanabec County Times* and notices were mailed to all property owners within 350 feet of the subject property. Staff did not receive any comments from the public regarding the proposed project.

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 R-1 Single Family Residential 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 2021, does not address the use of Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan

goals to: improve and protect the physical environment of the community as a setting for human activities, making it more attractive, healthful and efficient; and maintain a high level of public services in an efficient manner that minimizes the tax burden on Mora's residents, businesses and industries.

Criteria #3	The use will not cause undue traffic congestion or hazards.
Finding #3	<i>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.</i>
Criteria #4	The use will be adequately served by public utilities and all other necessary public facilities and services.
Finding #4	<i>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.</i>
Criteria #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
Finding #5	<i>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.</i>
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	<i>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.</i>
Criteria #7	The use will not jeopardize the public's health, safety or general welfare.
Finding #7	<i>There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.</i>

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.

STAFF RECOMMENDATION

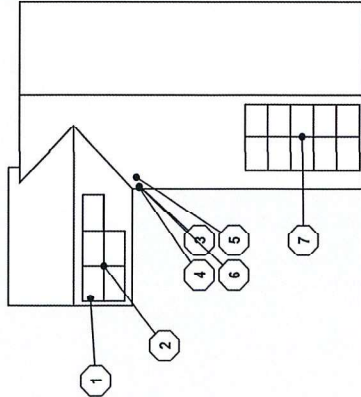
Staff recommends approval as presented.

ACTION REQUESTED

Motion to approve Resolution No. PC 2023-1111 as presented or amended.

ATTACHMENTS

1. Site plan showing placement of proposed Solar Energy System
2. Proposed Resolution No. PC 2023-1111



Fair Oaks Dr

Fair Oaks Dr



Map data ©2023

1 SITE PLAN
PV-2 SCALE: 1" = 20'

GENERAL NOTES

1	EQUIPMENT LIKELY TO BE WORKED UPON WHILE ENERGIZED SHALL BE INSTALLED IN LOCATIONS THAT SATISFY MIN. WORKING CLEARANCES PER NEC 110.26.
2	24/7 UNESCORTED KEYLESS ACCESS SHALL BE PROVIDED TO ALL CITY OF MORA - (N) EQUIPMENT.
3	CONTRACTOR SHALL USE ONLY COMPONENTS LISTED BY A NATIONALLY RECOGNIZED TESTING LABORATORY FOR THE INTENDED USE.
4	CONTRACTOR IS RESPONSIBLE FOR FURNISHING ALL EQUIPMENT, CABLES, ADDITIONAL CONDUITS, RACEWAYS, AND OTHER ACCESSORIES NECESSARY FOR A COMPLETE AND OPERATIONAL PV SYSTEM.
5	ALL EXPOSED PV ROOFTOP CONDUCTORS NOT UNDER THE ARRAY SHALL BE PROTECTED BY A RACEWAY WITH A LISTED JUNCTION BOX AT BOTH ENDS AND COMPLY WITH NEC 690.31(A).
6	ALL EMT CONDUIT FITTINGS SHALL BE LISTED AS WEATHERPROOF FITTINGS AND INSTALLED TO ENSURE A RAIN-TIGHT FIT, PER NEC 358.42.

- (N) TRANSITION BOX, OUTDOOR; OUTPUT CIRCUIT CONDUCTORS SHALL BE RUN IN EMT CONDUIT THROUGH THE INTERIOR OF THE BUILDING
- (N) PROPOSED ROOF-MOUNTED PV ARRAY, 3/12 (22.6°) SLOPED ROOF; (5) REC SOLAR REC420AA PURE-R MODULES (BLACK FRAME, BLACK BACKSHEET), 180° AZIMUTH
- (N) AC COMBINER (C1), OUTDOOR
- (E) UTILITY METER, OUTDOOR
- (E) MAIN SERVICE PANEL (MSP), INDOOR
- (N) VISIBLE-OPEN TYPE, LOCKABLE, READILY ACCESSIBLE, LABELED UTILITY PV DISCONNECT LOCATED WITHIN 10 FT OF UTILITY METER (SWT), OUTDOOR
- (N) PROPOSED ROOF-MOUNTED PV ARRAY, 3/12 (22.6°) SLOPED ROOF; (10) REC SOLAR REC420AA PURE-R MODULES (BLACK FRAME, BLACK BACKSHEET), 270° AZIMUTH
- ALL ARRAY CIRCUITS SHALL BE ROUTED THROUGH THE INTERIOR OF THE BUILDING, AND WHERE POSSIBLE, ALONG THE BOTTOM OF LOAD-BEARING MEMBERS. NO CONDUIT SHALL BE INSTALLED ABOVE THE ROOF.

DocuSigned by:

[Signature]
BC27B3947FBD4B3...

76885



1234 ENERGY LANE
ST PAUL, MN 55108
(800) 620-3370

GRID-TIED PV SYSTEM

STENBERG RESIDENCE
711 FAIR OAKS DR
MORA, MN 55051

Account: 06-01035000-00-1
Meter: 57762142

SITE PLAN

DOC ID: 1B0AEG-
DATE: 8/22/23
CREATOR: A.F.
REVIEWER:

REVISIONS

PV-2

RESOLUTION NO. PC 2023-1111

**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 ALL ENERGY SOLAR**

WHEREAS, All Energy Solar, applicant, and Paul Stenberg, property owner, submitted an application dated received October 12, 2023 and considered complete on October 12, 2023 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 711 Fair Oaks Dr., and

WHEREAS, the subject property is legally described as:

PID 22-05100-00

Lot Eight (8), Block Three (3), Kohner's 2nd Addition to Village of Mora, Kanabec County, Minnesota.

WHEREAS, notice was provided and on November 13, 2023, 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 R-1 Single Family Residential 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 2021, does not address the use of Solar Energy Systems. However, the proposed use aligns with the Comprehensive Plan goals to: improve and protect the physical environment of the community as a setting for human activities, making it more attractive, healthful and efficient; and maintain a high level of public services in an efficient manner that minimizes the tax burden on Mora's residents, businesses and industries.

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.
<i>Finding #4</i>	<i>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.</i>
Criteria #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
<i>Finding #5</i>	<i>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.</i>
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.
<i>Finding #6</i>	<i>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.</i>
Criteria #7	The use will not jeopardize the public's health, safety or general welfare.
<i>Finding #7</i>	<i>There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.</i>

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 October 12, 2023. 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. Inclusion of a production meter which measures the solar output, which should be installed between the utility disconnect and the main service panel 30A breaker. The expense of equipment and labor shall be the responsibility of the property owner.
4. The applicant and/or property owner shall coordinate with Mora Municipal Utilities electric utility staff regarding:
 - a. Updated documentation showing inclusion of the production meter on the one-line diagram and site plan.
 - b. Installation and location of required visible/lockable disconnect and metering equipment and associated labeling.
 - c. Verification of inverter equipment and related protection per submittal.
 - d. Acceptance testing of the installation prior to commercial operation.
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 13th day of November, 2023.

Sheldon Shepard _____
Lance Strande _____
Jody Anderson _____

Sara Treiber _____
Tim Dahlberg _____

Sheldon Shepard
Chair

ATTEST: _____
Kirsten Faurie
Community Development Director



MEMORANDUM

TO: Planning Commission
 FROM: Kirsten Faurie, Community Development Director
 SUBJECT: Public Hearing - Conditional Use Permit to allow a Residential Facility Serving Mora than Six Unrelated Persons to be located in the R-3 Multiple Dwelling District
 DATE: November 13, 2023

SUMMARY

The Planning Commission will conduct a public hearing to consider a request for a Conditional Use Permit to allow a Residential Facility Serving Mora than Six Unrelated Persons to be located in the R-3 Multiple Dwelling District.

SITE & APPLICATION INFORMATION

Applicant:	Ray Ludowese
Property Owner:	RHTC LLC
Location:	Hope Lane, Mora MN
Current Zoning:	R-3 Multiple Dwelling District
Adjacent Zoning:	North: R-1 Single Family Residential District South: R-1 Single Family Residential District East: B-2 General Business District West: Arthur Township
Comp. Plan Designation:	Medium Density Residential
Date Application Complete:	October 27, 2023
Public Hearing Conducted:	November 13, 2023
60-Day Review Period:	December 26, 2023

DISCUSSION

Ray Ludowese of Recovering Hope Treatment Center (RHTC) has submitted a request for a Conditional Use Permit (CUP) to allow a *Residential Facility Serving More than Six Unrelated Persons* at a property located on Hope Lane. RHTC offers residential and outpatient substance use disorder treatment, and mental health treatment services.

Mr. Ludowese has been issued a building permit to construct two pre-fabricated homes on the site with attached garages. Mr. Ludowese is in the process of constructing these two single-family style homes with plans to construct two more. Each home has a main level and a basement. There are eight bedrooms in each home. The homes are intended for RHTC's outpatient clients with a maximum of two clients per bedroom for a total of 16 clients per house. For the intensive outpatient program, the residents are required to have a job and/or be a full time student. They are required to attend 20 hours of outpatient services per week.

The parcel (PID 22.08060.10) is 39.49 acres and is adjacent to the existing Recovering Hope Treatment Center at 2031 Rowland Road.

Hope Lane will be a 20 foot wide, privately owned and maintained road. It is the intent to black top the road in the spring of 2024.

A public hearing notice was published in the Nov. 2, 2023 edition of the *Kanabec County Times* and notices were mailed to all property owners within 350 feet of the subject property. Staff did not receive any comments from the public regarding the proposed project.

A request for comments was distributed to city staff. No concerns were identified by the Public Works Director, City Administrator, Building Official, or Fire Chief.

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 Residential Facilities Serving More than Six Unrelated Persons as a Conditional Use within the R-3 District and the proposed use is consistent with the intent of the zoning district.

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

Finding #2 The Comprehensive Plan Land Use Map identifies the subject site as Medium Density Residential. The proposed use complies with the Comprehensive Plan designation and policies.

Criteria #3 The use will not cause undue traffic congestion or hazards.

Finding #3 Based on the information provided by the applicants, the proposed use will not generate enough traffic to cause undue traffic congestion or hazards.

Criteria #4 The use will be adequately served by public utilities and all other necessary public facilities and services.

Finding #4 The property will be served by municipal water and sewer, and will be serviced by all other public 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 structures are designed as aesthetically pleasing. There is no evidence to suggest that the appearance of the proposed structure 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 facility is considered a residential use and does not require any screening from other residentially used or zoned properties.

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.

STAFF RECOMMENDATION

Staff recommends approval as presented.

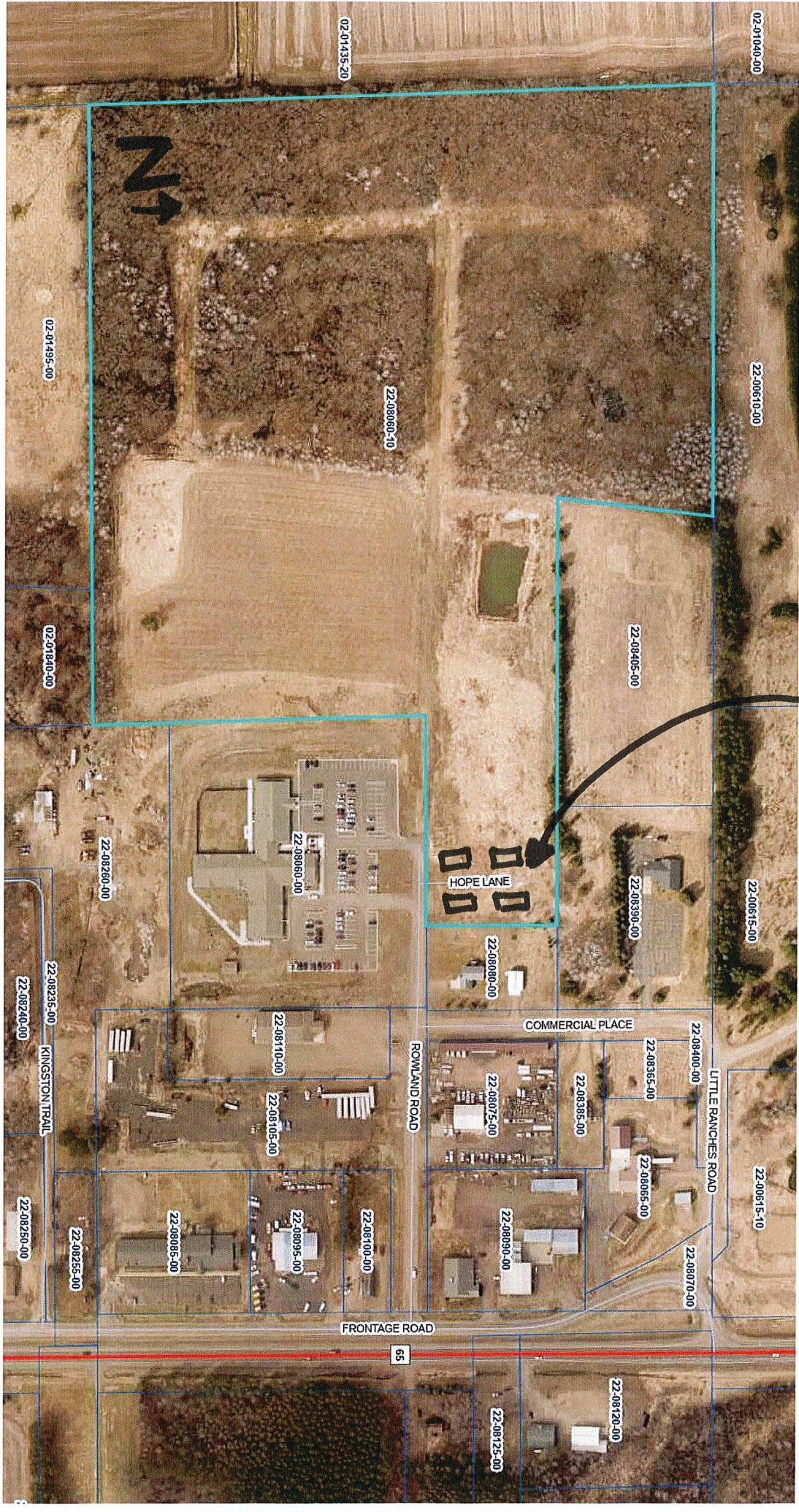
ACTION REQUESTED

Motion to approve Resolution No. PC 2023-1112 as presented or amended.

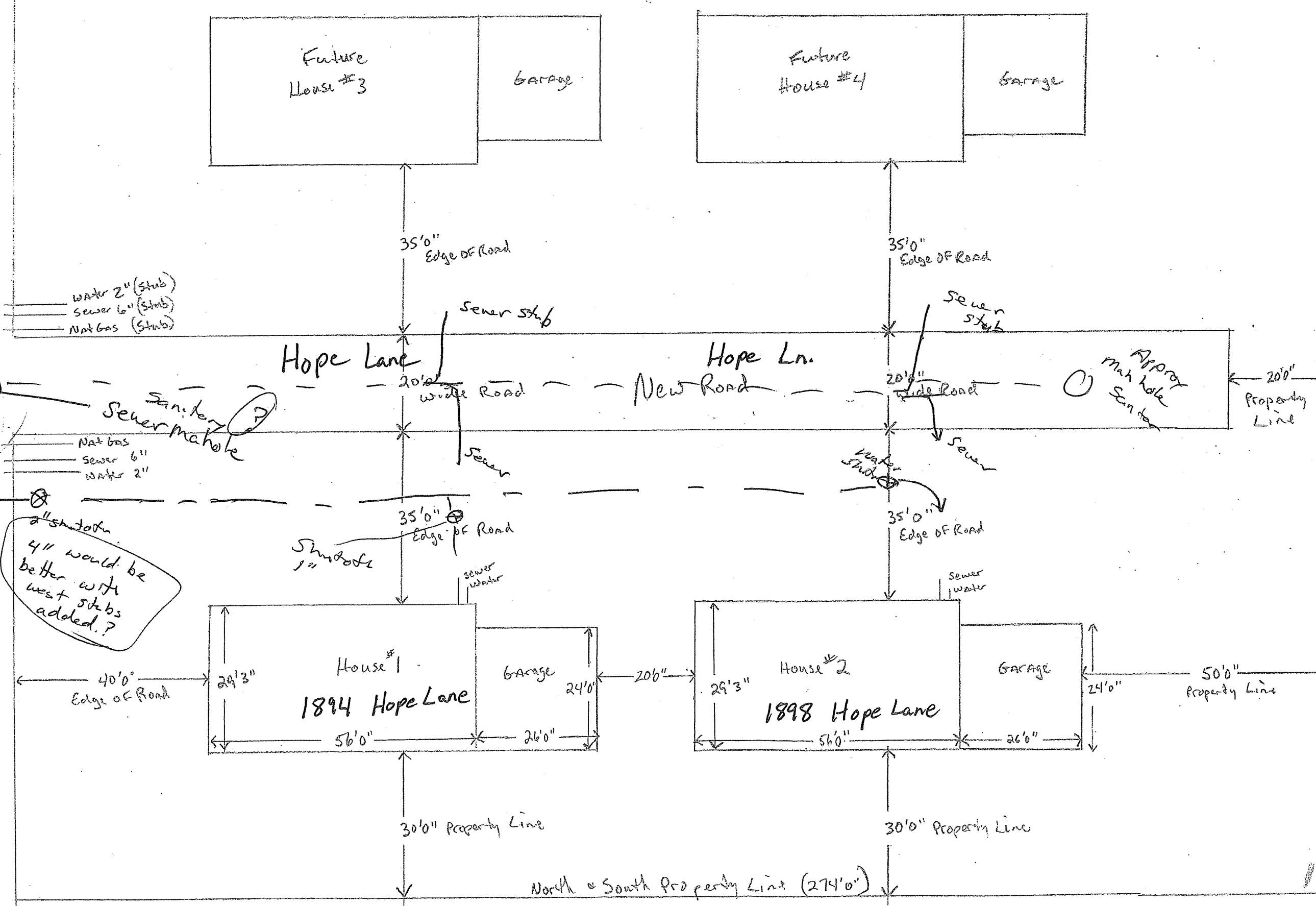
ATTACHMENTS

1. Site map
2. Proposed Resolution No. PC 2023-1112

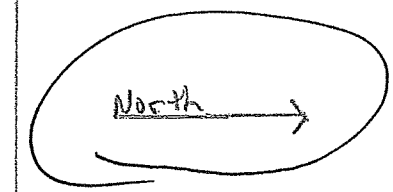
Proposed Houses



Existing Rowland Road



East + West Property Line (Approx 900'0")



RESOLUTION NO. PC2023-1112

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA,
RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A RESIDENTIAL FACILITY
SERVING MORE THAN SIX UNRELATED PERSONS TO BE LOCATED IN THE R-3 (MULTIPLE DWELLING)
DISTRICT AS REQUESTED BY RAY LUDOWESE**

WHEREAS, Ray Ludowese applicant, and property owner, Recovering Hope Treatment Center, submitted an application dated received October 27, 2023 and considered complete on October 27, 2023 for a Conditional Use Permit to allow a *Residential Facility Serving More than Six Unrelated Persons* to be located in the R-3 (Multiple Dwelling) District; and

WHEREAS, the property upon which the request is being made is generally located west of the intersection of Rowland Road and Commercial Place and is legally described as:

PID 22-08060-10

That part of the North Half of Northwest Quarter of Section 23, Township 39, Range 24, Kanabec County, Minnesota, described as follows: Commencing at the Northeast corner of said North Half of Northwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 32 seconds East along the North line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway 65; thence South 0 degrees 00 minutes 49 seconds East along the center line of State Highway 65 a distance of 535.0 feet; thence South 89 degrees 59 minutes 11 seconds West 90.0 feet to the West right of way line of said State Highway 65 per the recorded DOT right of way Plat No. 33-2; thence continuing South 89 degrees 59 minutes 11 seconds West 300.00 feet to the point of beginning of the property to be described; thence South 0 degrees 00 minutes 49 seconds East 72.0 feet; thence South 89 degrees 59 minutes 11 seconds West 343.0 feet to Point "A"; thence South 0 degrees 00 minutes 49 seconds East 713.22 feet to the South line of said North Half of Northwest Quarter; thence North 89 degrees 54 minutes 52 seconds West along said South line 1911.59 feet to the Southwest corner of said North Half of Northwest Quarter; thence North 1 degree 30 minutes 26 seconds West along the West line of said North Half of the Northwest Quarter a distance of 1329.62 feet to the Northwest corner of said North Half of Northwest Quarter; thence South 89 degrees 44 minutes 46 seconds East along said North line 912.27 feet to Point "B"; thence Southerly deflecting to the right 96 degrees 40 minutes bearing South 6 degrees 55 minutes 14 seconds West 332.25 feet to the South line of the North 330 feet of said North Half of Northwest Quarter, this point is Point "C"; thence South 89 degrees 44 minutes 46 seconds East along the South line of said North 330 feet a distance of 1417.33 feet to the intersection with a line that bears North 0 degrees 00 minutes 49 seconds West from the point of beginning, this point is Point "D"; thence South 0 degrees 00 minutes 49 seconds East 206.56 feet to the point of beginning.

Subject to a 20 foot utility easement which lies within a distance of 20 feet to the West of a line that begins at Point "D" described above: thence South 0 degrees 00 minutes 49 seconds East 315 feet and said line there terminating.

Subject to and together with a 66 foot roadway and utility easement being 33 feet on each side of the line from Point "B" to Point "C" described above.

Together with a 78 foot roadway and utility easement which lies within a distance of 78 feet to the South of a line that begins at Point "A" described above; thence North 89 degrees 59 minutes 11 seconds East 643.0 feet to said West right of way line of State Highway No. 65 and said line there terminating.

EXCEPT:

That part of the North Half of Northwest Quarter of Section 23, Township 39, Range 24, described as follows: Commencing at the Northeast Quarter of said North Half of Northwest Quarter; thence on an

assumed bearing of North 89 degrees 56 minutes 32 seconds East along the North line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway 65; thence South 0 degrees 00 minutes 49 seconds East along the center line of State Highway 65 a distance of 535.0 feet; thence South 89 degrees 59 minutes 11 seconds West 90.0 feet to the West right of way line of said State Highway 65 per the recorded DOT Right of Way Plat No. 33-2; thence continuing South 89 degrees 59 minutes 11 seconds West 300.0 feet; thence South 0 degrees 00 minutes 49 seconds East 72.0 feet to the point of beginning of the property to be described; thence South 89 degrees 59 minutes 11 seconds West 270 feet, more or less, to the intersection with the Southerly extension of the West line of Block 1 of the recorded plat of LITTLE RANCHES 1ST ADDITION; thence Northerly, along said West line extended, 280 feet, more or less, to the Southwest corner of said Block 1; thence Easterly, along the South line of said Block 1, a distance of 270 feet to the Southeast corner of said Block 1; thence South 0 degrees 00 minutes 49 seconds East 278.56 feet, more or less, to the point of beginning. Subject to a 20 foot utility easement which lies within a distance of 20 feet to the West of a line that begins at the Southeast corner of said Block 1; thence South 0 degrees 00 minutes 49 seconds East 315 feet and said line there terminating.

AND ALSO EXCEPT:

That part of the South 280.00 feet of the North 610.00 feet of the Northwest Quarter of Section 23, Township 39, Range 24, lying between the Southerly extension of the East line of Block 2, LITTLE RANCHES FIRST ADDITION according to the recorded plat thereof and the Southerly extension of the West line of the East 180.00 feet of said Block 2. Reserving an easement for drainage purposes to the grantor and public over the North 60.00 feet thereof.

AND ALSO EXCEPT:

That part of the South 160 feet of the Northeast Quarter of the Northwest Quarter of Section 23, Township 39, Range 24, Kanabec County, Minnesota lying west of a line described as follows: Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 32 seconds East along the north line of the Northeast Quarter of said Section 23 a distance of 46.6 feet to the center line of State Highway No. 65, thence South 00 degrees 00 minutes 49 seconds East along the center line of State Highway No. 65 a distance of 535.0 feet; thence South 89 degrees 59 minutes 11 seconds West 90.0 feet to the west right of way line of said State Highway No. 65, per the recorded Department of Transportation Right of Way plat No. 33-2; thence continuing South 89 degrees 59 minutes 11 seconds West 300.0 feet; thence South 00 degrees 00 minutes 49 seconds East 72.0 feet; thence South 89 degrees 59 minutes 11 seconds West 343.0 feet; thence South 00 degrees 00 minutes 49 seconds East 713.22 feet to the south line of said North Half of the Northwest Quarter and there terminating.

WHEREAS, notice was provided and on October 27, 2023 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 | <i>The Zoning Code identifies the proposed use of Residential Facilities Serving More than Six Unrelated Persons as a Conditional Use within the R-3 District and the proposed use is consistent with the intent of the zoning district.</i> |

Criteria #2 Finding #2	The use is in keeping with the Comprehensive Plan and the policies thereof. <i>The Comprehensive Plan Land Use Map identifies the subject site as Medium Density Residential. The proposed use complies with the Comprehensive Plan designation and policies.</i>
Criteria #3 Finding #3	The use will not cause undue traffic congestion or hazards. <i>Based on the information provided by the applicants, the proposed use will not generate enough traffic to cause undue traffic congestion or hazards.</i>
Criteria #4 Finding #4	The use will be adequately served by public utilities and all other necessary public facilities and services. <i>The property will be served by municipal water and sewer, and will be serviced by all other public services.</i>
Criteria #5 Finding #5	The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties. <i>The structures are designed as aesthetically pleasing. There is no evidence to suggest that the appearance of the proposed structure will have an adverse effect upon adjacent properties.</i>
Criteria #6 Finding #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. <i>The proposed facility is considered a residential use and does not require any screening from other residentially used or zoned properties.</i>
Criteria #7 Finding #7	The use will not jeopardize the public's health, safety or general welfare. <i>There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.</i>

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 applicant shall build no more than four homes housing no more than 16 clients each. If the applicants wish to increase the total number of homes and residents in each, the applicants shall be required to apply for and obtain an Amendment to this Conditional use Permit.
2. The applicants shall apply for and obtain a building permit prior to construction.
3. The applicants shall coordinate the extension of water and sanitary sewer lines with the City's Public Works Director.
4. The 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.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 13th day of November, 2023.

Jody Anderson
Sheldon Shepard
Sara Treiber

Lance Strande
Tim Dahlberg

Sheldon Shepard
Chair

ATTEST:

Kirsten Faurie
Community Development Director



City of Mora Planning Commission

2024 Meeting Schedule

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

(Land Use Application Deadlines shown in grey- generally Fridays unless otherwise specified)

January 8

December 20

February 12

January 26

March 11

February 23

April 8

March 22

May 13

April 26

June 10

May 24

July 8

June 21

August 12

July 26

September 9

August 23

October 7

September 20

November 18 (Moved due to

Nov. 11 being Veterans Day)

November 1

December 9

November 22

2024

JANUARY						
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DECEMBER						
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Adopted: _____