

City of Mora Planning Commission
Minutes
September 12, 2022 – 5:30 pm
Mora City Hall

Commission Chair Jake Mathison called to order the regular meeting of the Planning Commission at 5:30 p.m. Tuesday, September 12, 2022, in the Mora City Hall council chambers.

2. Roll call:

Commissioners present: Jake Mathison, Sheldon Shepard, Sara Treiber, Lance Strande

Commissioners absent: None

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

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

4. Approval of Minutes: MOTION made by Shepard, seconded by Strande and unanimously carried to approve the Aug. 8, 2022 minutes as presented.

5. Open Forum: No one spoke during open forum

6. Old Business: None

7. Public Hearings:

- a. **706 Summit Lane Conditional Use Permit for Duplex:** Faurie introduced the background of the CUP application. Faurie explained staff met with Steve Kelling of Kelling Capital, LLC in February to discuss construction of a duplex. At the time, Staff mistakenly told Kelling the area was zoned R-3 where a duplex is a permitted use. Kelling purchased the property and began site work. Kelling requested a building permit which has not yet been issued. When staff reviewed the project in August it was discovered the site was actually in the R-1 district where duplexes are not a permitted use, but are an allowed use via a Conditional Use Permit. Staff asked Kelling to pause on the project and submit a Conditional Use Permit application.

Mathison asked how the mistake came about by city staff. Neither Anderson nor Faurie were present in the initial conversation with Kelling Capital to know exactly what took place.

At 5:37 p.m. Mathison opened the public hearing to consider the CUP request.

Erick Orton of 709 Summit Lane expressed he did not want a duplex at the site or rental.

Zachary Chaffee of 710 Summit Lane spoke and expressed concern about the site work causing water and rock to run onto his property; concerns about the building being constructed too close to his property line. Did not want a duplex there.

Michael McCormick of 610 Acorn Lane said he did not want a duplex at the site. McCormick stated rentals caused concern for him and he would rather see duplexes

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built in other areas such as nearby trailer parks.

Eric Scobee of 700 Summit Lane said he moved into the neighborhood assuming it would be a good place for him to start a family. He did not want renters; was concerned about damage to tree roots along the property line.

Zachary Chaffee questioned if the work needed a permit for watershed planning before site work began.

Steve Kelling non-verbally confirmed a question from Trieber that the proposed duplex would likely be rented.

Lorene Pletcher of 720 Summit Lane was concerned about off-street parking. Trieber informed Pletcher that the site plan included two garages. Pletcher said she didn't want a large house in the neighborhood and wanted it to stay a family area.

Irvin Erickson of 708 Acorn Lane expressed a desire to keep the area single family homes without a duplex. Erickson expressed concern about rentals and tidy external appearances. Erickson said it was his personal observation that rentals drew more law enforcement activity.

Tony Samuelson of 701 Summit Lane said it was a close-knit, family neighborhood and a rental brought trepidation. He worried construction of a duplex could negatively affect his property value.

Kathy Eklund of 703 Summit Lane spoke against construction of a duplex. She did not have a problem with rental properties, but liked that the neighborhood was quiet and was concerned a duplex would be too large for the lot.

McCormick also spoke expressing that it took time to feel comfortable with new neighbors and the turnover of renters at the duplex would cause unease.

With no other comments, Mathison closed the public hearing at 5:51 p.m.

8. New Business:

- a. **Conditional Use Permit: 706 Summit Lane Duplex:** Faurie told the commissioners city staff had no concerns about construction of the duplex but did suggest conditions to granting the CUP including using erosion and sediment control, and installing separate water service lines after the initial line to isolate sides of the duplex.

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Kelling described the process and stated staff was enthusiastic of new development when he first consulted with them in February. Kelling said the duplex was designed as senior housing similar to the duplexes he previously developed in St. Andrews Field on the north side of Mora. Kelling expressed a desire to develop more housing near the intersection of 9th Street and Hwy. 65.

Kelling expounded each side of the proposed duplex would be two bed, two bath and approx. 1,000 square feet. They are single level with no stairs and appeal to those 55 years of age and over.

Shepard asked if the city could legally deny the duplex and expressed a desire to keep the area single-family homes.

Treiber explained duplexes were a conditional use in the R-1 district; meaning it is an allowed use if the project meets certain criteria. Denying the CUP based on reasons outside of those criteria may open the city to legal trouble. The criteria and conditions are set by city and state zoning code.

Members of the audience had questions; Anderson asked those present to please contact him directly if they have any other questions about the duplex that he may respond to them with answers.

MOTION by Shepard to table discussion and set a special meeting for 5:30 p.m. Monday, Sept. 26, 2022. Seconded by Strande and motion carried unanimously.

Mathison thanked those who came to speak and providing feedback to the commission.

- 9. Verbal Reports:** Staff and the planning commission discussed consulting with the city attorney about if anything about the 706 Summit Lane CUP or how it may be decided could open the city to lawsuit.
- 10. Adjournment:** MOTION to adjourn by Treiber, seconded by Strande, and unanimously carried to adjourn the Planning Commission meeting at 6:30 p.m.

A special meeting of the Planning Commission will be held at 5:30 p.m. Monday, Sept. 26, 2022 for the purpose of considering the 706 Summit Lane Conditional Use Permit application for a duplex in R-1.

The next regular meeting of the Planning Commission is scheduled for 5:30 p.m. Wednesday, October 5, 2022.

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Commission Chair

Attest: _____
Kirsten Faurie,
Community Development Director