

City of Mora Kanabec County, Minnesota Meeting Agenda Planning Commission

Mora City Hall 101 Lake Street S Mora, MN 55051

Monday, August 10, 2020 5:30 PM	Mora City Hall
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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: Chad Gramentz, Mike Johnson, Karen Onan, 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 from the May 11, 2020 Meeting
- 5. Public Hearings

None

- 6. Open Forum
- 7. New Business
 - a. <u>Comprehensive Plan Compliance Review Thompson Land Sale.</u> The city received a purchase agreement from Marie Thompson for .61± acres of land located at 1963 205th Avenue (northeast corner of the Waste Water Treatment Plant property). The Planning Commission will review the proposed sale and intended use for compliance with the City's Comprehensive Plan.

8. Old Business

- a. <u>Comprehensive Plan Land Use Map</u>. The Planning Commission will review the 2009 Comprehensive Plan Land Use Map as part of the current Comprehensive Plan update effort.
- **9.** Verbal Reports (Commissioners and staff will be given the opportunity to share information.)
 - a. Chicken Permits
 - b. Comprehensive Plan Work Session Thursday, August 20, 2020, 5:00-6:00 PM
 - c. Floodplain Management Ordinance Wednesday, September 30, 2020, 5:00-7:00 PM

10. Adjournment

The next regular meeting is scheduled for Monday, September 2, 2020 at 5:30 PM.

City of Mora, MN PLANNING COMMISSION Meeting Minutes

May 11, 2020

Present:	Chad Gramentz, Mike Johnson, Karen Onan-Wakefield, Todd Sjoberg* and Sara
	Treiber
Absent:	None
Staff Present:	Community Development Director Beth Thorp
Others Present:	Derek Carlson

- 1. <u>Call to Order</u>. Vice Chair Johnson called the meeting to order at 5:34 pm via a public WebEx virtual meeting.
- 2. Roll Call.

Gramentz – Present Johnson – Present Onan-Wakefield – Present Sjoberg – Absent* Treiber – Present

*Chair Sjoberg joined the meeting at 5:35 pm and took lead of the meeting from Vice Chair Johnson.

3. <u>Adopt Agenda.</u> Motion by Johnson, second by Onan-Wakefield to adopt the May 11, 2020 agenda as presented. All present voted by roll call:

Aye: Gramentz, Johnson, Onan-Wakefield, Sjoberg and Treiber Nay: None Absent: None With all present voting aye, motion carried.

4. <u>Approval of Minutes.</u> Motion by Gramentz, second by Onan-Wakefield to approve the April 13, 2020 meeting minutes as presented. All present voted by roll call:

Aye: Gramentz, Johnson, Onan-Wakefield and Treiber

Nay: None Absent: None No Response: Sjoberg**

With a majority voting aye, motion carried.

**Chair Sjoberg was present for this portion of the meeting and the remainder of the meeting; however, he experienced technical difficulties and was not able to be heard by others. Vice Chair Johnson reassumed lead of the meeting.

- 5. Public Hearings.
 - a. <u>Public hearing to consider a Conditional Use Permit for Mining in the I-2 General Industrial District / Shoreland Management District. The subject site is located at 1200 North Industrial Road and owned by NorthStar RE LLC.</u> Thorp reviewed the request for Conditional Use Permit, explaining that an application was received from NorthStar RE LLC, property owner, for the removal of approximately 500-750 cubic yards of excess dirt from the subject site following a construction project at the same location. Thorp stated that a site plan review

was completed by herself, the Public Works Director, the City Engineer, and the DNR, focusing on the Grading and Erosion Control Plan, with several recommended conditions of approval provided and included in draft Resolution No. PC2020-501. Thorp provided an electronic copy of the site plans and draft resolution to the commissioners and audience for reference. Thorp explained that all recommended conditions of approval were included to ensure that the end result is what the city desires to see for the subject site and the entire industrial park, and then reviewed certain recommended conditions:

- The excess stockpiled dirt needs to be removed no later than July 1, 2020. This date was based upon a previous agreement between city staff and the property owner. One extension may be granted per the terms included in the resolution.
- Before the excess stockpiled dirt may be removed, the city will require that plans be submitted for traffic and dust control as well as a map showing the route of trucks hauling dirt from the site.
- Once the excess stockpiled dirt has been removed from the site, the city will require that grading be completed in order to bring the elevation into compliance with the site plans and exposed ground areas need to be covered with some type of landscaping to prevent erosion and control dust. The city will require a financial security in the form of cash escrow or letter of credit in the amount of 125% of the estimated grading and landscaping costs. The security will be released to the property owner when the work has been satisfactorily completed and inspected by city staff.
- The city will require a list of individuals and/or businesses receiving dirt from the site in order to monitor where the dirt may be going within the city.

Thorp stated that she did not receive any comments from the public in regard to the request for Conditional Use Permit, and stated that Derek Carlson, representing NorthStar RE LLC, was present to speak on behalf of the request. The public hearing was opened at 5:44 pm. Onan-Wakefield stated that larger projects in the industrial park, such as this one, have the potential to end up with large amounts of excess dirt following construction and asked if it's typical that a property owner needs to obtain a Conditional Use Permit in order to remove the dirt from the site. Thorp stated that it's not typical and that not all projects require a Conditional Use Permit, explaining that grading is typically reviewed during the building permit process. Thorp added that the applicant explained to her that dirt was brought onto the site early in the construction process, with some of the excess dirt being from the site originally and some imported to the site. Gramentz asked why additional dirt was brought onto the site. Carlson explained that his business partner originally did not want to prepare a site plan at the time of building permit application, and later discovered that there were areas of compacted gravel on the site believed to be related to the former crosswind runway that needed to be dug out. Carlson added that before the site plans were prepared, approximately 50-60 semi loads of sand were brought to the site in order to prep the site. An additional 30-40 semi loads of class V were brought in for foundation work. Gramentz asked if the building was intended to be at a higher elevation and then found to be lower once the site plans were prepared. Carlson stated that the building sits approximately four feet lower than originally intended. With no further comments or questions, Johnson closed the public hearing at 5:50 pm. Gramentz asked Thorp if a building permit was issued prior to the site plans being approved. Thorp stated that a building permit was issued prior to the June 25, 2019 site plans being submitted and approved, explaining that the project did not proceed as anticipated and the Conditional Use Permit was required as a reactionary measure to previously unapproved work. Motion by Gramentz, second by Onan-Wakefield to adopt Resolution No. PC2020-501, a resolution recommending approval of a Conditional Use Permit to allow Mining in the I-2 General Industrial District / Shoreland Management District as requested by NorthStar RE LLC, as presented. All present voted by roll call:

Aye: Gramentz, Johnson, Onan-Wakefield and Treiber Nay: None Absent: None No Response: Sjoberg** With a majority voting aye, motion carried.

- 6. <u>Open Forum.</u> No members of the audience were present for open forum.
- 7. <u>New Business.</u> None.
- 8. Old Business.
 - a. <u>Comprehensive Plan.</u> Thorp stated that the Comprehensive Plan Committee met on May 1st via WebEx to review the Implementation section of the 2009 Comprehensive Plan and discuss community assets that can be used for marketing purposes. Thorp invited commissioners to develop and share lists of community assets to be included in the committee's discussion, acknowledging that ideas had already been provided by Johnson and Onan-Wakefield.
- 9. <u>Reports.</u> No reports were provided by commissioners or staff.
- 10. <u>Adjournment.</u> Motion by Onan-Wakefield, second by Gramentz to adjourn. All present voted by roll call:

Aye: Gramentz, Johnson, Onan-Wakefield and Treiber Nay: None Absent: None No Response: Sjoberg

With a majority voting aye, motion carried and the meeting was adjourned at 5:56 pm.

Michael Johnson Vice Chair ATTEST:

Beth Thorp Community Development Director



MEMORANDUM

TO:	Planning Commission
FROM:	Beth Thorp, Community Development Director
SUBJECT:	Comprehensive Plan Compliance Review – Thompson Land Sale
DATE:	August 10, 2020

SUMMARY

The Planning Commission will conduct a Comprehensive Plan Compliance Review prior to the sale of publicly-owned land to Marie Thompson.

SITE INFORMATION

Current Property Owner:	City of Mora
Buyer:	Marie Thompson
Location:	1963 205 th Avenue (Waste Water Treatment Plant)
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:	Public / Semi-Public / Institutional

DISCUSSION

The city received a purchase agreement from Marie Thompson for a portion of property located at 1963 205th Avenue – site of the Waste Water Treatment Plant – and the City Council will consider the agreement at its August 20th meeting. The attached survey dated June 24, 2020 shows the subject site as Parcel A. Prior to closing, per State Statute 462.356 (Procedure to Effect Plan: Generally), Subd. 2. (Compliance with Plan), the Planning Commission must conduct a review to verify compliance with the Comprehensive Plan and report its findings in writing to the City Council.

Thompson, owner of property located at 1975/1981 205th Avenue, is in the process of selling her 26.4± acre property. The property includes two single family homes, various accessory structures, and private wells and septic systems. Thompson has had difficulty trying to sell one property with two homes and wishes to split the property in order to sell the homes individually; however, despite the size of the property, she is not able to create property boundaries that comply with the zoning code. Also, the attached survey dated November 18, 2019 shows that portions of Thompson's driveway, garage, and sewer mound are encroaching on the city-owned land, creating difficulty with clear title. Therefore, Thompson would like to purchase .61± acres of land (Parcel A) from the city with the intention of combining it with the land she already owns. This will provide Thompson with enough street frontage to split the property and eliminate the encroachments. If the City Council approves the land sale, Thompson will move forward with a request for Minor Subdivision in order to establish new property boundaries.

The land that Thompson would like to purchase is currently part of a field used for the spreading of biosolids. If the sale is approved, the Public Works Director has stated that there is enough land at the Waste Water Treatment Plant to accommodate all biosolid land application. The City Council and PUC met with Thompson on July 21st to discuss details of the proposed land sale. While the City Council has not approved the land sale, the Mayor and councilmembers have expressed a willingness to do so. The PUC had no concerns with the sale.

The Comprehensive Plan defines a Land Use Plan as a compilation of policy statements, goals, standards, and maps, and action programs for guiding the future development of private and public property. The term includes a plan designating type of uses for the entire municipality as well as a specialized plan showing specific areas or specific types of land uses, such as residential, commercial, industrial, public or semi-public uses or any combination of such uses. Further, the basis for the Land Use Plan are environmental considerations, existing land use, existing and proposed transportation routes, estimated population and economic growth, community needs and goals and planning principals which relate together land use, the transportation system and open space.

The purpose of this discussion is to determine if the intended use of the property complies with the Comprehensive Plan. While the property boundary may change, the intended use of the property likely will not change significantly. The property will become part of an already developed residential property and will continue to be the site of a driveway, garage, and sewer mound. Staff reviewed the 2009 Comprehensive Plan and was not able to find any evidence that the proposed land sale conflicts with the document. Conversely, staff was not able to find any language supporting this unique situation, other than the two neighboring land uses – Agriculture and Low Density Residential – being identified as a "desirable land use relationship". Staff's only recommendation would be that the Comprehensive Plan Land Use Map designation for the .61± acres be changed from Public / Semi-Public / Institutional to Low Density Residential as part of the current Comprehensive Plan update process.

STAFF RECOMMENDATION

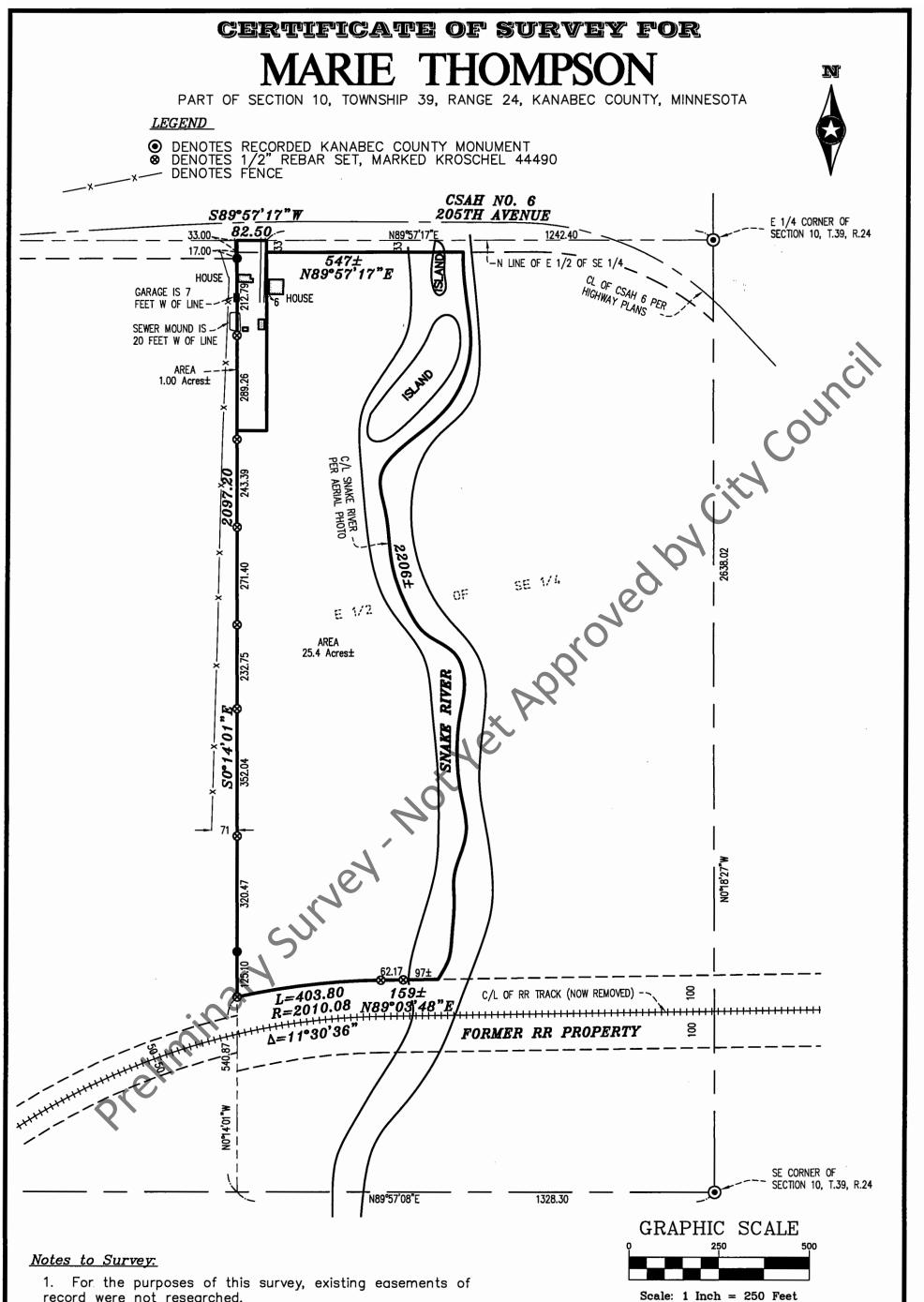
Staff recommends that the Planning Commission make a finding that the proposed sale and intended use of Low Density Residential are in compliance with the 2009 Comprehensive Plan. Further, staff recommends that the Comprehensive Plan Land Use Map – which is currently being updated – designate the subject site as Low Density Residential. The draft resolution includes language regarding the land use designation.

ACTION REQUESTED

Motion to approve Resolution No. PC2020-801 and move its approval.

ATTACHMENTS

Survey dated November 18, 2019 Survey dated June 24, 2020 Draft Resolution No. PC2020-801



record were not researched.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 18TH day of MOUTHBER.	2019
ву:	
Tyler J. Kroschel, Land Surveyor Minnesota License No. 44490	

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE MNDOT KANABEC COUNTY COORDINATE SYSTEM, NAD 1983, HARN 1996 ADJUSTMENT

Kroschel Land Surveyors, Inc.

1639 Main Street North, Suite 6, Pine City, MN 55063 Phone: 320-629-3267 tyler@kroschelsurvey.com

CERTIFICATE OF SURVEY FOR MARIE THOMPSON

PART OF SECTION 10, TOWNSHIP 39, RANGE 24, KANABEC COUNTY, MINNESOTA

Existing Thompson Description (Book 57 of Deeds, Page 361 and Doc. No. 136386):

(Doc. No. 136386) Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section Ten (10), Township Thirty-nine (39), Range Twenty-four (24), Kanabec County, Minnesota, thence running East on the Quarter line a distance of Five (5) Rods, thence running at right angles South a distance of Thirty-two (32) Rods, thence running at right angles West a distance of Five (5) Rods to the Quarter line, thence running North along the Quarter line a distance of Thirty-two (32) Rods to the point of beginning. Said tract of land being located in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section Ten (10), Township Thirty-nine (39), Range Twenty-four (24), Kanabec County, Minnesota.

AND

(Book 57 of Deeds, Page 361) All that part of the East Half of Southeast Quarter (E 1/2 of SE 1/4) Section Ten (10), Township Thirty-nine (39), Range Twenty-four (24) lying north of the Great Northern Railway, West of Snake River and South of State Aid Road No. 6 of Kanabec County, Minnesota, excepting and reserving therefrom the following tract: Beginning at the northwest corner of the Northeast Quarter of Southeast Quarter (NE 1/4 of SE 1/4) Section Ten (10), Township Thirty-nine (39), Range Twenty-four (24), thence running east along the north line of said forty a distance of 5 rods, thence running south parallel to the west line of said forty a distance of 32 rods, thence running West parallel to the north line of said forty a distance of 5 rods to the west line thereof, thence running north along the west line of said forty a distance of 32 rods to point of beginning, containing 1 acre.

Description from City of Mora to Thompson (0.61 Acres±):

The east 89.0 feet of the north 328.0 feet of the West Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota. EXCEPT that part taken for Highway Purposes recorded in Doc. No. 123197 in the office of the County Recorder, Kanabec County, Minnesota.

Description for Parcel A:

The west 61.0 feet of the south 295 feet of the north 328.0 feet of the East Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota.

AND

The east 89.0 feet of the north 328.0 feet of the West Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota. EXCEPT that part taken for Highway Purposes recorded in Doc. No. 123197 in the office of the County Recorder, Kanabec County, Minnesota.

Thompson Remainder Description:

That part of the East Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota, lying north of the Great Northern Railway and West of the Snake River, EXCEPT the north 33 feet of said East Half of the Southeast Quarter. AND ALSO EXCEPT the west 61.0 feet of the south 295 feet of the north 328.0 feet of the East Half of the Southeast

Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota.

<u>City of Mora Remainder Description:</u>

The East Half of the Southeast Quarter of the Southwest Quarter, Section 10, Township 39, Range 24, Kanabec County, Minnesota.

AND

The West Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota, EXCEPT that part taken for Highway Purposes recorded in Doc. No. 123197 in the office of the County Recorder, Kanabec County, Minnesota.

AND ALSO EXCEPT the east 89.0 feet of the north 328.0 feet of the West Half of the Southeast Quarter of Section 10, Township 39, Range 24, Kanabec County, Minnesota.

Notes to Survey:

1. For the purposes of this survey, existing easements of record were not researched.

2. There is a gap of 1.7 feet between Doc. No. 136386 and Book 57 of Deeds, Page 361. It is recommended you speak with a Title Attorney to gain title to this small gap.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

2414 JUNE SOSO Dated this day of By: Tyler J. Kroschel, Land Surveyor Minnesota License No. 44490

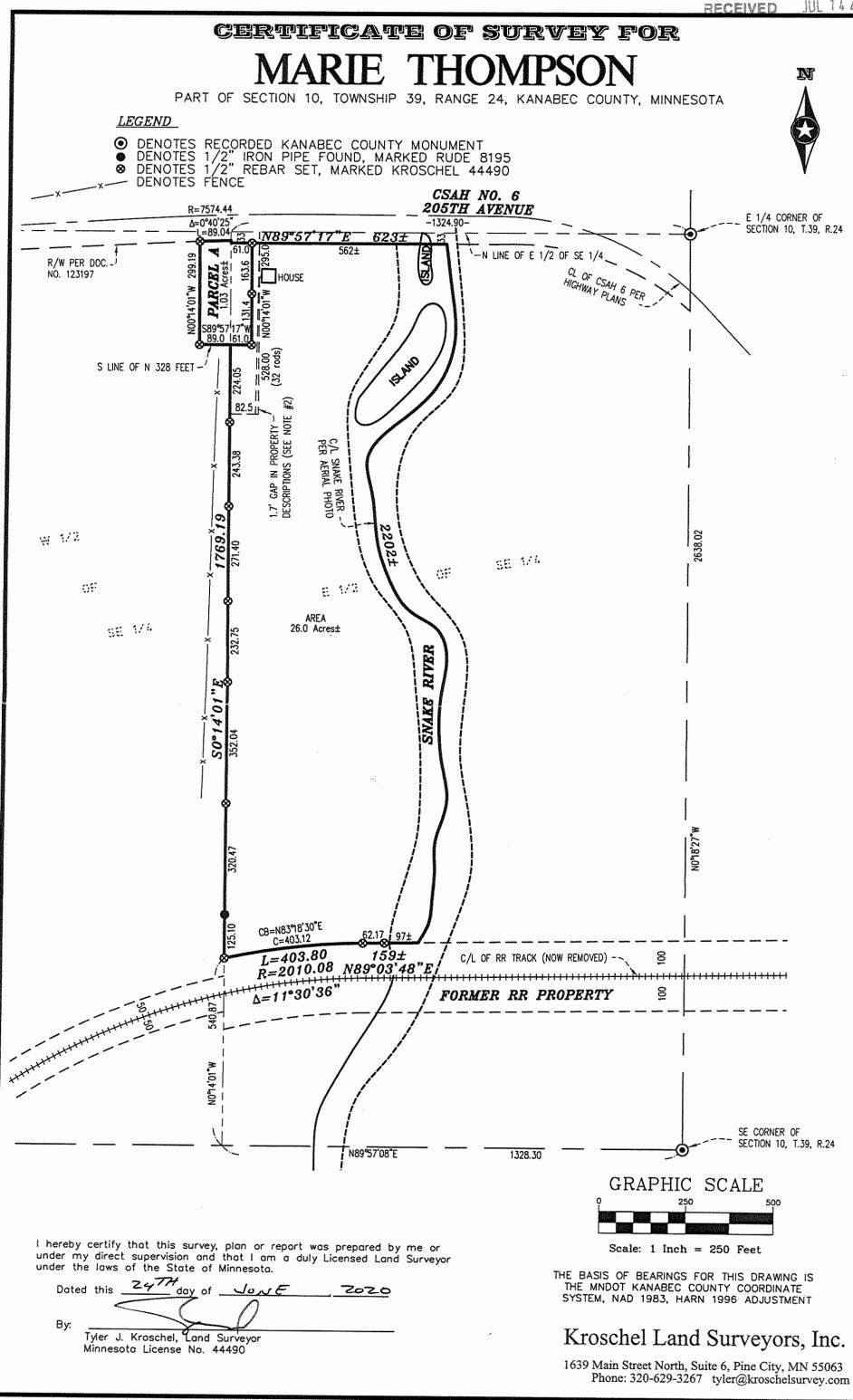


Kroschel Land Surveyors, Inc.

SHEET 1 OF 2

1639 Main Street North, Suite 6, Pine City, MN 55063 Phone: 320-629-3267 tyler@kroschelsurvey.com

19-225



SHEET 2 OF 2 19-225

RESOLUTION NO. PC2020-801

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, FINDING THAT THE PROPOSED SALE OF LAND TO MARIE THOMPSON AND THE INTENDED USE ARE IN COMPLIANCE WITH THE 2009 COMPREHENSIVE PLAN

WHEREAS, the City received a purchase agreement from Marie Thompson on July 28, 2020 for the purchase of a .61± acre portion of land located at 1963 205th Avenue; and

WHEREAS, Thompson desires to combine the subject property with land she already owns located at 1975/1981 205th Avenue and intends to use the subject property for low density residential purposes; and

WHEREAS, the City Council will be considering the purchase agreement at its August 20, 2020 meeting; and

WHERAS, the subject property is publicly-owned and therefore a review is required per Minnesota Statute §462.356 in order to verify compliance with the city's Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a compliance review at its August 10, 2020 meeting and determined that the proposed sale and intended use are in compliance with the 2009 Comprehensive Plan.

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

That the Planning Commission finds the proposed sale of land to Marie Thompson and the intended use of are in compliance with the 2009 Comprehensive Plan.

FURTHER, the Planning Commission recommends that the Comprehensive Plan Land Use Map be amended during the current Comprehensive Plan update process to designate the subject property as Low Density Residential.

> Adopted by the Planning Commission of the City of Mora, Minnesota, this 10th day of August, 2020.

Todd Sjoberg Mike Johnson Karen Onan

Chad Gramentz ______ Sara Treiber ______

ATTEST:_

Beth Thorp Community Development Director

Todd Sjoberg Chair



MEMORANDUM

TO:Planning CommissionFROM:Beth Thorp, Community Development DirectorSUBJECT:Comprehensive Plan Land Use MapDATE:August 10, 2020

SUMMARY

The Planning Commission will review the 2009 Comprehensive Plan Land Use Map as part of the current Comprehensive Plan update effort.

DISCUSSION

The Comprehensive Plan Land Use Map graphically illustrates the city's land use plan, and the land use plan is simply a proposal for the future use of land with the ultimate goal of providing a pleasing, healthful and efficient urban environment in which to live, work and play. The Land Use Map designates types of uses for the entire municipality, showing specific areas or specific types of land uses, such as residential, commercial, industrial or public / semi-public / institutional. The basis for the land use plan are environmental considerations, existing land use, existing and proposed transportation routes, estimated population and economic growth, community needs and goals, and planning principals which relate together land use, the transportation system and open space.

The city's current Comprehensive Plan Land Use Map was adopted in February 2009 and should be reviewed and updated as part of the current Comprehensive Plan update. There have been several changes to the map since it was adopted, which are not reflected in the map, including boundary adjustments due to annexation and land use designation amendments due to rezonings.

Annexations – When land is annexed into the city, the Planning Commission and City Council consider the permanent zoning classification and land use designation. There have been four annexations approved by the City Council since the Comprehensive Plan was adopted in 2009, with the boundary adjustments and land use designations illustrated on the attached Land Use Map.

Rezonings – When land is rezoned, the Planning Commission and City Council consider whether or not the proposed zoning classification complies with the Comprehensive Plan. Many rezonings are found to comply with the Comprehensive Plan and are approved without any change to the Land Use Map; however, some rezonings necessitate amendments to the Land Use Map. These amendments are incorporated into the ordinances approving the rezonings. Staff has reviewed all rezonings approved since the 2009 Comprehensive Plan was adopted and determined that there are four Land Use Map amendments that need to be incorporated into the updated Land Use Map.

With the pending sale of city-owned land to Marie Thompson, staff is recommending that the Land Use Map be amended during the Comprehensive Plan update process to show the subject site as Low

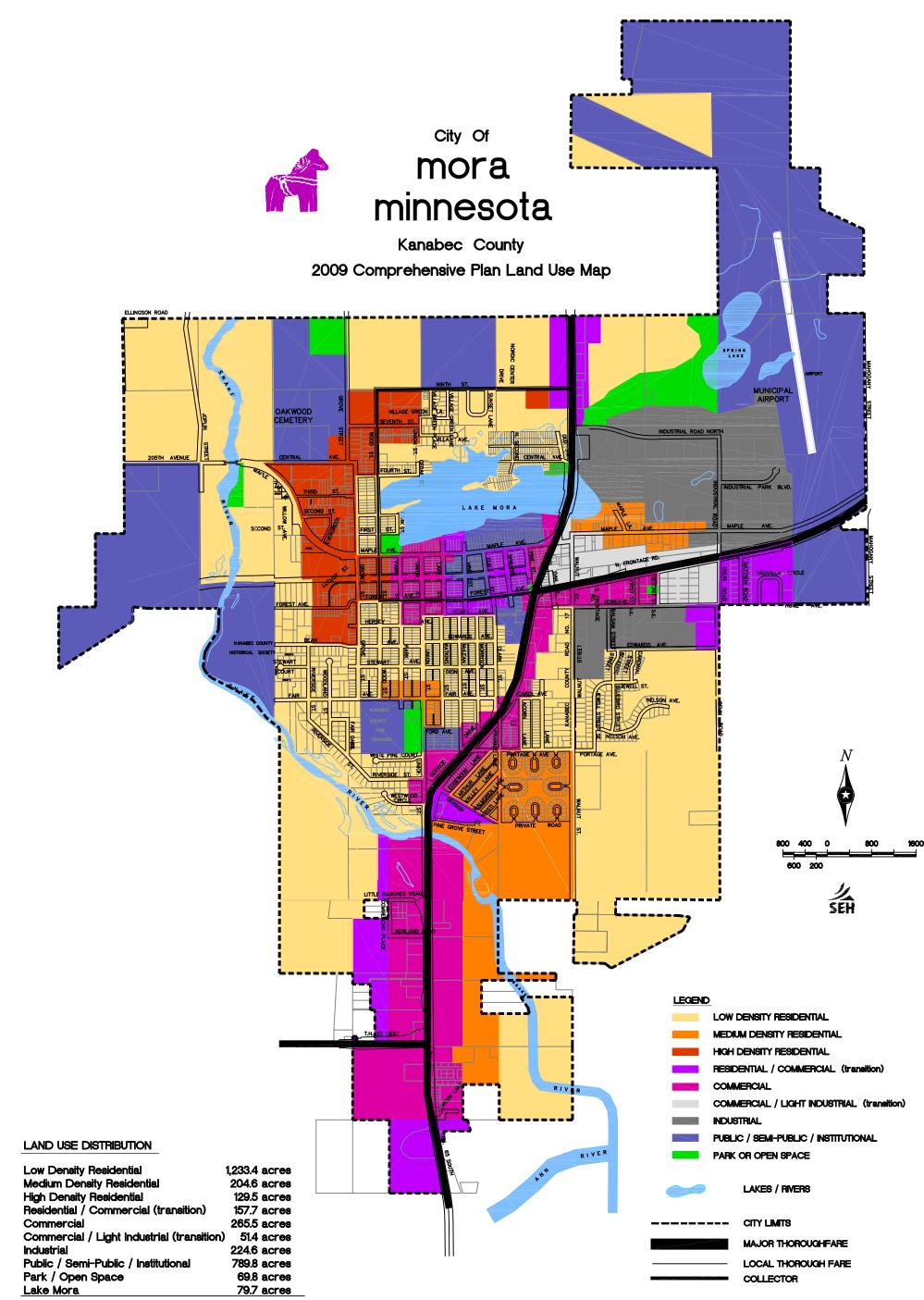
Density Residential. Being that the City Council has not yet approved the land sale, this change isn't shown on the attached Land Use Map.

ACTION REQUESTED

The Planning Commission should begin reviewing the 2009 Comprehensive Plan Land Use Map, along with amendments since the map's adoption, and discuss any changes that should be made as part of the current Comprehensive Plan update effort. Being that the Comprehensive Plan is still being drafted, the Land Use Map review will be on-going.

ATTACHMENTS

2009 Comprehensive Plan Land Use Map - as adopted 2009 Comprehensive Plan Land Use Map - with amendments approved since adoption



TOTAL

3,206.0 acres

