



City of Mora  
Kanabec County, Minnesota  
Meeting Agenda  
Planning Commission

Mora City Hall  
101 Lake Street S  
Mora, MN 55051

---

Monday, December 7, 2020

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. Oath of Office**

Carmen Finn will pledge the oath of office for the remainder of a three-year term expiring on December 31, 2022.

**3. Roll Call:** Carmen Finn, Chad Gramentz, Mike Johnson, Todd Sjoberg and Sara Treiber.

**4. 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.)*

**5. Approval of Minutes**

- a. November 9, 2020 Meeting

**6. Public Hearings**

None

**7. Open Forum**

**8. New Business**

None

**9. Old Business**

- a. Comprehensive Plan. The Planning Commission will consider a vision statement for the Comprehensive Plan update.
- b. Floodplain Management Ordinance – Proposed Flood Prone District. The Planning Commission will continue discussing the establishment of a Flood Prone District as part of the Floodplain Management Ordinance update.

**10. Verbal Reports** *(Commissioners and staff will be given the opportunity to share information.)*

**11. Adjournment**

The next regular meeting is scheduled for Monday, January 11, 2021 at 5:30 PM.

**City of Mora, MN  
PLANNING COMMISSION  
Meeting Minutes**

**November 9, 2020**

Present: Chad Gramentz, Todd Sjoberg and Sara Treiber  
Absent: Mike Johnson  
Staff Present: Community Development Director Beth Thorp  
Others Present: Joel & Michelle Ostrom

1. Call to Order. Chair Sjoberg called the meeting to order at 5:30 pm.
2. Roll Call.
  - Gramentz – Present
  - Johnson – Absent (excused)
  - Sjoberg – Present
  - Treiber – Present
3. Adopt Agenda. Motion by Treiber, second by Gramentz to adopt the November 9, 2020 agenda as presented. All present voted aye, motion carried.
4. Approval of Minutes. Motion by Treiber, second by Gramentz to approve the September 2, 2020 meeting minutes as presented. All present voted aye, motion carried. Motion by Gramentz, second by Treiber to approve the October 20, 2020 work session meeting minutes as presented. All present voted aye, motion carried.
5. Public Hearings. None
6. Open Forum. No members of the audience were present for open forum.
7. New Business.
  - a. 2021 Meeting Schedule. Thorp presented a draft Planning Commission meeting schedule for 2021, noting that it was based on the commission's 2020 meeting schedule with meetings taking place on the Monday before the second Tuesday of each month at 5:30 pm. Gramentz and Sjoberg commented that they liked the meeting start time of 5:30 pm and preferred that not to change. Motion by Gramentz, second by Treiber to adopt the 2021 Planning Commission meeting schedule as presented. All present voted aye, motion carried.
8. Old Business.
  - a. Floodplain Management Ordinance – Proposed Flood Prone District. Thorp suggested that the commission recap the September 30<sup>th</sup> open house, review written correspondence received from impacted property owners, and hear from impacted property owners wishing to speak directly to the commission; Thorp indicated that audience members Joel & Michelle Ostrom were present to speak to the commission. Chair Sjoberg invited the Ostroms to speak. Joel & Michelle Ostrom, representing the Alan J. Ostrom Irrevocable Memorial Trust at 2034 Highway 23, were present to express their concerns about the Ostrom property being designated as flood prone because of a wetland area identified on the National Wetland Inventory (NWI). M. Ostrom thanked the commission for addressing flood issues in Mora and explained that the Ostrom property had been identified as flood

prone based on a small area of wetland on the property. The Ostroms provided written comments and images (included in the meeting packet) for reference. J. Ostrom explained that the Flood Insurance Rate Map (FIRM) shows the property as being located in Zone C which indicated minimal flooding. M. Ostrom provided elevation information for the wetland area, explained that she spoke to twelve different public employees to learn more, and stated that they do not want the property to be classified in a floodplain ordinance or as flood prone or as any of the flood labels that are used on the proposed City of Mora Flood Prone Areas Map because they believed it would affect property value. M. Ostrom stated that she spoke to Teresa Wickeham, Kanabec County Environmental Services, and quoted Wickeham as saying that “wetlands have nothing to do with flood zones.” M. Ostrom stated that the Ostrom’s request was for the Planning Commission to provide an opportunity for property owners to opt out of the ordinance by providing documentation showing that the property does not meet the stated intent of the letter provided by the city to impacted property owners or the definitions for flood hazard or flood prone, and, further, provide that opportunity before the ordinance was adopted. Sjoberg asked about the size of the Ostrom property; M. Ostrom stated that the property was 8.36 acres in size. Sjoberg then asked Thorp for the minimum lot size for that area; Thorp stated that the Ostrom’s flood prone area was located in the R-1 Single Family Residential District and the minimum lot size was 10,000 square feet. Based on the size of the Ostrom property and the minimum lot size requirement, Sjoberg deduced that the property could be subdivided in the future and the wetland area could feasibly come under new ownership. Sjoberg explained that he was concerned about removing a known wetland from the proposed City of Mora Flood Prone Areas Map, a map identifying all other wetlands identified by the NWI, and the liability to the city for essentially withholding that information to a future property owner. Sjoberg further explained that the Planning Commission was trying to create awareness about the city’s increasing water issues and part of that effort was identifying areas susceptible to flooding, including the Ostrom property. M. Ostrom countered that a property with wetlands outside of the city would not be subject to the same regulations as within the city and that property owner would be responsible for doing his/her own due diligence. M. Ostrom stated that they do not want their property associated with true flooding areas. Sjoberg suggested that the city attorney be consulted regarding an option for opting out of the designation before the ordinance is adopted. Thorp commented that the city attorney was consulted in the drafting phase; the city attorney strongly encouraged the city to be transparent and create awareness about flood prone properties and he strongly recommended that the city develop a mechanism for amending the map after adoption if the property owner could demonstrate that conditions had changed. Thorp added that the condition of the Ostrom’s property – being a wetland – will likely not change. M. Ostrom urged that this was the reason for the property to be removed now, because it likely could not be removed once adopted. Sjoberg asked the Ostroms if the wetland had held water in the past; M. Ostrom stated that it was a small shallow area that has held water during rain events. The Ostroms went on to explain that as a wetland on the National Wetland Inventory there is no reference made to “flood”; however, the proposed City of Mora Flood Prone Areas Map made a connection to this area and the term “flood” and the property would become regulated in the same way as other flood districts. Sjoberg explained that the Planning Commission was not proposing regulation of flood prone areas, only attempting to identify areas that hold / are susceptible to water and providing recommendations for new construction. M. Ostrom stated that she did not want the Ostrom property classified in a similar way as those properties on Lake Mora that experience flooding. J. Ostrom echoed that it was the classification of the property that he and his wife were opposed to. Gramentz asked if the Ostroms had viewed the proposed City of Mora Flood Prone Areas Map;

Gramentz explained the different reasons for properties to be included on the map and stated there was a distinction between properties that had documented flooding and properties that had been included because of wetlands. Gramentz further explained that the draft Floodplain Management Ordinance provided recommendations for new construction taking place in the portion of property identified as flood prone rather than the entire property. M. Ostrom thanked Gramentz for the clarification and stated that she did not want the property classified as flood prone because it would make it less salable and decrease the property value. Gramentz asked M. Ostrom how she determined that the property would be less salable and have a decreased property value; M. Ostrom stated that it was based on her personal experience of buying property. Treiber commented that she did not feel the commission could pick and choose which wetlands to include on the proposed City of Mora Flood Prone Areas Map; she felt it should be all of the wetlands identified on the NWI or none. Treiber added that she supported map amendments if conditions of the property changed. Treiber then spoke about salability by suggesting that a buyer doing his/her due diligence would find that there was a wetland on the property by looking at the NWI, regardless if the property is on the City of Mora Flood Prone Areas Map or not. Treiber also suggested that having a wetland may also increase the property value. Treiber commented that the wetland in question was located on multiple properties and it would be extremely difficult to justify removing it from one property and not the others. In regard to establishing a process for opting out of a flood prone designation prior to adoption, Treiber stated that she was not aware of any other communities allowing property owners to opt out. M. Ostrom suggested that an option for opting out could be based on land elevation, commenting that the elevation of the Ostrom property was significantly higher than any other elevation of properties that regularly flood. Treiber reminded M. Ostrom that there was a known wetland on the Ostrom property and that would not change whether the property was included on the City of Mora Flood Prone Areas Map or not. Having heard from the Ostroms that they did not want their property regulated the same way as other properties that experience flooding, Thorp clarified that the Floodplain Management Ordinance differentiated types of flood districts and provided different regulations – or in the case of the proposed Flood Prone District, recommendations – for each. M. Ostrom asked in which flood district Lake Mora properties are located; Thorp stated that many properties on the lake and river are located in the FIRM's 100-Year Flood Boundary or the Floodway or Flood Fringe Districts described in the ordinance. M. Ostrom then questioned whether a future board would change the flood prone recommendations to strict regulations; Treiber responded by explaining that the Planning Commission and City Council could not stop making changes because of unknown future decisions. Treiber again stated that she felt that either all NWI properties should be included on the City of Mora Flood Prone Areas Map or none should be included, and she believed all NWI properties should be included. Treiber suggested that M. Ostrom apply for the Planning Commission if she wanted to help shape city decisions in the future. With no further comments from the Ostroms, Thorp stated that written comments had been provided by Commissioner Johnson after researching the wetland located on the Ostrom property and by State Floodplain Manager Ceil Strauss in response to the written statement prepared by the Ostroms which quoted Strauss. Treiber expressed concern about the written correspondence received from Doris Armstrong, owner of property located at 236 Wood Street S., summarizing that Armstrong did not have any issues with flooding until the street reconstruction project. Treiber asked Thorp if Public Works Director Kohlgraf had investigated the street reconstruction issues; Thorp commented that many of the flood prone property owners in that area that she spoke to expressed concerns about flooding resulting from the street reconstruction project and it would likely be an issue for the city

engineer to review rather than Kohlgraf. Treiber commented that it isn't fair to property owners to have flooding issues resulting from a city improvement project, and suggested that the City Council discuss the issue further. Gramentz suggested that this is a common issue after street reconstruction projects involving utility improvements; illegal sump pumps are disconnected from the sewer system and that changes drainage for the affected properties, keeping water on the property rather than sending it into the sewer system. Gramentz added that the solution for some of the affected properties could be grading away from the foundation. Thorp stated that the third written correspondence was provided by Robin Saari, owner of property at 704 Fair Oaks Drive, and Saari had reported that fill and new landscaping had been added to the property in 2018 and there weren't any flooding issues afterwards. Thorp commented that it may be difficult to tell if the fill and landscaping resolved the issue due to the fact that there had not been significant rain events since that time. Treiber suggested that the Saari property may be a good candidate for the map amendment process if it can be verified that the improvements resolved the problem; Sjoberg requested that staff visit the site to review the improvements. Commissioners briefly discussed the September 30<sup>th</sup> open house. Sjoberg commented that he spoke to several Snake River property owners seeking a better understanding of the proposed Flood Prone District and wanting confirmation that it will not trigger the need for flood insurance. Thorp shared that she had learned from the DNR that flood insurance was only required for structures in the 100-Year Floodplain and if the property had a federally-backed mortgage. Thorp added that she spoke to several property owners located in the 100-Year Floodplain who were not required to have flood insurance, and restated that having a flood prone designation would not trigger the need for flood insurance. Gramentz spoke about assisting Fish Lake property owners with FIRM map amendments in his capacity as County Engineer, commenting that construction plans which include elevations were suitable evidence in lieu of surveys. Commissioners briefly talked about Fish Lake Resort and recent improvements made to the property to mitigate flood damage; Gramentz commented that many of the Fish Lake Resort improvements align with the flood prone recommendations proposed by the commission. Thorp and commission members discussed next steps in the Floodplain Management Ordinance update process. Thorp suggested minor changes to improve the ordinance and corresponding map, including language to make it very clear that the flood prone recommendations only apply to the portion of property identified as flood prone on the City of Mora Flood Prone Areas Map (not necessarily the entire property) and a minor change to the map to make the "AE2S 100-Year Flooding Depth – full extents of flooding (less than four inches)" areas easier to see. Sjoberg suggested following up on items discussed at the meeting before scheduling a public hearing to consider adopting the updated ordinance and map. Thorp and commissioners discussed the adoption process. Thorp shared that the majority of impacted property owners she had spoken to were generally understanding of the Planning Commission's efforts to address flood prone properties. Gramentz asked Thorp if she received requests from mortgage companies or realtors for flood information; Thorp explained that she did receive requests for zoning verification letters occasionally and flood information was included.

9. Verbal Reports.

- a. NorthStar RE LLC. Thorp shared with the commission that business representative Derek Carlson informed her that all dirt intended to be removed from 1200 North Industrial Road had been removed; Thorp added that final grading had not yet been verified and landscaping had not yet been completed. Thorp anticipated that work would not resume until spring due to winter conditions. Gramentz asked if the business was operational; Thorp stated that it was not. Sjoberg shared that he had spoken to Carlson and learned that

Carlson's goal is to have sufficient product (pontoons) ready for a spring boat show in an attempt to generate orders. Sjoberg added that Carlson was renting out building space to Mora Marine, and commended Carlson's efforts to finish the site and open the business. Thorp acknowledged that Carlson had been forthcoming with progress reports.

- b. Commission Vacancy and Expiring Terms. Thorp announced that the city received one application for the Planning Commission seat vacated by Karen Onan and the City Council would consider that application at its November 17<sup>th</sup> meeting. Thorp added that Johnson's term expires on December 31<sup>st</sup> and Johnson previously announced that he would not be reapplying, creating another vacancy. Treiber encouraged Michelle Ostrom to apply to serve on the Planning Commission; Ostrom shared that she is neither a resident of Mora nor a property owner. Thorp shared that Treiber's term on the City Council expires on December 31<sup>st</sup> and the commission would have a new City Council representative beginning in January 2021.
- c. Comprehensive Plan Committee Meeting – Thursday, November 19, 2020, 2:30 – 4:30 pm. Thorp informed the commission that the Comprehensive Plan Committee would be meeting on November 19<sup>th</sup> to review the draft Comprehensive Plan update which was previously reviewed by the Planning Commission and City Council at the October 20<sup>th</sup> work session, adding that the November 19<sup>th</sup> review would include edits from the October 20<sup>th</sup> discussion. Thorp shared that the meeting format would be a hybrid of in-person and WebEx, and suggested that moving forward more meetings would be scheduled as virtual meetings due to the pandemic.
- d. Residential Development Updates. Thorp shared with the commission that she had been working with two separate developers on various residential projects, including platting of the next phase of Fox Run (Fox Run 3<sup>rd</sup> Addition), development of a vacant 14-acre parcel on 9<sup>th</sup> Street, and redevelopment of two Maple Avenue E. properties. Thorp provided details about each proposed project, challenges faced by the developers, and possible land use requests that may be submitted. Sjoberg asked if the property owner of the vacant 14-acre parcel, located on 9<sup>th</sup> Street, intended to clean up the site following a tree removal project and asked if the city had received complaints about it; Thorp stated that the property owner had indicated that the trees would be cut up and advertised as free firewood and that one complaint had been received by staff.

10. Adjournment. Motion by Gramentz, second by Treiber to adjourn. All present voted aye, motion carried and the meeting was adjourned at 6:33 pm.

\_\_\_\_\_  
Todd Sjoberg  
Chair

ATTEST: \_\_\_\_\_  
Beth Thorp  
Community Development Director



# MEMORANDUM

TO: Planning Commission  
 FROM: Beth Thorp, Community Development Director  
 SUBJECT: Comprehensive Plan  
 DATE: December 7, 2020

## SUMMARY

The Planning Commission will consider a vision statement for the Comprehensive Plan update.

## DISCUSSION

Comprehensive Plans typically include a vision statement capturing what community members most value about their community and the shared image of what they want their community to become. The Planning Commission first reviewed the vision statement included in the 2009 Comprehensive Plan in March 2019 and provided guidance to the Comprehensive Plan Committee for the development of an updated vision statement. Below is the current / 2009 vision statement, guidance provided by the commission in March 2019, and a draft vision statement for the commission's consideration. The draft vision statement is based on Planning Commission guidance as well as Comprehensive Plan Committee discussions and generalized community survey results.

### 2009 Vision Statement

Mora is committed to a Comprehensive Plan that will generate a process for growth and change and will preserve the valued traditions and characteristics of our community.

### Planning Commission Guidance *(excerpt from March 11, 2019 Planning Commission meeting minutes)*

Commission members generally felt that the 2009 vision statement still conveys a clear and adequate message, and discussed the idea of allowing the Committee to develop a new vision statement incorporating their interests. Ultimately, the Commission members created a list of priorities to help guide the Comp Plan Committee, including:

- Community growth through residential, commercial, and industrial development;
- Residential development that includes a variety of housing options, with an emphasis on multi-family, workforce housing, and affordable housing;
- Preservation of community identity and traditions;
- Staying current with information technology;
- Promotion of health and wellness, including mental health awareness; and,
- Maintenance and improvement of utility infrastructure.

### Draft Vision Statement

The City of Mora is committed to a Comprehensive Plan which provides a basis for carefully managed growth while preserving the community's identity, valued traditions, and natural resources. Mora will be known as a thriving and welcoming community that provides residents of all ages with opportunities for

personal enrichment and a high quality of life; seeks to attract economic growth and development while maintaining a small-town atmosphere; and, provides exceptional municipal services.

Supporting this vision, the City of Mora values:

- Community growth through residential, commercial and industrial development;
- Residential development which provides a variety of housing options, with an emphasis on multi-family, workforce, and affordable housing;
- Preservation of community identity and traditions;
- Staying current with information technology;
- Promotion of health and wellness, including mental health awareness; and,
- Maintenance and improvement of municipal utility infrastructure.

#### ACTION REQUESTED

---

Review the draft vision statement and:

1. Accept the draft vision statement as presented. It will then be incorporated into the draft Comprehensive Plan.
2. Amend the draft vision statement. It will then be incorporated into the draft Comprehensive Plan.
3. Provide direction and request that the Comprehensive Plan Committee continue development of the vision statement.

#### ATTACHMENTS

---

None





# MEMORANDUM

TO: Planning Commission  
 FROM: Beth Thorp, Community Development Director  
 SUBJECT: Floodplain Management Ordinance – Proposed Flood Prone District  
 DATE: December 7, 2020

## SUMMARY

The Planning Commission will continue discussing the establishment of a Flood Prone District as part of the Floodplain Management Ordinance update.

## DISCUSSION

The Planning Commission had a lengthy discussion at its November 9, 2020 meeting regarding the draft Floodplain Management Ordinance update and the proposed creation of a Flood Prone District. The commission heard from concerned property representatives, received written correspondence from concerned property owners, and recapped the September 30<sup>th</sup> open house. Ultimately the commission directed staff to follow up on three items before scheduling a public hearing to consider adoption of the updated Floodplain Management Ordinance, including:

1. Consult the city attorney regarding an option to allow property owners to opt out of the flood prone designation prior to the ordinance being adopted.
2. Visit the Saari property at 704 Fair Oaks Drive to evaluate recent landscaping improvements.
3. Make minor amendments to the draft Floodplain Management Ordinance and City of Mora Flood Prone Areas Map clarifying that the proposed flood prone recommendations apply only to the portion of property identified as being flood prone rather than the entire property.

The focus of this discussion will be the city attorney's comments regarding an option for property owners to opt out of the flood prone designation prior to the ordinance being adopted. City attorney Joel Jamnik stated:

“[Property owners] have the right to assert that a classification or regulation of their property is erroneous or excessive. Any property owner has that right under federal and state constitutional protections related to property rights, and by the terms of the zoning enabling law, in particular §462.357 that allows appeals to the board of appeals and adjustments by any affected person and if that does not resolve the issue by having the matter reviewed by district court under §462.361.

As a practical matter, even when evaluative criteria or standards are rational and based on sound science, the application to a particular piece of property may not be justified due to the unique circumstances of the property, and fashioning an exception for a particular parcel should not be viewed as undercutting or damaging to the process, but in fact strengthens the regulatory framework by providing a pressure release valve for situations where the criteria may

be over inclusive and could result in an unreasonable regulation infringing on a person's property rights.

I haven't seen the other side of the argument for [the property located at 2034 Highway 23], but it seems to me that [the property representatives'] argument has some merit on its face, and that the City staff and planning commission should evaluate whether the net it is casting is too broad in this particular instance."

It should be noted, as Jamnik himself mentioned, that he was not provided with any other information about the Ostrom's request – such as State Floodplain Manager Ceil Strauss' response – when asked to provide comments. Jamnik's comments are based solely on the Ostrom's letter and his legal expertise.

The commission should discuss the city attorney's comments and determine how it wishes to move forward. Options include, but are not limited to:

- Proceed with the current draft Floodplain Management Ordinance and City of Mora Flood Prone Areas Map.
  - This would not allow property owners to opt out of the proposed flood prone designation, but would still provide an opportunity for property owners to request an amendment to the designation and map after the ordinance has been adopted if it "can be shown that the designation is in error or that conditions have changed resulting from development or flood control and drainage projects and it can be demonstrated that the land is no longer susceptible to being inundated by water from any source."
- Develop criteria for property owners to opt out of the proposed flood prone designation.
  - Staff contacted DNR Floodplain and Shoreland Planner Matt Bauman to learn if other MN communities allow property owners to opt out of the flood prone designation and, if so, what criterion are used. No response had been received as of December 4<sup>th</sup>, but it will be shared at the meeting if received on or by December 7<sup>th</sup>.
  - The Ostroms suggested at the November 9<sup>th</sup> meeting that elevation might be considered as one possible criteria.

To view the current and draft Floodplain Management Ordinance documents, visit the city's website at [www.ci.mora.mn.us](http://www.ci.mora.mn.us) and use the links provided on the homepage. Staff will provide copies of the proposed City of Mora Flood Prone Areas Map for reference at the November 9<sup>th</sup> meeting.

#### ACTION REQUESTED

---

Consider comments provided by the city attorney regarding an option to allow property owners to opt out of the flood prone designation prior to the ordinance being adopted and provide direction.

#### ATTACHMENTS

---

None