



City of Mora
Kanabec County, Minnesota
Meeting Agenda
Planning Commission

Mora City Hall
101 Lake Street S
Mora, MN 55051

Monday, January 11, 2021

5:30 PM

Mora City Hall

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

1. Call to Order

2. Oath of Office

Sara Treiber will pledge the oath of office for a three-year term expiring on December 31, 2023.

3. Roll Call: Carmen Finn, Chad Gramentz, Jake Mathison, 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. December 7, 2020 Meeting

6. Election of Officers

The board will elect a Chair (Sjoberg) and Vice Chair (Johnson) for 2021. Officers for 2020 are shown in parenthesis.

7. Public Hearings

None

8. Open Forum

9. New Business

None

10. Old Business

- a. Conditional Use Permit for 1200 North Industrial Road – NorthStar RE LLC. The board will discuss a request submitted by NorthStar RE LLC in regard to a Conditional Use Permit allowing Mining in the I-2 General Industrial District / Shoreland Management District granted by Resolution No. 2020-521.

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

- a. Floodplain Management Ordinance
- b. Contact Information

12. Adjournment

The next regular meeting is scheduled for Monday, February 8, 2021 at 5:30 PM.

Photo: The Planning Commission will take a group photo immediately following the meeting, if all members are present.

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

December 7, 2020

Present: Carmen Finn, Chad Gramentz, Mike Johnson, Todd Sjoberg and Sara Treiber
Absent: None
Staff Present: Community Development Director Beth Thorp
Others Present: None

1. Call to Order. Chair Sjoberg called the meeting to order at 5:30 pm.
2. Oath of Office. Carmen Finn pledged the oath of office for the remainder of a term expiring on December 31, 2022.
3. Roll Call.
 - Finn – Present
 - Gramentz – Present
 - Johnson – Present
 - Sjoberg – Present
 - Treiber – Present
4. Adopt Agenda. Motion by Johnson, second by Gramentz to adopt the December 7, 2020 agenda as presented. All present voted aye, motion carried.
5. Approval of Minutes. Motion by Gramentz, second by Treiber to approve the November 9, 2020 meeting minutes as presented. All present voted aye, motion carried.
6. Public Hearings. None
7. Open Forum. No members of the public were present for open forum.
8. New Business. None
9. Old Business.
 - a. Comprehensive Plan. Sjoberg stated that the commission would be considering a vision statement for the Comprehensive Plan update and asked fellow commissioners for comments. Thorp informed the commission that her staff report included the 2009 vision statement, guidance provided by the Planning Commission to the Comprehensive Plan Committee in March 2019 for development of an updated vision statement, and a draft vision statement for consideration. Johnson commented that the draft vision statement was good. Thorp explained that the draft vision statement was very similar to the 2009 vision statement but expanded to incorporate the commission's guidance from 2019. Motion by Johnson, second by Gramentz to accept the draft Comprehensive Plan vision statement as presented. All present voted aye, motion carried.
 - b. Floodplain Management Ordinance – Proposed Flood Prone District. Sjoberg asked if all commissioners had opportunity to review comments provided by the city attorney regarding the possibility of allowing property owners an option to opt out of the proposed flood prone designation prior to the Floodplain Management Ordinance being adopted as

requested by Joel & Michelle Ostrom. Gramentz asked Thorp if it was a different city attorney who originally recommended that the city establish flood prone language and mapping; Thorp stated that the same city attorney – Joel Jamnik – had recommended that the city establish language and mapping to create transparency about properties known to be susceptible to flooding and more recently also suggested that allowing exceptions to the proposed Flood Prone District may also be appropriate for properties with unique circumstances. Johnson suggested that the city attorney also represents several other communities with much stricter flood regulations and Johnson believed Mora’s proposed language to be mild in comparison. Gramentz commented that he felt what the proposed City of Mora Flood Prone Areas Map was lacking was technical backing for some of the properties to be designated as flood prone, and suggested that it could be challenged by certain property owners. In response, Thorp stated that the properties proposed as flood prone had justification through documented flooding in 2016 and 2108, the National Wetlands Inventory (NWI), the 2019 Regional Drainage Analysis, and historical knowledge. Gramentz followed up by commenting that the draft ordinance didn’t place any restrictions on properties, only recommendations, and asked if a flood prone designation would have any possible impact on financing. Fellow commissioners responded by suggesting that lenders refer to the FEMA map; and, Treiber added that properties with wetlands, even if not included on the proposed City of Mora Flood Prone Areas Map, would still be identified on the NWI. Johnson stated that he completed another analysis of the Ostrom wetland, commenting that his primary concern was related to stormwater retention. Johnson provided his written analysis to fellow commissioners (see attached) and explained that it would be to the Ostrom’s benefit to retain their existing wetland and use it for stormwater retention if the property is further developed. Johnson went on to explain that wetland depressions, such as the one located on the Ostrom property, were important to control flow and water quality. Treiber stated that her interpretation of the city attorney’s comments was that the city should allow property owners to opt out of the flood prone designation, and went on to speculate that there would be no reason to establish a Flood Prone District if property owners could opt out because all property owners would likely choose to opt out. Treiber suggested, based on the city attorney’s comments, that if the city allows property owners to opt out it must establish criteria to do so, adding that the process to opt out could potentially escalate the city’s intention to create awareness and provide recommendations for development to a cumbersome and potentially legal process. Treiber summarized by suggesting that there may be legal repercussions whether the city allows property owners to opt out or not, offering support for proceeding with the current draft ordinance and map. Likewise, Johnson offered support for proceeding with the current draft Floodplain Management Ordinance and City of Mora Flood Prone Areas Map, an option which allowed property owners to request a map amendment. Thorp mentioned that she had reached out to the DNR for guidance on possible criteria for opting out of a flood prone designation and that she had not yet received a response. Sjoberg offered support for proceeding with the current draft ordinance and map. Finn asked about the impact of a flood prone designation on a potential subdivision of the Ostrom property, seeking clarification on whether the entire parcel is designated as flood prone or only a portion of that parcel. Treiber responded by stating that the commission proposed that only areas susceptible to flooding be designated as flood prone, not necessarily the entire property. Gramentz commented that the Ostrom property was a good example of why the commission supported the establishment of the Flood Prone District, explaining that a picture provided by the Ostroms showed that the wetland was dry and this may lead to a future property owner believing that it’s safe to build in that location. Johnson added that the wetland in question was situated on two properties, not just the Ostrom property.

Treiber stated that the Ostrom's wetland would be identified on the NWI even if it wasn't included on the city's flood prone map. Gramentz cautioned that the NWI is a crude map and wetland boundaries may be off as far as 100 feet. Gramentz asked Thorp if the draft ordinance allowed for map amendments; Thorp confirmed that the draft ordinance described a process for amending the map if it could be shown that the designation was in error or that conditions had changed resulting from development of flood control or drainage projects and it could be demonstrated that the land was no longer susceptible to being inundated by water from any source. Thorp added that the property located at 704 Fair Oaks Drive, as discussed at the November 10th meeting, was an example of a property that may have changed after landscaping improvements were made (yet to be verified) and this property owner may be eligible for a map amendment if requested. Thorp acknowledged that based on differing circumstances some property owners may be able to make changes to their properties and request map amendments and some property owners may not be able to do so. Thorp restated that the commission is proposing recommendations for new development in flood prone areas rather than strict regulations or prohibiting development. Motion by Gramentz, second by Johnson to proceed with the current draft Floodplain Management Ordinance and City of Mora Flood Prone Areas Map, not allowing an option to opt out. All present voted aye, motion carried.

10. Verbal Reports.

- Sjoberg asked Thorp if there was any new information on the proposed Fox Run 3rd Addition, stating that he had spoken with the land owner and the owner believed the project to be viable despite current construction costs. Thorp responded that she had not been contacted by the property owner or developer recently.
- Thorp reported that construction of four new homes had recently started in Fox Run 2nd Addition and the city had just received a building permit application for a new home in Eldris. Commission members and Thorp discussed the status of the Fox Run homes and the proposed design of the Eldris home.
- Finn provided background information about herself, sharing that she's lived in Mora for approximately 1 ½ years and in Minnesota for approximately 7 years; has worked in the field of behavioral health for 20 years; and, has always been involved in the communities in which she lived, believing that it's good to give back to the community that you're in. Finn added that she has most typically been involved in community fundraising; and, serving on the Planning Commission was a new experience and she was reading materials in order to learn zoning law.
- Thorp stated that it was Commissioner Johnson's final meeting with the Planning Commission. Johnson shared that he'll be focusing his efforts on the St. Andrew's Field HOA. Sjoberg expressed that it had been a pleasure and honor to work with Johnson and wished him well.

11. Adjournment. Motion by Johnson, second by Gramentz to adjourn. All present voted aye, motion carried and the meeting was adjourned at 5:52 pm.

Todd Sjoberg
Chair

ATTEST: _____
Beth Thorp
Community Development Director



MEMORANDUM

TO: Planning Commission
 FROM: Beth Thorp, Community Development Director
 SUBJECT: Conditional Use Permit for 1200 North Industrial Road – NorthStar RE LLC
 DATE: January 11, 2021

SUMMARY

The Planning Commission will discuss a request received from NorthStar RE LLC.

DISCUSSION

The City Council approved a Conditional Use Permit (CUP) in May 2020 to allow Mining in the I-2 General Industrial District / Shoreland Management District as requested by NorthStar RE LLC. See Resolution No. 2020-521 attached. The purpose of the CUP was for the removal of stockpiled dirt from the site following a construction project. The staff report prepared for the May 11, 2020 Planning Commission meeting has been attached to provide additional background.

Resolution No. 2020-521 required that all excess stockpiled dirt be removed from the site no later than July 1, 2020 and allowed for one 30-day extension to be granted. That extension was requested and granted with the new deadline being July 31, 2020. While the work was not completed by July 31st, all excess dirt was reported to have been removed by the end of August 2020. Following removal of excess dirt, NorthStar RE LLC was to complete final grading – per plans previously approved by the city – and landscaping no later than September 1, 2020. A financial security in the amount of \$39,875 was provided by the applicant, with the amount of said security based on quotes obtained by the applicant. Final grading and landscaping have not yet been completed; therefore, the deposit has not been released. The deposit was provided in the form of a check from a business account and, due to 2020 year-end accounting processes, the check needs to be cashed by the city. The funds would continue to be held as a deposit for the project.

NorthStar RE LLC submitted a written request on January 6, 2021 (attached) asking for additional time to complete the dirt and landscaping work and for the city to allow for a new financial security to be provided. A representative of NorthStar RE LLC will attend the meeting to present the request.

Resolution No. 2020-521 was adopted by the City Council and any changes will require approval from the City Council; however, the commission may wish to provide a recommendation for the council's consideration.

ACTION REQUESTED

Discuss the written request with NorthStar RE LLC. If desired, provide a recommendation for the City Council's consideration.

ATTACHMENTS

Resolution No. 2020-521

Staff report prepared for May 11, 2020 Planning Commission meeting

Letter from NorthStar RE LLC dated January 6, 2021



MEMORANDUM

TO: Planning Commission
 FROM: Beth Thorp, Community Development Director
 SUBJECT: Public hearing to consider a Conditional Use Permit to allow *Mining*
 DATE: May 11, 2020

SUMMARY

The Planning Commission will conduct a public hearing and consider a request for Conditional Use Permit to allow *Mining* in the I-2 General Industrial District / Shoreland Management District.

SITE INFORMATION

Property Owner:	NorthStar RE LLC
Applicant:	NorthStar RE LLC
Location:	1200 North Industrial Road
Current Zoning:	I-2 General Industrial District / Shoreland Management District
Adjacent Zoning:	North: I-2 General Industrial District / Shoreland Management District South: I-2 General Industrial District / Shoreland Management District East: I-1 Limited Industrial District / Shoreland Management District West: I-2 General Industrial District / Shoreland Management District
Comp. Plan Designation:	Industrial

DISCUSSION

NorthStar RE LLC has requested a Conditional Use Permit (CUP) to allow *Mining* in order to remove excess stockpiled dirt from 1200 North Industrial Road following a construction project at the same location. The construction project began in 2019 and on September 3, 2019 the city's Building Official issued a stop work order due to a significant amount of dirt work being completed without the city's approval. It was agreed between city staff and property owner representatives that neither the property owner nor its contractor would export any soil or fill from the site until a CUP had been granted by the City Council. The property owner was given a deadline of July 1, 2020 to remove all excess stockpiled dirt from the site.

Zoning Code § 150.016 describes Mining as the extraction and incidental processing of sand, gravel, or other material from the land in the amount of four hundred (400) cubic yards or more and removal thereof from the site. In all districts the conduct of mining shall be permitted only upon issuance of a Conditional Use Permit. Such permit shall include, as conditions thereof, a plan for a finished grade which will not adversely affect the surrounding land or the development of the site on which the mining is being conducted; and, plans for the control of traffic, dust, and the route of trucks moving to and from the site.

Derek Carlson, representing NorthStar RE LLC, estimates there to be 500-750 cubic yards of excess stockpiled dirt on site. This estimate is based on opinions from three separate contractors. NorthStar RE

LLC intends to remove all excess stockpiled dirt from the site and is in contact with a number of local individuals who are interested in taking portions of the material.

The applicant submitted site plans dated June 25, 2019, which include a Preliminary Grading & Erosion Control Plan. When all excess dirt is removed from the site, the applicant's intent is to grade the site in conformance with the Preliminary Grading & Erosion Control Plan. These plans have been reviewed by the Public Works Director, City Engineer, and, being that the property is located in the Shoreland Management District, the DNR Area Hydrologist. No concerns have been identified which would lead to a recommendation of denial; however, suggested conditions of approval have been provided and incorporated into draft Resolution No. PC2020-501.

In addition to a public hearing notice being published in the Kanabec County Times on April 30, 2020, staff provided notification of the proposed CUP to all property owners within 350' of the subject area. As of May 7th, staff had not received any comments from the public in regard to the request.

Derek Carlson, representing NorthStar RE LLC, will be present at the meeting to provide more information about the project and answer any questions.

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. |
| <i>Finding #1</i> | <i>The Zoning Code identifies the proposed use of Mining as a Conditional Use within the underlying zoning district of I-2 General Industrial District and the proposed use complies with all district regulations; therefore, the proposed use is consistent with the intent of the underlying zoning district. The subject site is also located within the Shoreland Management District, and the city finds that the proposed use complies with all district regulations.</i> |
| Criteria #2 | The use is in keeping with the Comprehensive Plan and the policies thereof. |
| <i>Finding #2</i> | <i>The Comprehensive Plan Land Use Map identifies the subject site as Industrial. The proposed use of Mining is a result of an industrial construction project, making the proposed use compatible with the Comprehensive Plan designation.</i> |
| Criteria #3 | The use will not cause undue traffic congestion or hazards. |
| <i>Finding #3</i> | <i>The city believes the proposed use will have minimal 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 The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services.*
- Criteria #5 The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
- Finding #5 Once the proposed use of Mining is complete, the final grading of the site shall comply with site plans dated June 25, 2019, resulting in an appearance that will have no adverse effect upon adjacent properties.*
- Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- Finding #6 The proposed use is not located adjacent to any residentially zoned or used lands.*
- 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.*

STAFF RECOMMENDATION

Staff recommends approval of the CUP with conditions included in the attached draft resolution for consideration.

ACTION REQUESTED

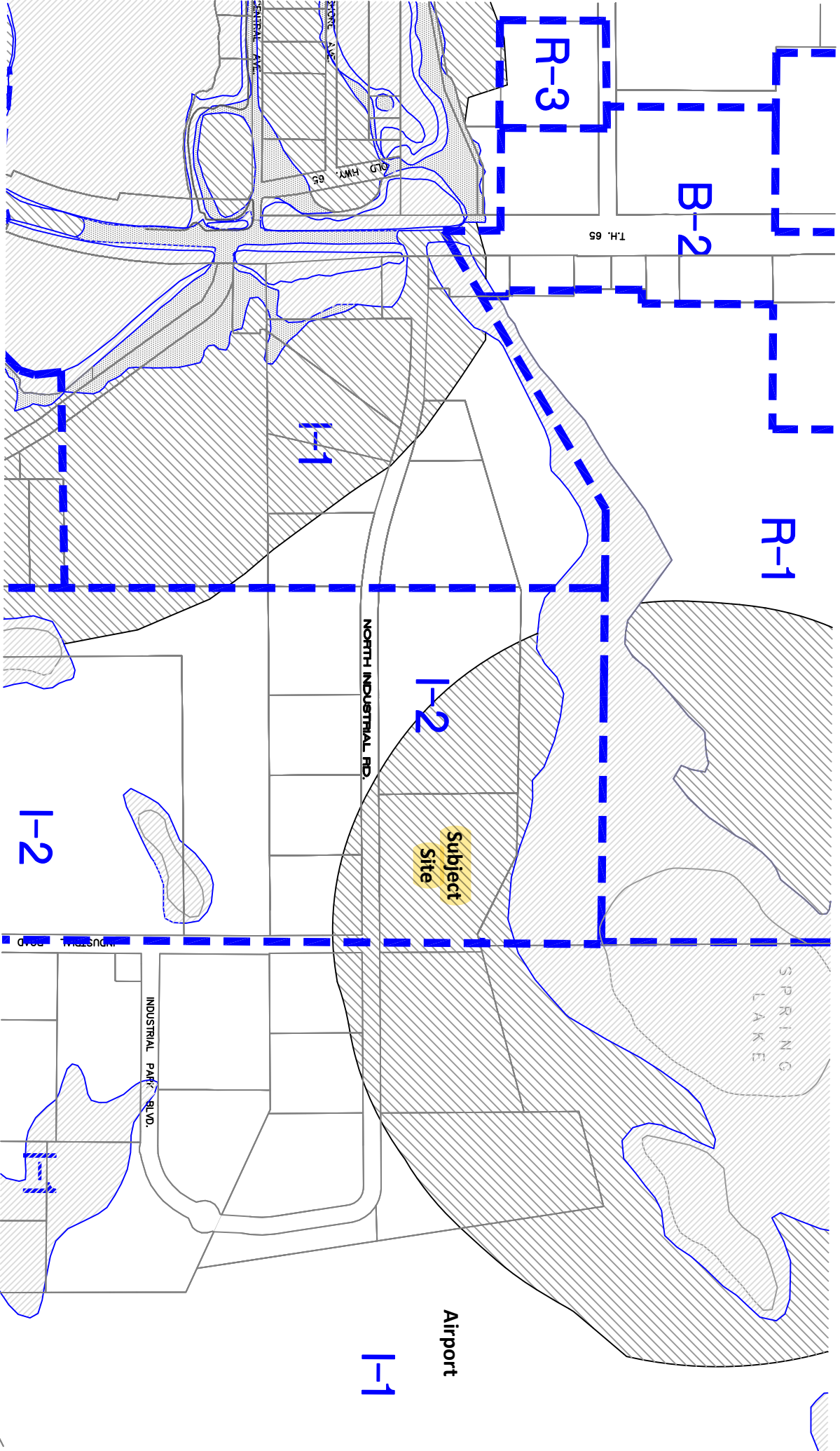
Motion to approve Resolution No. PC2020-501, a resolution recommending approval of a Conditional Use Permit to allow a *Mining* in the I-2 General Industrial District / Shoreland Management District, with conditions as presented or revised.

ATTACHMENTS

Location map with zoning boundaries

Site plans dated June 25, 2019

~~Draft Resolution No. PC2020-501~~



R-3

B-2

R-1

I-1

I-2

I-2

Subject Site

SPRING LAKE

Airport

I-1

Green

INDUSTRIAL PARK BLVD.

NORTH INDUSTRIAL RD.

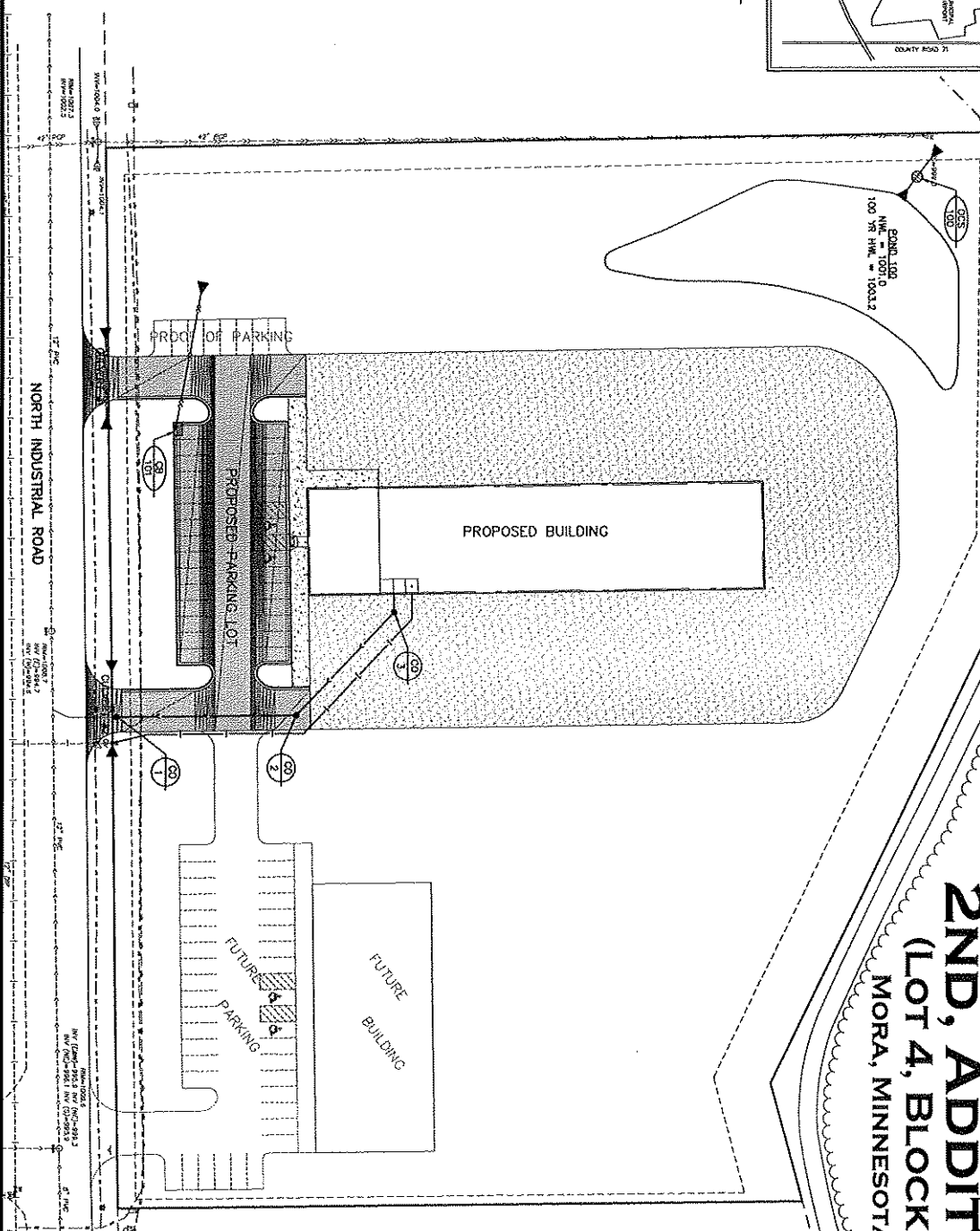
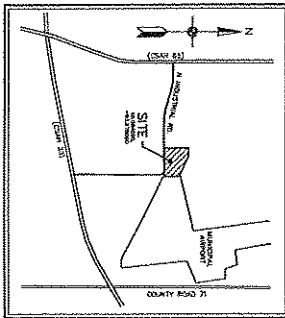
FRONT AVE.

SPRING AVE.

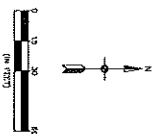
OLD HWY. 65

T.H. 65

MORA INDUSTRIAL PARK 2ND, ADDITION (LOT 4, BLOCK 3) MORA, MINNESOTA



- SHEET INDEX**
1. COVER
 2. EXISTING CONDITIONS
 3. PROPOSED DEVELOPMENT & PROPOSED UTILITIES
 4. SITE & UTILITY PLAN
 5. DETAILS



BENCHMARKS

1. Minnesota Department of Transportation
Geodetic CS20 Station No. 82720 (MORR)
North 3207.8 (ELEV.)
ELEVATION = 1000.35

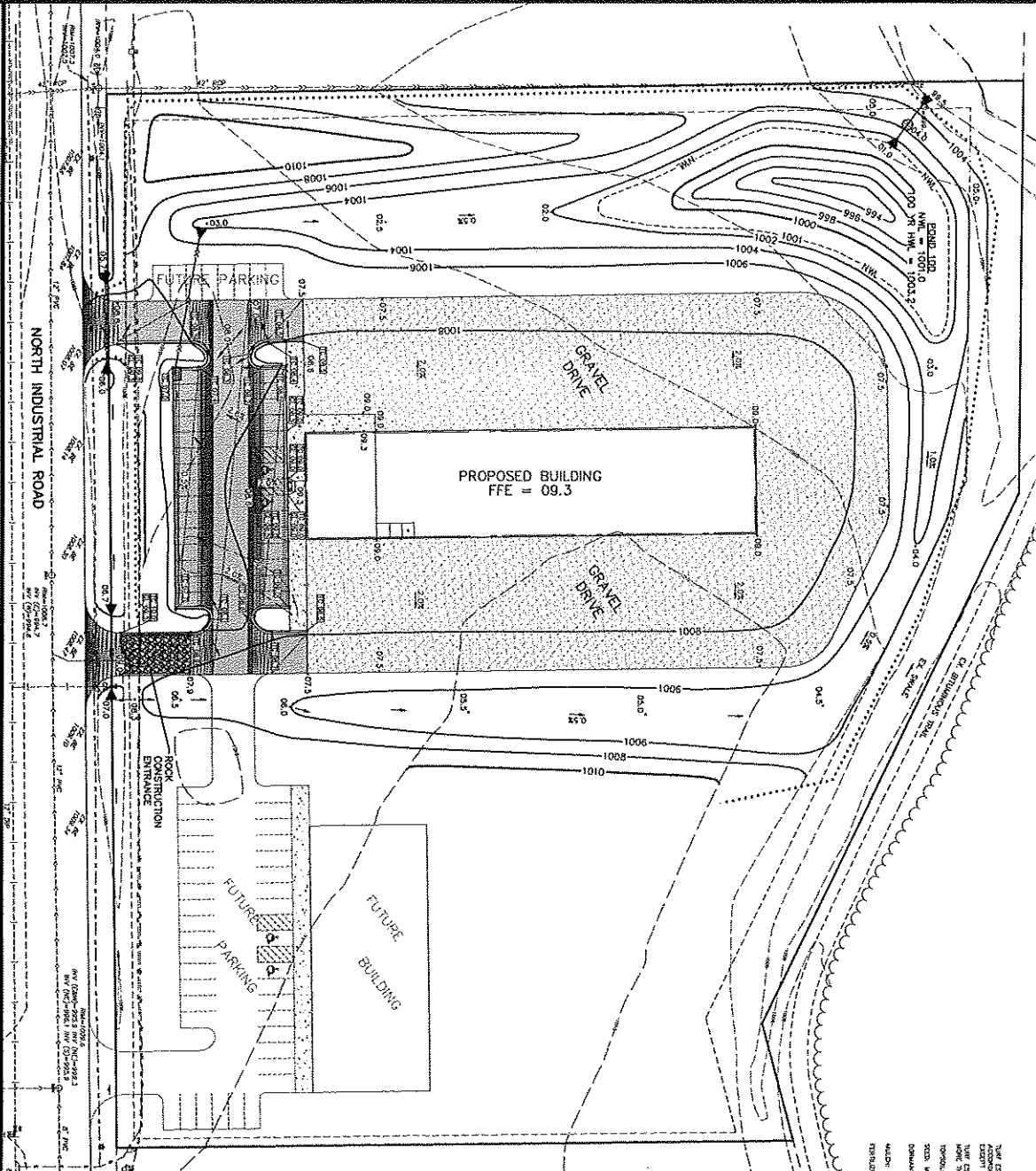
2010 Pleasant Ridge Drive NE, Suite 100
Mora, MN 55052
Phone: (763) 263-7900
Fax: (763) 263-7900
www.carlsonmccain.com

1. I hereby certify that the data, information, and drawings submitted hereon are true and correct to the best of my knowledge and belief, and that I am a duly Licensed Professional Engineer in the State of Minnesota.

Project: 200
Contract No. 201718
Permit No. 201718

PREFERRED BUILDERS, Inc.
6750 Stillwater Blvd, N, Suite 4
Stillwater, MN 55092

LOT 4, BLOCK 3
MORA INDUSTRIAL PARK 2ND, ADDITION
MORA, MINNESOTA



ROCK CONSTRUCTION ENTRANCE

1. 1' SLOPE
2. ROCK PLACEMENT

SILT FENCE

1. 12" HIGH
2. 12" WIDE
3. 12" DEEP
4. 12" LONG

NOTES

1. SEE SITE PLAN FOR PROPOSED ROCK CONSTRUCTION ENTRANCE.
2. SEE SITE PLAN FOR PROPOSED SILT FENCE.
3. SEE SITE PLAN FOR PROPOSED GRAVEL DRIVE.
4. SEE SITE PLAN FOR PROPOSED FUTURE BUILDING.
5. SEE SITE PLAN FOR PROPOSED FUTURE PARKING.

BENCHMARKS

1. Minnesota Department of Transportation
Map No. 5007 & 8 (REV. 01)
ELEVATION = 1000.54

LEGEND

PROPERTY LINE	DESIGNATED	PROPOSED
EXISTING	---	---
PROPOSED	---	---
ROCK CONSTRUCTION ENTRANCE	---	---
SILT FENCE	---	---
GRAVEL DRIVE	---	---
FUTURE BUILDING	---	---
FUTURE PARKING	---	---
ROCK CONSTRUCTION ENTRANCE	---	---
SILT FENCE	---	---
GRAVEL DRIVE	---	---
FUTURE BUILDING	---	---
FUTURE PARKING	---	---



CITY OF MORA
MORA MUNICIPAL UTILITIES

101 Lake Street South
Mora, MN 55051-1588

ci.mora.mn.us



320.679.1511

320.679.1451

Doc# 270257

OFFICE OF KANABEC COUNTY RECORDER

KANABEC COUNTY MINNESOTA

Certified, Filed and/or recorded on:

June 16, 2020 11:00 AM

Lisa J. Holcomb, Recorder

Well Cert. () No Well ()

Pages: 4

Fee: \$46.00

STATE OF MINNESOTA)
COUNTY OF KANABEC)
CITY OF MORA)

I, Mandi Yoder, Deputy Clerk to the City Council in and for the City of Mora, Minnesota, do hereby certify that the attached Resolution No. 2020-521 dated May 19, 2020, is a true and correct copy of the original on file and of record in my office.

This resolution is being recorded to correct an incorrect resolution number and approval date on Document #270043, recorded May 26, 2020 in the office of the Kanabec County Recorder.

Dated at Mora, Minnesota this 15th day of June 2020.



Deputy City Clerk



RESOLUTION NO. 2020-521

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORA, MINNESOTA, APPROVING A
CONDITIONAL USE PERMIT TO ALLOW *MINING* IN THE I-2 GENERAL INDUSTRIAL DISTRICT /
SHORELAND MANAGEMENT DISTRICT AS REQUESTED BY NORTHSTAR RE LLC**

WHEREAS, NorthStar RE LLC, property owner and applicant, submitted an application dated received April 9, 2020 and considered complete on April 17, 2020 for a Conditional Use Permit to allow *Mining* in the I-2 General Industrial District / Shoreland Management District; and

WHEREAS, the subject site is located at 1200 North Industrial Road and is legally described as:

PID 22.07000.00
*Lot 4, Block 3, Mora Industrial Park 2nd Addition
Kanabec County, Minnesota
Section 12 Township 039 Range 024*

WHEREAS, notice was provided and on May 11, 2020, the Planning Commission conducted a public hearing regarding this request, at which it heard from the Community Development Director, the applicant, and all interested parties wishing to be heard; and

WHEREAS, the Planning Commission recommended approval of the request, subject to conditions listed in Resolution No. PC2020-501; and

WHEREAS, the City Council considered the request and the Planning Commission's recommendation at its May 19, 2020 meeting and 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. |
| <i>Finding #1</i> | <i>The Zoning Code identifies the proposed use of Mining as a Conditional Use within the underlying zoning district of I-2 General Industrial District and the proposed use complies with all district regulations; therefore, the proposed use is consistent with the intent of the underlying zoning district. The subject site is also located within the Shoreland Management District, and the city finds that the proposed use complies with all district regulations.</i> |
| Criteria #2 | The use is in keeping with the Comprehensive Plan and the policies thereof. |
| <i>Finding #2</i> | <i>The Comprehensive Plan Land Use Map identifies the subject site as Industrial. The proposed use of Mining is a result of an industrial construction project, making the proposed use compatible with the Comprehensive Plan designation.</i> |
| Criteria #3 | The use will not cause undue traffic congestion or hazards. |
| <i>Finding #3</i> | <i>The city believes the proposed use will have minimal 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 The property is currently served by municipal water, sewer, and electric service; and, the property is adequately served by all other public services, including public streets and emergency services.*
- Criteria #5 The structure and the site shall have an appearance that will not have an adverse effect upon adjacent properties.
- Finding #5 Once the proposed use of Mining is complete, the final grading of the site shall comply with site plans dated June 25, 2019, resulting in an appearance that will have no adverse effect upon adjacent properties.*
- Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- Finding #6 The proposed use is not located adjacent to any residentially zoned or used lands.*
- Criteria #7 The use will not jeopardize the public's health, safety or general welfare.
- Finding #7 There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.*

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Mora, Minnesota hereby approves the Conditional Use Permit subject to the following conditions:

1. The excess stockpiled dirt shall be removed from the site no later than July 1, 2020, unless a written request for extension is received from the applicant on or by June 24, 2020 and written approval is granted by city staff prior to the original deadline of July 1, 2020. No more than one 30-day extension shall be granted.
2. The applicant must provide the Community Development Director with written plans for the control of traffic and dust, and a map showing the route of trucks moving to and from the site. The plans and map must be submitted by the applicant and approved by city staff prior to excess stockpiled dirt being removed from the site.
3. The city will not grant or allow a temporary entrance to be constructed at the subject site in order to remove the excess stockpiled dirt. The applicant must use an existing access shown on the site plans dated June 25, 2019.
4. The applicant shall arrange for impacted city streets, those included in the truck route map, to be swept each day that dirt is being removed from the site in order to control dust and debris.
5. A transition, approved by the Public Works Director, shall be constructed from the subject site to North Industrial Road in order to keep dirt and other materials on site.
6. The repair of any damage or other deficiencies made to city streets while hauling excess stockpiled dirt from the subject site shall be the responsibility of the applicant. City staff took photographs of the general area for reference on April 17, 2020, the date the application was considered complete, and these photographs are contained in the project file.
7. Final grading of the subject site shall be consistent with site plans dated June 25, 2019.
8. Upon completion of grading, all exposed ground areas shall be covered with sod, seed, other landscaping materials, or a combination thereof as soon as possible to control dust and prevent or minimize erosion. Landscaping shall be completed no later than September 1, 2020.

9. To ensure completion of final grading and landscaping in a satisfactory and timely manner, the applicant shall provide a financial security to the city prior to any excess stockpiled dirt being removed from the site. The security shall be in the form of cash escrow or letter of credit and shall be an amount equal to 125% of the estimated total cost of the improvements. The estimate of total cost shall be submitted by the applicant and approved by city staff. The security shall only be released after city staff has inspected all work and finds it to be satisfactory.
10. The applicant shall keep a list of all individuals / organizations receiving dirt from the site and provide this list to the Community Development Director. The list should include the physical address of where the dirt is taken and the approximate amount of dirt taken to each site.
11. The Conditional Use Permit shall be utilized and all conditions shall be met within one year of recording, unless otherwise specified, or the Conditional Use Permit shall become null and void.

The foregoing resolution was introduced and moved for adoption by Council Member Jreiber and seconded by Council Member Pioske.

Voting for the resolution: Mayor Skramstad, Anderson, Mathison, Pioske, & Jreiber
 Voting against the resolution: none
 Abstained from voting: none
 Absent: none

Motion carried and resolution adopted this 19th day of May, 2020.


 Alan Skramstad, Mayor

ATTEST:


 Lindy Crawford, City Administrator

NorthStar RE
1200 North Industrial Road
Mora Minnesota 55051
6-24-2020

City of Mora
101 S Lake St
Mora Minnesota 55051
Attn: Beth Thorp (Resolution NO. 2020-521)

NorthStar RE LLC Conditional Use Permit
(Amendment-1)
(1-6-2021)

Beth,

I am requesting that the City Council will allow NorthStar RE to complete the remaining required work by June 1st 2021 at 12:00 Pm.

Resolution 2020-521

Working Items to be continued.

- 1) Bring site to grade according to Civil Engineering Plan.
 - a. The site may need to be conducted as an "AS" build do to the fence being installed and elevations being wrong.
 - b. This would require approval from the City Engineer and the City if that is the case.
- 2) Erosion Control and Seeding Lot

Goals

- 1) Current elevation shot March or April of 2021
- 2) Final Grading Start April and Completed by 5-21-2020
- 3) Seeding completed by 5-28-2020

Completed work

- 1) Dirt Pile Removed
- 2) Final Grade leveled

Funding/ Escrow for new amount

- 1) Second Mortgage on building for Escrow amount
- 2) Certified Check

Obtain new quotes for the work that is required to be done and put that amount into Escrow with one of the following payment methods.

The conditional use permit that was issued was for approximately 2,000 to 3,000 yards of dirt. Once all the dirt was moved, I had a report of approximately 8,000 yards of dirt.

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