



Meeting Agenda
City of Mora Planning Commission
Monday, September 12, 2022
5:30 PM Mora City Hall

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

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

1. Call to Order

2. Roll Call:

Jake Mathison
Sheldon Shepard
Sara Treiber
Lance Strande
VACANT

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

- a. Approval of Minutes from August 8, 2022

5. Open Forum

6. Old Business: none

7. Public Hearings:

- a. 706 Summit Lane Conditional Use Permit for Duplex

8. New Business

- a. 706 Summit Lane Conditional Use Permit for Duplex: Recommend Council Approve

9. Verbal Reports *(In addition to the items listed below, each board and staff member will be given the opportunity to share information.)*

10. Adjournment

The next regular meeting is scheduled for **5:30 p.m. Wednesday, October 5, 2022.**

City of Mora Planning Commission
Minutes
August 8, 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, August 8, 2022, in the Mora City Hall council chambers.

2. Roll call:

Commissioners present: Jake Mathison, Sheldon Shepard, and Lance Strande

Commissioners absent: Sara Treiber

Staff present: Glenn Anderson, Caleb Christenson, Kirsten Faurie

3. Adopt Agenda: MOTION made by Shepard, 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 June 13, 2022 minutes.

5. Open Forum: No one spoke during open forum

6. Old Business: None

7. Public Hearings:

a. **551 Wood St. S Roof Mounted Solar System:** At 5:34 p.m. Mathison opened the public hearing to consider a request for a Conditional Use Permit to allow a Solar Energy System to be located at 551 Wood St./First Presbyterian Church.

Jerry Lilyerd spoke in support installation of the solar panels and clean energy.

Randy Terpstra also spoke in support of the project.

Mathison closed the public hearing at 5:35 p.m.

b. **601 McLean St. Roof Mounted Solar System:** At 5:35 p.m. Mathison opened the public hearing to consider a request for a Conditional Use Permit to allow a Solar Energy System to be located at 601 McLean St.

Randy Terpstra and Jerry Lilyerd spoke in support.

Mathison closed the public hearing at 5:36 p.m.

8. New Business:

a. **Conditional Use Permit: 551 Wood St. S/First Presbyterian Church Solar Project:** MOTION made by Shepard, seconded by Strande and unanimously carried to approve RESOLUTION NO. PC2022-808-1 recommending approval of a conditional use permit allowing a solar energy system to be located at 551 Wood St. S

b. **Conditional Use Permit: 601 McLean St. Roof Mounted Solar System:** MOTION made by Strande, seconded by Shepard and unanimously carried to approve RESOLUTION NO. PC2022-808-2 1 recommending approval of a conditional use permit allowing a solar energy system to be located at 601 McLean St.

9. Verbal Reports: Staff and commissioners discussed future goals and ideas regarding increasing area childcare capacity, housing and business development.

10. Adjournment: MOTION made by Strande, seconded by Mathison, and unanimously carried to adjourn the Planning Commission meeting at 6:14 p.m.

The next regular meeting of the Planning Commission is scheduled for 5:30 p.m. Monday, September 12, 2022.

**City of Mora Planning Commission
Minutes
August 8, 2022 – 5:30 pm
Mora City Hall**

Minutes prepared and submitted by Kirsten Faurie

Commission Chair

Attest: _____
Kirsten Faurie,
Community Development Director

DRAFT



MEMORANDUM

TO: Planning Commission
 FROM: Kirsten Faurie, Community Development Director
 SUBJECT: Public Hearing - Conditional Use Permit to allow a *Duplex structure* to be located in the R-1 Single Family Residential District
 DATE: September 12, 2022

SUMMARY

The Planning Commission will conduct a public hearing to consider a request for a Conditional Use Permit to allow a *duplex structure* to be located in the R-1 Single Family Residential District.

SITE & APPLICATION INFORMATION

| | |
|----------------------------|--|
| Applicant: | Kelling Capital LLC |
| Property Owner: | Kelling Capital LLC |
| Location: | 706 Summit Lane, Mora, MN, 55051 |
| Current Zoning: | R-1 Single Family Residential District |
| Adjacent Zoning: | North: R-1 Single Family Residential District South: R-1 Single Family Residential District East: R-1 Single Family Residential District West: R-1 Single Family Residential District |
| Comp. Plan Designation: | Low Density Residential |
| Date Application Complete: | August 17, 2022 |
| Public Hearing Conducted: | September 12, 2022 |
| 60-Day Review Period: | October 16, 2022 |

DISCUSSION

In February 2022, city staff initially sat down with a representative of Kelling Capital, LLC to discuss a potential project. Kelling Capital proposed construction of a duplex at 706 Summit Lane. At the time, staff informed Kelling Capital the proposed duplex was located in the R-3 Multiple Dwelling District. The R-3 district lists duplexes as a permitted use, therefore they would not need a conditional use permit to proceed. Kelling Capital proceeded with their project, purchased the property in April for \$22,000 and began site work on the lot. Kelling Capital requested a building permit which has not yet been issued.

In early August, staff re-examined the project and determined the lot was not in the R-3 district, but was actually in R-1 where construction of a duplex requires a conditional use permit. Kelling Capital was contacted, informed of the issue and asked to pause their project and submit a CUP application.

On August 17, Kelling Capital LLC, applicant and property owner, applied for a Conditional Use Permit (CUP) to allow construction of a duplex to be located in the R-1 Single Family Residential District. The subject site is located at 706 Summit Lane.

The proposed project includes construction of a single-level, two-unit duplex structure with garages. The site is a 100-foot lot which is currently vacant. The lot is surrounded by single-family homes on all sides.

The proposed duplex has been reviewed by the city building official as well as the public works director; no concerns have been identified.

A public hearing notice was published in the September 1 and 8, 2022 editions of the *Kanabec County Times* and notices were mailed to all property owners within 350 feet of the subject property.

Staff did not receive any written or verbal comments from the public after the CUP application was received. There were comments received in early August which first alerted staff to the need for a CUP. Those comments included concerns about additional traffic, the size and style of the structure.

FINDINGS

Zoning Code Section 150.036 (Conditional Uses), Subd. E (Standards) states that, "In considering an application for Conditional Use Permit, the Planning Commission shall make its recommendation upon the finding that the application complies with each of the standards set forth below and, where applicable, any conditional standards for specific uses set forth in the provisions of a specific zoning district." The city shall not grant a Conditional Use Permit without making certain findings. The criteria required for the granting of Conditional Use Permits are listed below with proposed findings for the Planning Commission's consideration.

Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.

Finding #1 The Zoning Code identifies the proposed construction of a duplex as a Conditional Use within the R-1 Single Family Residential District and the proposed use complies with all district regulations. Therefore, the proposed use is consistent with the intent of the Zoning Code and R-1 Single Family Residential District.

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

Finding #2 The city's current Comprehensive Plan, adopted in 2021, encourages the development and maintenance of a broad variety of housing types to provide the full range of housing opportunities at different sizes, densities and price ranges. This housing goal encourages that city ordinances allow for flexibility in housing types and the design of neighborhoods so as to be responsive to the needs of current and future residents.

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

Finding #3 There is no evidence the proposed use would cause undue traffic congestion or hazards in the general area.

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 The proposed duplex is a single-level residential structure. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties.

Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

Finding #6 The proposed use is compatible with R-1 requirements for area, frontage and yard setbacks. There is no evidence to suggest the proposed use would cause depreciation in value of existing homes.

Criteria #7 The use will not jeopardize the public's health, safety or general welfare.

Finding #7 There is no evidence to suggest that the proposed use will jeopardize the public's health, safety or general welfare.

OPTIONS

1. Recommend approval of the Conditional Use Permit with conditions as presented or amended.
2. Recommend denial of the Conditional Use Permit, providing specific reasons for the recommendation of denial for the written record.
3. Make no recommendation at this time, deciding to either continue the public hearing for additional public comment or table the request for further consideration.

STAFF RECOMMENDATION

Staff recommends approval as presented.

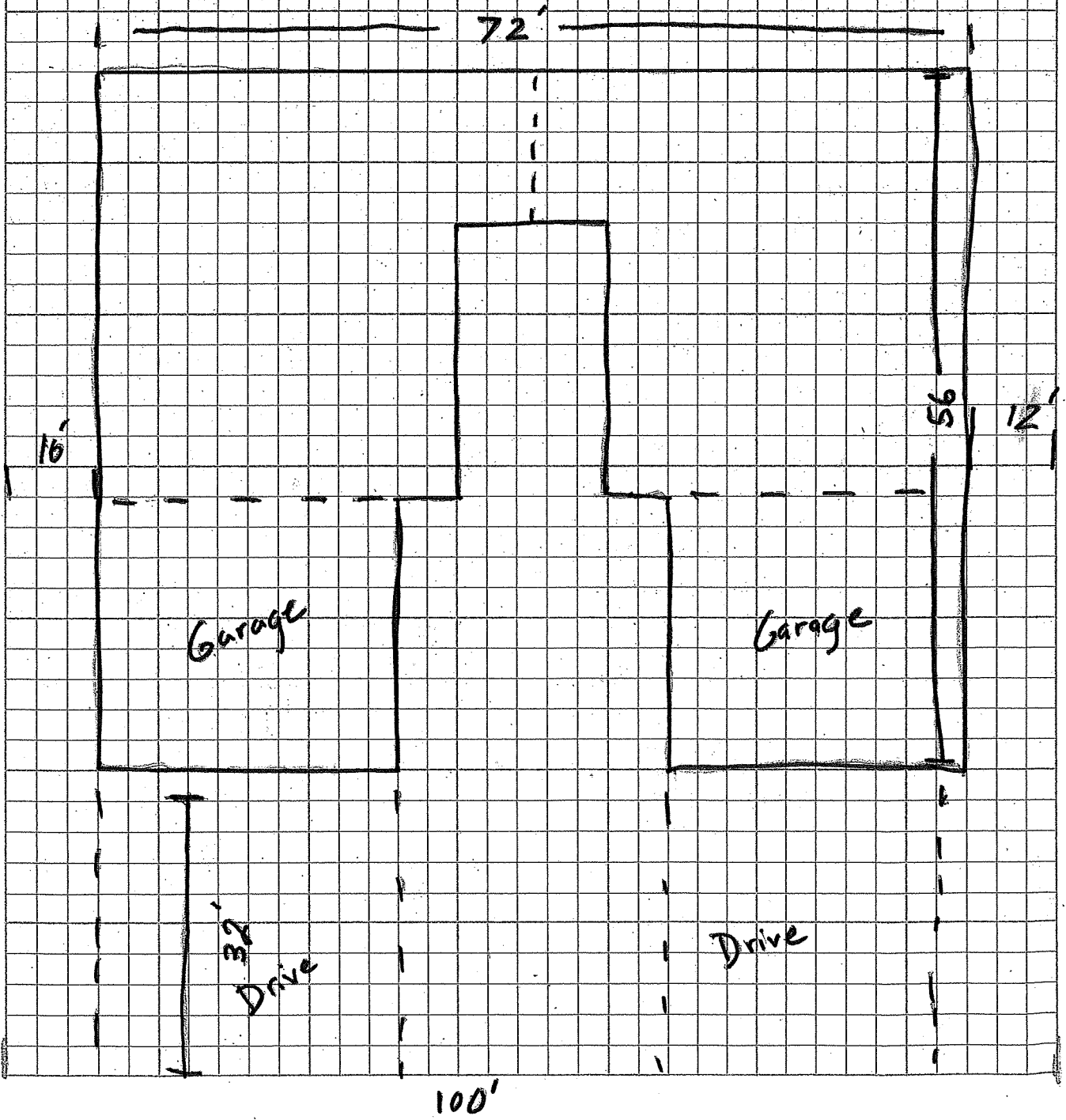
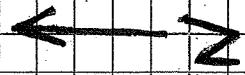
ACTION REQUESTED

Motion to approve Resolution No. PC2022-091 as presented or amended.

ATTACHMENTS

1. Site plan
2. Public Notice
3. Proposed Resolution No. PC2022-091

Site Plan



150'

16'

72'

56'

12'

Garage

Garage

32'
Drive

Drive

100'

**CITY OF MORA, MN
PUBLIC NOTICE**

**NOTICE OF A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A
CONDITIONAL USE PERMIT TO ALLOW A *DUPLEX STRUCTURE* TO BE LOCATED IN THE R-1 SINGLE
FAMILY RESIDENTIAL DISTRICT AS REQUESTED BY KELLING CAPITAL LLC**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Mora, Minnesota, will conduct a Public Hearing at 5:30 p.m. or thereafter on Monday, September 12, 2022, at Mora City Hall located at 101 Lake Street S., Mora, MN 55051.

This public hearing is for the purpose of considering a request for a Conditional Use Permit to allow a *duplex structure* to be located at 706 Summit Lane. The proposed project includes construction of a single-story duplex structure on a 100-foot vacant lot. The subject site is located in the R-1 Single Family Residential District. The applicant and property owner is Kelling Capital LLC. The subject site is legally described as:

PID 22.05825.00

The South 30 feet of Lot Four (4), and the North 70 feet of Lot Five (5), Summit Addition to the Village of Mora, Kanabec County, Minnesota..

Any person may offer testimony, either orally at the meeting or by letter to the City of Mora Planning Commission, in support of or in opposition to the subject matter. Written testimony should be addressed to the City of Mora Planning Commission and sent to 101 Lake Street S., Mora, MN 55051 or k.faurie@cityofmora.com and received no later than Friday, Sept. 9, 2022. Questions about the proposed Conditional Use Permit should be directed to Kirsten Faurie at 320-225-4807 or k.faurie@cityofmora.com.

For the Mora Planning Commission

Kirsten Faurie
Community Development Director
City of Mora

Published in the Kanabec County Times Sept. 1, 8 2022

RESOLUTION NO. PC2022-091

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA,
RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING A
DUPLEX TO BE LOCATED IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT
AS REQUESTED BY KELLING CAPITAL LLC**

WHEREAS, Kelling Capital LLC, applicant and property owner, submitted an application dated received August 17, 2022 and considered complete on August 17, 2022 for a Conditional Use Permit allowing a Duplex to be located in the R-1 Single Family Residential District; and

WHEREAS, the subject property is located at 706 Summit Lane, and

WHEREAS, the subject property is legally described as:

PID 22.05825.00

The South 30 feet of Lot Four (4), and the North 70 feet of Lot Five (5), Summit Addition to the Village of Mora, Kanabec County, Minnesota

WHEREAS, notice was provided and on August 26, 2022, the Planning Commission conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment; and

WHEREAS, the Planning Commission has made the following findings as required by Zoning Code §150.036 Conditional Uses, Subd. E Standards:

Criteria #1 The use is consistent with the purposes and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use.

Finding #1 The Zoning Code identifies the proposed construction of a duplex as a Conditional Use within the R-1 Single Family Residential District and the proposed use complies with all district regulations. Therefore, the proposed use is consistent with the intent of the Zoning Code and R-1 Single Family Residential District.

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

Finding #2 The city's current Comprehensive Plan, adopted in 2021, encourages the development and maintenance of a broad variety of housing types to provide the full range of housing opportunities at different sizes, densities and price ranges. This housing goal encourages that city ordinances allow for flexibility in housing types and the design of neighborhoods so as to be responsive to the needs of current and future residents.

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

Finding #3 There is no evidence the proposed use would cause undue traffic congestion or hazards in the general area.

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 The proposed duplex is a single-level residential structure. There is no evidence to suggest that the appearance will have an adverse effect upon adjacent properties.*
- Criteria #6 The use will be sufficiently compatible by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- Finding #6 The proposed use is compatible with R-1 requirements for area, frontage and yard setbacks. There is no evidence to suggest the proposed use would cause depreciation in value of existing homes.*
- 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 BY THE PLANNING COMMISSION OF THE CITY OF MORA, MINNESOTA, AS FOLLOWS:

That the Planning Commission recommends approval of the Conditional Use Permit with the following conditions:

1. The *duplex* shall be installed in conformance with the site plan submitted August 17, 2022. Any major deviation, as determined by city staff, shall require further review and approval by the City Council.
2. The applicant and/or property owner shall
 - a. Install separate water services after initial line to isolate sides of the duplex
 - b. Use erosion/sediment control such as fences or logs during construction
 - c. Clean the road of sediment/mud and debris during all stages of construction
3. Issuance of a building permit is required prior to construction.
4. This Conditional Use Permit shall be utilized and all conditions shall be met within one year of recording or the Conditional Use Permit shall become null and void.

Adopted by the Planning Commission of the City of Mora, Minnesota, this 12th day of September, 2022.

Jake Mathison _____
 Sheldon Shepard _____
 Sara Treiber _____

Lance Strande _____
 (Vacant) _____

 Jake Mathison
 Chair

ATTEST:

 Kirsten Faurie
 Community Development Director