

**AGENDA**  
**GRAND MARAIS PLANNING COMMISSION**  
**March 6, 2024, 5:15 P.M.**

**A. CALL TO ORDER**

**B. CONSENT AGENDA**

1. ROLL CALL
2. ADOPT AGENDA
3. APPROVE MINUTES

**C. OTHER BUSINESS**

1. Satinder Bains Conditional Use Request (Continued)
2. Update of Planned Unit Development Standards

**ADJOURN**

**Planning Commission Minutes  
February 7th, 2024**

The meeting was called to order by Commissioner Garry at 5:15 p.m.

Members present: Stacey Hawkins, Anton Moody, Ben Peters, and Michael Garry  
Absent: Brandon Batchler  
Staff Present: Mike Roth and Patrick Knight  
Others Present: Theresa Bajda, Jason Hale, Jeff Latz, Bruce Mcready, Chris O'brien, Jennifer Victor Larsen, Beth Kennedy, Tim Kennedy, Gerry Grant, and Gary Latz

**Motion by Hawkins, seconded by Batchler to approve the consent agenda. Approved unanimously.**

The Commission reviewed Satinder Bains request for a conditional use permit to provide employee housing on the second floor of an existing building in the DW Core Downtown Waterfront District. The council requested additional information about the parking plan and layout of the housing unit(s) and postponed their decision for a later meeting.

The Cook County Real Estate Fund requested a height variance of 5ft from the required 35ft limit, making the new height limit 40ft. allowing them to build a three story 36-unit apartment building

**Motion by Hawkins, seconded by Moody to approve the Cook County Real Estate Fund Variance Request. Commissioners Moody, Hawkins and Peters voted aye unanimously. Commissioner Garry Abstained due to his employers' investment in the project.**

The meeting was adjourned at 6:15 p.m.

# City of Grand Marais

## MEMO

TO: Grand Marais Planning Commissioners  
FROM: Patrick Knight, Communications Director  
DATE: February 1, 2024  
SUBJECT: Satinder Bains Conditional Use Request

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**Request:** Satinder Bains is requesting a conditional use permit to provide employee housing on the second floor of an existing building in the DW Core Downtown Waterfront District.

**Location of Property:** 20 West Wisconsin St. Tax Parcel ID: 80-147-0210. Legally described as PART LOT 22 BLK 47 VP AND PART GOVT LOT 5

**Condition of Property:** This parcel is zoned DW Core Downtown Waterfront District and is currently being used to operate a restaurant . Neighboring uses include food service, retail, and lodging.

**Items To Be Considered:** In the City of Grand Marais a conditional use permit can be granted only if all of the following apply:

1. The use conforms to the land use or comprehensive plan of the City.
2. The use is compatible with the existing neighborhood.
3. The use will not impede the normal and orderly development and improvement in the surrounding area of uses permitted by right in the zone district.
4. The location and character of the proposed use is considered to be consistent with a desirable pattern of development for the area.

**Relevant Zoning Purpose Statement:**

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### [152.07 Downtown Districts](#)

Purpose. The Core Downtown Waterfront district is intended to promote a mix of shops, restaurants and professional services that serve both the year round and seasonal or visitor populations. The emphasis in this district is on commercial services as a primary function, where residential uses can fit as a secondary function and can add to the liveliness and viability of the downtown. There is an emphasis on creating an attractive pedestrian

environment that makes the Core Downtown and Waterfront of the city a destination in and of itself. New uses in this district should not detract from other existing uses.

Principal uses by conditional use permit. Buildings or land may be used for the following if granted a conditional use permit as provided in § 152.48:

- Residential above the first floor;

### **Relevant Comprehensive Plan Section:**

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### **COMMERCIAL AREAS**

#### **Goals**

1. To provide commercial facilities which meet needs of residents and visitors.
2. To provide commercial growth opportunities.
3. To ensure that new commercial activities are developed in harmony with the unique natural environment of Grand Marais and the North Shore.
4. To Provide for commercial development that reflects the quality “northwoods” environment.
5. To provide for commercial development that will create all season tourist activities.

#### **Policies**

- Encourage private enterprises through the use of incentives.
- Commercial development should be compatible with surrounding uses, natural topography, vegetation and shoreland environment.
- Full utilization of developed commercial areas should be encouraged before expansion into undeveloped areas is allowed.

### **Community Vision**

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1. Support and enhance local business
2. Encourage expansion of sustainable energy uses
3. Develop access to housing that all people can afford throughout their lives
4. Expand education for the mind, body, and soul
5. Invest in safe, people-friendly infrastructure that supports active living
6. Enhance the community’s deep connection to the outdoors, and active engagement of the environment



## Conditional Use Permit Application

### General Information

Applicant is:    Owner ☒   Buyer ☐   Agent ☐   Other (Explain): ☐ \_\_\_\_\_

Name:    First SATINDER    Middle \_\_\_\_\_    Last BAINS

Organization:    Name BLUE WATER CAFE

Mailing Address:    Address 20 W WISCONSIN STREET    City GRAND MARAIS    State MI    Zip 49727

Physical Address:    Address SAME AS ABOVE    City \_\_\_\_\_    State \_\_\_\_\_    Zip \_\_\_\_\_

Contact:    Phone \_\_\_\_\_    Cell 408-590-6578    Email info@bluewatercafe.com

Property Address:    SAME AS ABOVE

Legal Description:    \_\_\_\_\_

Current Use of Property:    \_\_\_\_\_

Intended Use of Property:    \_\_\_\_\_

Use and Character of Surrounding Property:    \_\_\_\_\_

Brief Summary of Why a conditional use permit is required:    \_\_\_\_\_

**A conditional use may only be granted upon findings of all of the following criteria.  
Summarize the facts as to your property in regards to each of the factors.**

*If additional space is needed send email to: **cityhall@grandmarais.city**  
subject: (your last name) conditional use permit findings.*

1. Facts showing the use conforms to the land use or comprehensive plan of the city:

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2. Facts showing the use is compatible with the existing neighborhood:

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3. Facts showing the use will not impede the normal and orderly development and improvement in the surrounding area of uses permitted by right in the zone district:

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4. Facts showing the location and character of the proposed use is considered to be consistent with a desirable pattern of development for the area:

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Applicant Signature:

satinder bains  
satinder bains (Dec 27, 2023 11:41 CST)

Date: mm/dd/yyyy Dec 27, 2023

Co-Applicant Signature:

\_\_\_\_\_

Date: mm/dd/yyyy Dec 27, 2023

Owner (if other than applicant) Signature:

satinder bains  
satinder bains (Dec 27, 2023 11:41 CST)

Date: mm/dd/yyyy Dec 27, 2023

Co-Owner (if other than applicant) Signature:

\_\_\_\_\_

Date: mm/dd/yyyy Dec 27, 2023

# BLUE WATER CAFE



# CAR PARKING



# Apartment LAY OUT BLUE WATER CAFE

Bedroom  
1

Living Area  
1

Bathroom

Living Area  
2

Dining Area

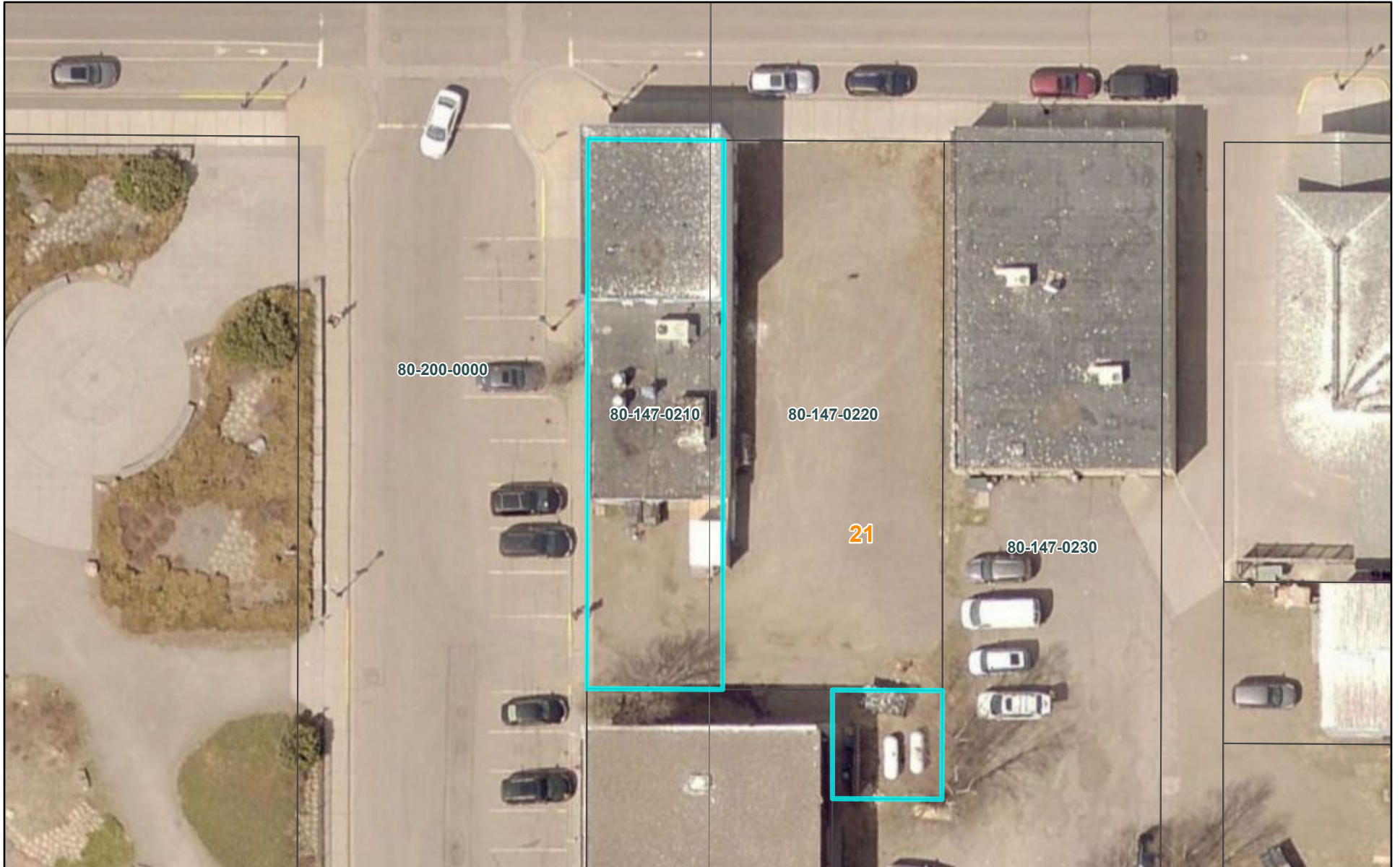
Kitchen Area

Bedroom  
2


Stairs

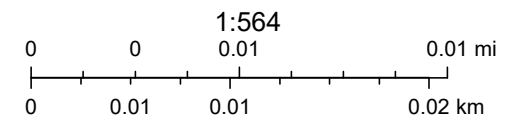
ONLY FOUR EMPLOYEES LIVING

# Cook County Tax Parcel Finder App



3/1/2024, 4:31:12 PM

 Tax Parcels



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

Cook County, MN  
Cook County, MN

# City of Grand Marais

## MEMO

TO: Chair Garry  
Planning Commission Members  
FROM: Michael J Roth, City Administrator  
DATE: March 1, 2024  
SUBJECT: Update of Planned Unit Development Standards

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### Summary

In 2020 the City completed a comprehensive update of the residential zoning regulations. This update provided for new types of multi-family residential uses, accessory dwelling units, and smaller lot dimensions. These changes were also the basis for updates to the Highway Mixed Use zone in 2022. The next zoning regulation to consider updating is our Planned Unit Development (PUD) standards.

### Planned Unit Development

A PUD is a type of development designed to concentrate the allowed density of a development into smaller areas, preserving space less suitable for development as open space. PUD's may include a mix of uses including residential and commercial. It can reduce the amount of infrastructure to serve a number of units and the impact a development might otherwise have on the environment by preserving wetlands or allowing additional stormwater treatment. Often, City's allow bonus density in exchange for a development's meeting of certain goals.

We allow PUD's as a conditional use in the city in certain zones, including R-1 Residential, RCN Resort Commercial Neighborhood, and RC Recreation Commercial. None have been developed as of yet. Two barriers that have affected this are the 3 acre minimum area of a PUD and the 4 units per acre maximum density.

A separate set of PUD regulations exists in our subdivision ordinance to control potential PUDs outside City Limits but within our extra-territorial subdivision jurisdiction. No changes are proposed for this section.

### **Minimum Area**

A typical City block in Grand Marais is just under 2.5 acres. This has in effect prevented potential developers from acquiring the minimum area in any previously platted property, which includes almost all areas served by municipal sewer. A 2 acre minimum would allow PUD's as options more often.

### **Maximum Density**

At 4 units per acre (10,890 sq' per unit) our PUD requirements were more strict than our regular 10,000 sq' allowed density. With our new 5,000 sq' minimum lot size in the residential zone there is even more of a gap. 8 or 9 units per acre would be closer to our current allowed residential density.

### **Questions For Consideration**

1. Should we update our PUD regulations in light of our new residential zoning standards?
2. Should we reduce the minimum size requirement for PUD's to allow more property in proximity to municipal sewer to access this type of development?
3. Should we increase the allowed density of PUD's to conform more closely to our updated residential standards?
4. Should we allow PUD's as a conditional use in additional zone districts?

## Existing PUD Regulations

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### **152.46 Planned Unit Development**

- A. *Goal.* It is the goal of these standards and criteria to provide uniform standards for the optimization of development opportunities and maximum environmental protection on any given planned unit development site.
- B. *Definition.* For the purpose of these guidelines, a ***PLANNED UNIT DEVELOPMENT*** will be defined as: multiple residential or commercial dwelling units, including, but not limited to, townhomes, condominiums and related commercial activities, consisting of five or more units with a maximum density of four units per acre.
- C. *Design criteria.*
  - 1. Structures, parking areas and other facilities must be designed and placed to reduce visibility as viewed from Lake Superior, roads and adjacent shorelands by vegetation, topography, increased setbacks, color or other means acceptable to the local unit of government, assuming summer, leaf-on conditions.
  - 2. Units, recreation facilities and commercial uses must be clustered into one or more groups and located on suitable areas of the development site.
  - 3. At least 50% of the development area must be provided for open space for the users and residents of the development. Road rights-of-way, land covered by road surfaces, parking areas, units, structures, except water-oriented accessory structures or facilities are considered developed areas and should not be included in the computation of minimum open space. This 50% open space dedication must be filed as a restriction against the property. At least 25% of the lot width at the structure setback line should be left as open space.
  - 4. The appearance of open space areas, including topography, vegetation and allowable uses must be preserved by the use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.
  - 5. Areas with physical characteristics unsuitable for development in their natural state, such as wetlands or areas containing significant historical sites shall be considered open space.
  - 6. Each development shall be no less than five units and a lot area of three acres.
  - 7. The development shall have no more than four units per acre.

8. The development shall provide at least one and one-half parking spaces per unit and one parking space for each nonresident employee, and for each five seats of seating capacity for restaurants and bars. Space for loading and unloading vehicles shall be provided for buildings used for commercial purposes.
9. The development must also provide access to developed public roads.

*D. Sewage disposal standards.*

1. On-site water supply and sewage treatment systems must be centralized and designed, installed and operated to meet or exceed applicable standards or regulations of the Minnesota Pollution Control Agency (MPCA) and the local unit of government.
2. On-site sewage treatment systems must be located on the most suitable areas of the development.
3. Public water and sewage service must be used where available.
4. Developments which produce 5,000 gallons of sewage per day or contain more than 15 units require a MPCA state disposal system permit. This would result in an average flow rate of 333 gallons per unit per day.
5. The potential person capacity of a dwelling shall be used to determine the potential gallons generated which in turn shall dictate the appropriate system(s) that should be utilized by the proposed development. Local and state standards and regulations apply and should be consulted.
6. All new units must utilize water conserving plumbing fixtures and have water meters installed and accessible which serve all sewage generating appliances.
7. No occupancy of any unit or use of any commercial structure of any planned unit development shall be allowed until the appropriate sewage disposal system is in place and fully operational.

*E. Plan approval at the time of application, planning and scheduled development.*

1. The proposed facility shall be under unified control or ownership.
2. The applicant will provide a detailed development plan which shall include a description of:
  - a. The property under consideration, including property boundaries, contours, on-site features, roads, lakes, rivers and other relevant features;
  - b. Building elevations, location on site, proposed uses, number of units and commercial operations;
  - c. A concept statement describing the project;
  - d. Parking areas and driveways for both residences and commercial activities, vehicles loading/unloading areas,

- proposed public road entrances and projected traffic generation of the proposed development;
  - e. Proposed phasing of the final development;
  - f. Description of how the project will operate after completion;
  - g. Nature of proposed ownership after completion;
  - h. Proposed fire protection;
  - i. Proposed homeowners association agreement, where applicable;
  - j. Detailed landscape plan which shows existing vegetation and proposed alterations and new plantings and landscaping;
  - k. Recreational space location and use;
  - l. Water sources and water supply system plans;
  - m. Proposed sewage treatment system plans;
  - n. Storm water runoff plans (construction and operation);
  - o. Erosion control plan for shoreline, where applicable;
  - p. Erosion control plan for site (construction and operation);
  - q. Evidence of application for appropriate permits, state and federal;
  - r. Evidence of availability of necessary public utilities; and
  - s. Proposed development plan will demonstrate that the development will conform with adjacent development and be screened from the lake, adjacent roads and adjacent properties.
3. Any other information deemed to be necessary by the Planning Commission or zoning office will be provided by the applicant. Plan modifications or special conditions or performance standards may be required.