

AGENDA
GRAND MARAIS PLANNING COMMISSION
August 21, 2018, 4:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. ADOPT AGENDA

D. APPROVE MINUTES

E. PUBLIC HEARINGS

1. Lodging on First Floor in DW Zone
2. Winterstone Preliminary Plat

F. OLD BUSINESS

G. NEW BUSINESS

ADJOURN

*Planning Commission
Minutes
August 1, 2018*

Meeting was called to order by Chair Tim Kennedy at 3:59 p.m.

Members present: Tim Kennedy, Stacey Hawkins, Todd Miller, and Michael Garry
Absent: Hal Greenwood
Staff Present: Mike Roth, Patrick Knight, and Haden Hinchman

Motion by Miller, seconded by Garry to approve the proposed agenda. Approved unanimously.

Motion by Garry, seconded by Hawkins to approve the minutes of the July 5, 2018 meeting. Approved unanimously.

North Shore Bank of Commerce, on behalf of the Ron Olson estate, are requesting a zoning map amendment to rezone their property (Olson Property) from RC Recreation Commercial to R-1 Permanent Residential.

No members of the public were present to comment or submitted comments previously.

The commission discussed the likely mistake that was made zoning all of the properties on the East side of 5th Avenue RC, and the extension of sewer to these properties 10 years ago. They expressed a desire to begin the process of rezoning the remaining properties. They also recognized the Sawtooth Bluff recommendation to possibly develop housing West of 5th Avenue.

The Commission made the following findings:

1. **The proposed zoning shall be consistent with the comprehensive land use plan adopted by the city.**
The comprehensive plan calls for the development of additional housing.
2. **A mistake has been made in the original zoning which was inconsistent with the comprehensive or land use plan which should now be corrected along with the zoning; or substantial changes have occurred in the community since the adoption of the comprehensive or land use plan, which should result in the plan(s) and the zoning being amended.**
The area was developed residentially when the initial RC zoning was established.
3. **There shall exist a clear public need for a benefit from additional zoning of the type proposed which shall be above and beyond any benefit or convenience to the land owners.**
Additional residential of all forms is needed.

4. **Beyond a public need being evident, there shall be a showing that the public interest would be best served by rezoning the property in question rather than other property in the community.**

Municipal sewer was recently extended to this property.

5. **In the case of down zoning, which is the changing of a zone district from a higher or more intensive use to a lower or less intensive use, the proposed zoning shall allow the property owner a reasonable use of his property under the terms of this ordinance, as well as serve the public interest.**

Affected property owners requested the zoning amendment.

Motion by Miller, seconded by Garry to approve North Shore Bank of Commerce rezoning request. Approved unanimously.

Amy Hubbard and Geoff Kehoe are requesting a conditional use permit to operate a single unit lodging facility on property they intend to purchase zoned MU Commercial Residential Mixed Use.

One neighbor expressed concern about any changes from their quiet neighborhood, particularly noise or overcrowding of the house. Another expressed concern with parking availability.

The Commission discussed the proposal. They asked about parking off of the street. There is a two car garage and driveway. Hawkins does not want to see another potential home be taken off the market and unavailable to families who work here.

The Commission made the following findings:

1. **The use conforms to the land use or comprehensive plan of the City.**

Lodging is an allowed conditional use in the MU zone.

2. **The use is compatible with the existing neighborhood.**

Similar lodging and a mix of commercial and residential uses already exists in the zone.

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.**

The structure and adequate off-street parking already exist, and lodging already coexists with the neighborhood.

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

The small-scale lodging is described in the zoning purpose statement as consistent with the current character.

Motion by Miller, seconded by Garry to approve the conditional use permit with the stipulation that the owners must maintain two off street parking spaces. Ayes: Garry, Miller, and Kennedy. Nay: Hawkins. Motion Approved.

The Commission heard from developer Anton Moody who asked if for a special meeting of the Planning and Zoning Commission to occur sooner than the September meeting to allow for two extra weeks of construction. The Commission agreed with a meeting scheduled for Tuesday, August 21st.

The Commission continued discussion on the Downtown Waterfront ordinance change. They refocused goals of the ordinance change and simplified the language of the possible ordinance. They asked staff to schedule a public hearing during their next session.

Motion by Kennedy, seconded by Garry to schedule a public hearing for the change of ordinance to make lodging on the first floor in the Downtown Waterfront Zone a conditional use. Approved unanimously.

The Commission also expressed its continued interest in discussing the other issues and goals that arose during this process.

There being no further business, the meeting adjourned at 5:50 p.m.

ORDINANCE NO. 2018-02

AN ORDINANCE OF THE CITY OF GRAND MARAIS, MINNESOTA, AMENDING GRAND MARAIS ZONING DEALING WITH LODGING USES IN THE CORE DOWNTOWN WATERFRONT ZONE

THE CITY COUNCIL OF THE CITY OF GRAND MARAIS DOES ORDAIN (deleted material is lined out; new material is underlined; subsections which are not being amended are omitted):

Section 1. That Chapter 19 of the City Code of Grand Marias, Minnesota, which chapter is entitled "Zoning Ordinance (Revised 2008)", be amended as follows:

19.06 DOWNTOWN DISTRICTS

19.06.10 DW CORE DOWNTOWN WATERFRONT DISTRICT

Subdivision 2. Permitted Principal Uses

Within the DW District, unless otherwise provided by this chapter, no uses are permitted except the following:

Permitted uses:

1. Commercial: retail, restaurant, bar, services, excluding auto oriented services.
2. Lodging (~~including~~ Except the 1st floor)
3. Government and civic uses
4. Parks and recreational uses
5. Arts and cultural uses
6. Accessory uses customary to permitted uses

Subdivision 3. Uses by Conditional Use Permit

Buildings and land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

Conditional Uses:

1. Residential above the first floor
2. Three-story buildings
3. Structures over 10,000 square feet
4. Improvements to and restoration of existing single and multiple family dwellings as regulated in Section 19.04, R-1 Residence District (Ord. 2003-03)
5. Any water dependent industrial or water dependent transportation use; provided that the Planning Commission finds that the proposed use is advantageously served in this location through the direct access to water transportation for receipt or shipment of supplies, goods, or commodities.
6. Docks, wharfs, and other facilities used in connection with water transportation, navigation, or industrial uses.
7. Lodging on the first floor.

Passed by the City Council of the City of Grand Marais this ___th day of August, 2018.

Jay Arrowsmith DeCoux, Mayor

Attest: _____
Michael Roth
City Administrator

City of Grand Marais

MEMO

TO: Planning Commission
FROM: Mike Roth
DATE: August 16, 2017
SUBJECT: Winterstone Preliminary Plat Application

Application

Attached is the Preliminary Plat entitled Winterstone submitted by Anton Moody. This plat consists of 2.74 acres of property zoned R-1 split into 8 lots intended for single-family homes, and one outlot. The plat includes one new public street and new municipal utilities.

Available at the meeting or in my office for review prior to the meeting are large format copies of the plat and preliminary road profiles. Included in the packet is a plat drawing and preliminary utility information. My notes are included after each plat requirement in *bold italics*.

Preliminary Plat Requirements

CITY CODE CHAPTER 62 SUBDIVISIONS

DIVISION 2. PRELIMINARY PLAT

Sec. 62-69. Information required.

- (a) *Preparation*. Every preliminary plat shall be prepared in three copies, and shall contain the data and information required by this section. *Provided*
- (b) *Identification and description*. The following data regarding identification and description of the preliminary plat shall be provided:
- (1) Proposed name of subdivision, which name shall not duplicate the name of any plat heretofore recorded in the county. *Winterstone*
 - (2) Location by section, township and range, or by other legal description. *Lots 1-20, Block 22, Blackwell Addition.*

- (3) Names and addresses of the owner and subdivider having control of the lands included in the preliminary plat, the designer of the plat and the surveyor. **Owner: Anton Moody, North Shore Land Surveying.**
- (4) Graphic scale, not less than one inch to 100 feet. **Provided.**
- (5) North point. **Provided.**
- (6) Date of preparation. **August 1, 2018**

(c) *Existing conditions.* The following data regarding existing conditions shall be provided:

- (1) Boundary line survey, including measured distances and angles, which shall close by latitude and departure with an error of closure not exceeding one foot in 7,500 feet. **Provided.**
- (2) Total acreage in the preliminary plat computed to one-tenth of an acre. **2.74 acres.**
- (3) Location and names of existing or platted streets or other public ways, parks and other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of 100 feet beyond the tract. **Included.**
- (4) If the proposed subdivision is a rearrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Also any revised or vacated roadways of the original plat shall be so indicated. **The southern portion of the property is a rearrangement of Blocks 1-20, Blackwell Addition. There is a proposed street vacation adjacent to the Northwest of the Plat.**
- (5) Location and size of existing paved streets, sewers, water mains, gravel pits, culverts or other underground facilities within the tract and to a distance of 100 feet beyond the tract. Also such data as grades, invert elevations and location of catchbasins, manholes and hydrants. **Included. There are no existing roads or utilities within the tract. Utilities on the Gunflint Trail are noted.**
- (6) Boundary lines of adjoining platted or unplatted land within 100 feet of the tract. **Included.**

(d) *Design features.* The following data regarding proposed development design features of the preliminary plat shall be provided:

- (1) Layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street similar to any street name now or heretofore used in the city shall not be permitted unless the proposed street is an extension

of an already named street in which event the name shall be used. All street names shall be subject to the approval of the council. ***One street, Winterstone Road, is proposed. The proposed right of way width is 50', which is less than the standard required 66'.***

- (2) Locations and widths of alleys, pedestrian ways and utility easements. ***No additional easements are proposed.***
- (3) Proposed centerline grades of all new streets and alleys, if any, and a complete set of profiles showing both existing and proposed grade lines. ***Centerline grade proposed from 1% to 9%, meeting the less than 10% requirement.***
- (4) Location, size and approximate gradient of sewer lines. ***Sewer main with 1% to 9% grade is proposed.***
- (5) Layout, numbers and approximate dimensions of lots and the number of each block. ***Provided.***
- (6) Location and size of proposed parks, playgrounds, churches or school sites or other special uses of land to be considered for dedication to public use, or to be reserved by deed or covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation. ***One outlot is proposed.***
- (7) Vicinity sketch, at a legible scale, to show the relation of the plat to its surroundings, and surrounding zoning districts.

ARTICLE IV. DESIGN STANDARDS

My comments are included after each design standard in bold italic.

Sec. 62-106. Blocks.

(a) ***Block length.*** In general, intersecting streets, determining block lengths, shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets. Where no existing plats control, the blocks in residential subdivisions shall normally not exceed 1,000 feet in length, except where topography or other conditions justify a departure from this maximum. In blocks longer than 800 feet, pedestrian ways and/or easements within a block may be required. The width and location of such pedestrian ways shall be subject to the approval of the council. ***Blocks for business or industrial use should normally not exceed 600 feet in length. Both proposed blocks meet the requirement.***

(b) ***Block width.*** The width of the block shall normally be sufficient to allow two tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries. ***Due to the use of the adjacent 2nd Avenue right of way for drainage, the blocks have one or two lots of depth.***

Sec. 62-107. Streets and alleys.

(a) Arrangement of arterials and collector streets shall conform as nearly as possible to the city comprehensive plan. Except for dead-end streets, streets normally shall connect with streets already dedicated in adjoining or adjacent subdivisions, or provide for future connections to adjoining unsubdivided tracts, or shall be a reasonable projection of streets in the nearest subdivided tracts. The arrangement of arterial and collector streets shall be considered in their relation to the reasonable circulation of traffic, to topographic conditions, to runoff of surface water, to public convenience and safety, and their appropriate relation to the proposed use of the area to be served. ***One street is proposed, which connects The Gunflint Trail in the South to 9th Street in the North.***

(b) Minor streets should be so planned as to discourage their use by nonlocal traffic. Dead-end streets shall be permitted where topography or other conditions justify their use. Dead-end streets shall not be longer than 500 feet, including a terminal turnaround, which shall be provided at the closed end, with a right-of-way radius of not less than 60 feet. ***N/A***

(c) Where the plat to be submitted includes only part of the tracts owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider. ***N/A***

(d) When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision. ***N/A***

(e) Under normal conditions, streets shall be laid out so as to intersect as nearly as possible at right angles except where topography or other conditions justify variations. The minimum angle of intersection of streets shall be 80 degrees. Street intersection jogs with an offset of less than 125 feet shall be avoided. ***Intersections are at 90 degrees.***

(f) Wherever the proposed subdivision contains or is adjacent to the right-of-way of a U.S. or state highway, provision may be made for a marginal access street approximately parallel with and adjacent to the boundary of such right-of-way, or for a street at a distance suitable for the appropriate use of land between such street and right-of-way. Such distance shall be determined with due consideration of the minimum distance required for approach connections to future grade separations, grade crossings or lot depths. ***N/A.***

(g) Alleys shall be provided in commercial and industrial districts, except that this requirement may be waived where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for uses proposed. Except where justified by special conditions, such as the continuation of an existing alley in the same block, alleys will not be approved in residential districts. Alleys, where provided, shall not be less than 14 feet wide for residential alleys and not less than

20 feet for commercial and industrial alleys. Dead-end alleys shall not be permitted. ***The development includes no alleys, but all lots created provide adequate space for off street parking.***

(h) Dedication of half streets will not be approved, except where it is essential to the reasonable development of the subdivision and in conformity with the other requirements of these regulations, where it is found that it will be practical to require the dedication of the other half when adjoining property is subdivided, or where it becomes necessary to acquire the remaining half by condemnation so it may be improved in the public interest. ***No half streets are included.***

(i) For all public ways hereafter dedicated and accepted, the minimum right-of-way widths for streets shall be as shown in the comprehensive plan and where not shown therein, the minimum right-of-way width for streets, alleys, or pedestrian ways included in any subdivision shall not be less than the minimum dimensions for each classification as follows:

- (1) Arterial street: 100 feet.
- (2) Collector street: 66 feet.
- (3) Minor street: 66 feet.
- (4) Marginal access street: 50 feet.
- (5) Residential alley: 14 feet.
- (6) Industrial commercial alley: 20 feet.
- (7) Pedestrian way: 10 feet.

Where existing or anticipated traffic on arterial streets warrants greater width of rights-of-way, these shall be required. ***The proposed right-of-way width is less than the required 66'.***

(j) Street grades. The grades in all streets and alleys in any subdivision shall not be greater than the maximum grades for each classification as follows:

- (1) Arterial streets: 5 percent.
- (2) Collector streets: 6 percent.
- (3) Minor streets: 10 percent.
- (4) Alleys: 10 percent.

In addition, there shall be a minimum grade on all streets of not less than four-tenths of one percent. ***The proposed grade is less than the maximum of 10%.***

(k) All streets shall be so laid out as to avoid dangerously sharp corners or curves or abrupt or unnecessary changes in grade. ***No sharp curves are included.***

(l) All proposed streets shall be offered for dedication as public streets. No private streets shall be permitted, except as set forth in other ordinances. ***The proposed street is public.***

Sec. 62-108. Lots.

(a) The minimum lot area, width and depth shall not be less than that established in the zoning ordinance. *Lot 2, Block 1, is proposed at 9,636 sq', less than the required 10,000. Lot 2, Block 2 is 101' deep, less than the required 120'. All other lots are sufficient.*

(b) Corner lots for residential use shall have an additional width to permit appropriate building setback from both streets as defined in the zoning ordinance. *All corner lots have sufficient room to build outside of setback areas.*

(c) Side lines of lots shall be approximately at right angles to street lines or radial to curved street lines. *Development meets this requirement.*

(d) Double-frontage lots shall be avoided except where lots back on an arterial street, or where topographic or other conditions render subdividing otherwise unreasonable. Such double-frontage lots shall have an additional depth of at least 20 feet in order to allow space for screen planting along the back lot line. *No double frontage lots included.*

(e) Every lot must have at least the minimum required frontage on a public dedicated street other than an alley. *Development meets this requirement.*

Sec. 62-109. Easements.

(a) Easements across lots or centered on rear or side lines shall be provided for utilities and drainage where necessary and shall be at least 20 feet wide. If necessary for the extension of main water or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots. *N/A.*

(b) Utility easements shall connect with easements established in adjoining properties. These easements, when approved, shall not thereafter be changed without the approval of the council by ordinance, upon the recommendation of the planning commission. *N/A.*

(c) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, a stormwater easement, drainage right-of-way or park dedication, whichever the council may deem the most adequate, conforming substantially with the lines of such watercourses, shall be provided, together with such further width or construction, or both, as will be adequate for the surface water drainage of the area. The width of such easements shall be determined by the council. *No drainageways are identified on the plat. A wetland delineation is included.*

Sec. 62-110. Public sites and open spaces.

In subdividing land or resubdividing an existing plat, due consideration shall be given by the subdivider to the dedication or reservation of suitable sites for schools, parks,

playgrounds, conservation areas, or other public or semipublic recreational areas or open spaces. Areas so dedicated or reserved shall conform as nearly as possible to the comprehensive plan. All areas to be reserved for or dedicated to public use shall be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the appropriate agency. ***One open space outlot is included in the plat.***

WINTERSTONE

PRELIMINARY PLAT

LOTS 1-20, BLOCK 22 OF BLACKWELL'S ADDITION TO THE VILLAGE OF GRAND MARAIS,
LOCATED WITHIN: SEC. 16 T. 61 N., R. 1E., COOK COUNTY, MN.

DOC. #126159

+/- 2.74 Acres

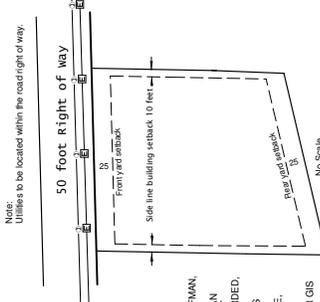
CURVE TABLE

Curve	Delta Angle	Radius	Chord	Tangent	Ord. Board
1	11.0352°	167.84	177.87	157.26	817.46'± W
2	43.2511°	54.71	58.77	28.71	817.46'± W
3	6.9071°	132.84	140.84	123.84	817.46'± W
4	6.9071°	132.84	140.84	123.84	817.46'± W
5	20.3337°	44.54	47.78	23.53	817.46'± W
6	20.3337°	44.54	47.78	23.53	817.46'± W
7	20.3337°	44.54	47.78	23.53	817.46'± W
8	20.3337°	44.54	47.78	23.53	817.46'± W
9	20.3337°	44.54	47.78	23.53	817.46'± W
10	20.3337°	44.54	47.78	23.53	817.46'± W
11	6.9071°	132.84	140.84	123.84	817.46'± W
12	6.9071°	132.84	140.84	123.84	817.46'± W
13	15.8287°	110.46	119.97	59.9	817.46'± W
14	15.8287°	110.46	119.97	59.9	817.46'± W

Scale in Feet
0 30 60

Bearings are based on the Cook County
Coordinate System, Shore Zone, NAD 83.
[1989 Ad.]

Typical Lot Setback and Utility Detail



LEGEND

- Setback of driveway
- Lot 18'±
- Conc'd 12" curb sidewalk, L.C. #1839
- Gravel
- Water
- Water / Non-Water/Market
- Approx. 4% Wetland

OWNER:
Anton Moody
PO Box 1428
Grand Marais, MN. 55604
(218) 370-0944

SURVEYOR:
North Shore Land Surveying
PO Box 565
Grand Marais, MN. 55604
(218) 387-1725

WETLAND DELINEATOR:
Tim Lederle Environmental
18 Blaine Street
Grand Marais, MN. 55604
(218) 387-5270

ENGINEER:
MSA Professional Services, Inc.

NOTES:
LOCATION OF BLOCK 22 AS DETERMINED BY KEN HOFFMAN
LIC. #14880 ON SURVEY DATED MAY 1, 1997. THIS SETBACK IS AN
ATTORNEY'S TITLE OPINION AND DOES NOT PURPORT
TO DEPICT ALL EASEMENTS, RECORDED OR UNRECORDED,
THERE MAY BE BURIED UTILITIES NOT SHOWN ON THIS
DRAWING. UTILITIES ARE MAPPED BY TIM LEDERLE,
USING RESOURCE GRADE GPS
CONTIGUOUS DERIVED FROM MANGO LIDAR DATA.
ADJOINING LAND OWNERS SHOWN APPROXIMATE PER GIS
MAPPING.

RI ZONE DISTRICT
MINIMUM LOT DIMENSIONS:
75 FEET WIDE
120 FEET DEEP

MINIMUM LOT AREA:
10,000 SQ. FEET

SETBACKS:
FRONT 25 FEET
SIDE 10 FEET
CORNER 25 FEET



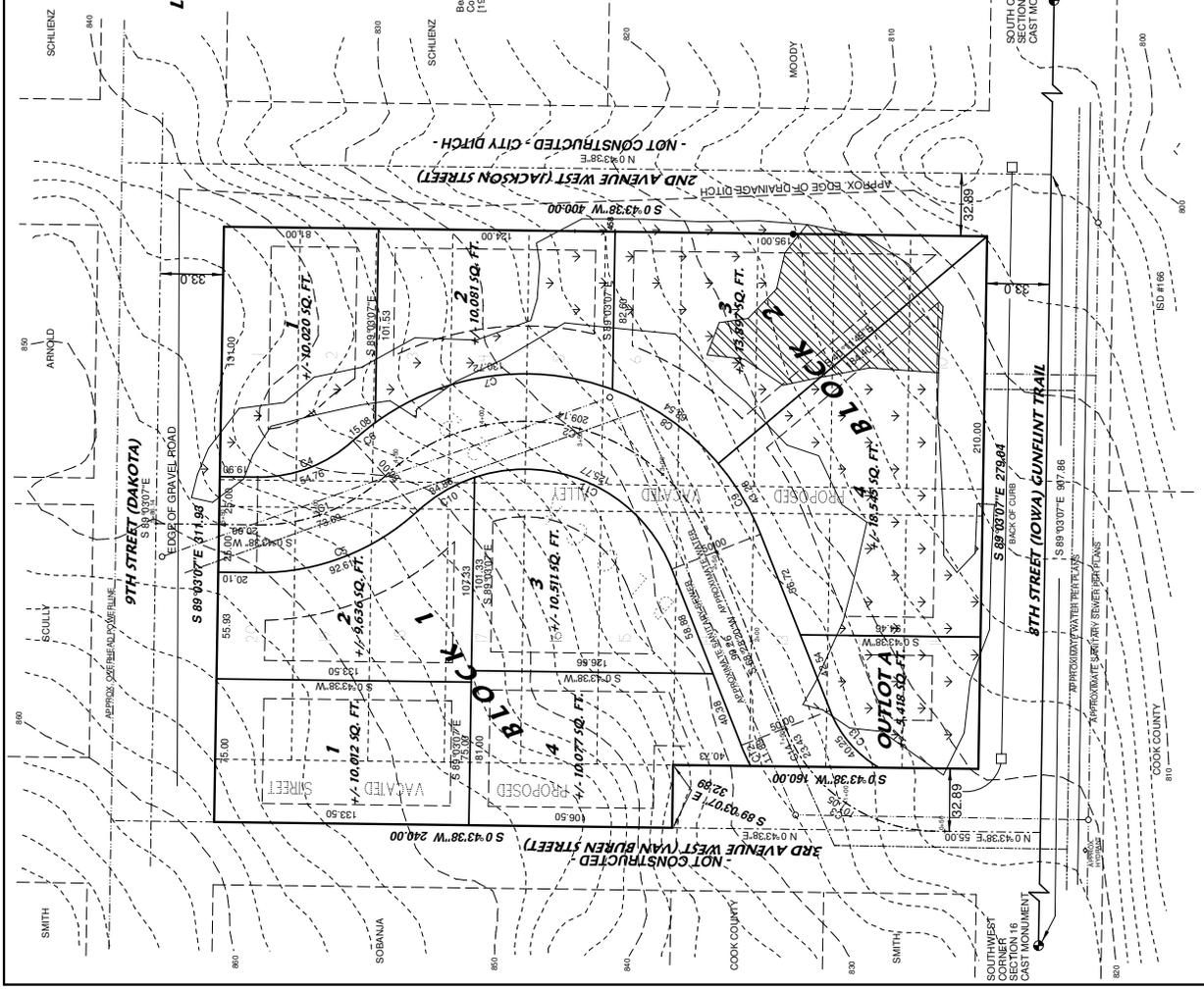
NORTH SHORE LAND SURVEYING

Prepared for:
Anton Moody

1220 227-2726
Grand Marais, MN 55604
DATE: August 1, 2018

FILE: ANTRE 24k
W. D. No. 1245

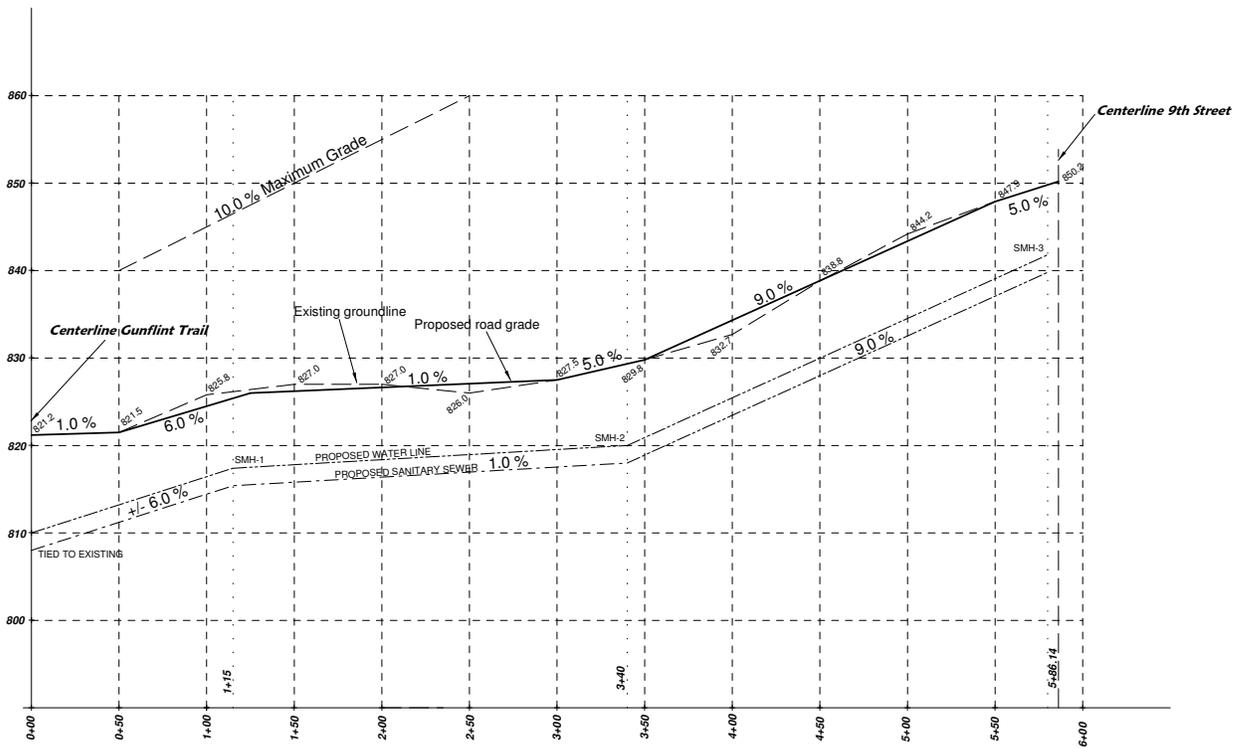
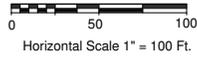
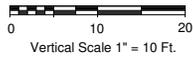
North Shore Land Surveying, Inc. is a duly licensed and supervised land surveying firm under the laws of the State of Minnesota.
Reviewed: J. Todd, Lic. #18681
Dated: August 1, 2018



Profile WINTERSTONE Road

Prepared in conjunction with the plat of WINTERSTONE, Grand Marais, MN.

-SUBJECT TO ENGINEERING DESIGN-



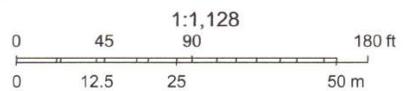
 NORTH SHORE LAND SURVEYING	Prepared for:	
	Anton Moody	
P.O. Box 565 (218) 387-1726 Grand Marais, MINNESOTA 55604		
SCALE: 1 inch = 40 feet	DRWN CT CHKD RJT	BOOK 52 PAGE 58
DATE: August 1, 2018	DISC: C2 FILE: WINTPLPR.zak	W. O. No. 1260

WINTERSTONE PRELIMINARY PLAT EXHIBIT A



8/9/2018, 2:58:15 PM

TaxParcels



Province of Ontario, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Cook County, MN

Cook County, MN