



Regular Meeting of the Planning Commission

Tuesday, March 14, 2017

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

Chairman Berglund called the meeting to order at 7:00 p.m.

ROLL CALL

Attending: Planning Commission members: Jesse Berglund, John Sanders, Kelly Johnson, Terri Lyytinen, Nathaniel Wilkinson and Bryan Bosto; City: Al Cottingham.

Absent: Commission members: Uriah Wilkinson.

Others Present: Barbara Schneider, Aaron Engler and Daniel Hammond.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

February 14, 2017 Meeting Minutes

Chairperson Berglund asked for any corrections or additions.

Motion: **Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from February 14, 2017, Commissioner Wilkinson seconded. (Motion was approved 6-0).**

Zoning Case 17-03: Variance and Site Plan for Marvin Development IV, LLC

Chairman Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-03, Variance and Site Plan for Marvin Development IV, LLC. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Marvin Development IV, LLC is proposing three variances; the maximum size of a menu board, 44.5 Square Feet versus the allowed 30 square feet; the minimum building width, 20.4 percent of lot width versus 30 percent; and, the front yard setback to Tall Pine Lane, 21.75 feet versus 35 feet. He explained the specifics for each of the variances. The site plan is for Taco Bell with associated parking, landscaping, grading and drainage and building location. He noted that Barbara Schneider and Aaron Engler were present representing Marvin Development IV, LLC and that Mr. Engler would like to address the commission and the variances.

Aaron Engler, Marvin Development IV, LLC, reviewed the variances and noted the menu board is a brand standard and has all of the menu items on it just like inside the building providing the customers the same benefit as being inside ordering; the setback to Tall Pine Lane is along with the storm water pond on the south side of the parking lot; and the building width is due to the



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building efficiency for better customer service. He also reviewed the color scheme of the building.

Chairman Berglund asked if anyone else wished to speak.

Daniel Hammond, Morning Star Woodwork stated that they had a sign on the corner of this property and he did not see that it would interfere with the site layout. He believed the sign had been there since before 1990 and was originally advertising the business park.

Barbara Schneider, Marvin Development IV, LLC noted that they had contested the sign in the title work and that Friends of Animals needed to resolve this to be sure it went away.

Chairman Berglund noted this was an issue between property owners and not something for the Planning Commission.

Chairman Berglund asked if anyone else wished to speak and since nobody wished to he closed the public hearing.

The Commission discussed the variances and felt that based on the petitioners narrative in the staff report and the discussion at the meeting they met the variance criteria as spelled out in the Ordinance.

Motion: Commissioner Sanders made a motion to approve Resolution No. 17-03 Variance, A Resolution Approving Three Variances; to the Maximum Size of a Menu Board; the Minimum Building Width; and, the Front Yard Setback in the RC – Regional Commercial District for Marvin Development IV, LLC, Commissioner Johnson seconded. (Motion was approved 5-0 Commissioner Lyytinen Abstained)

Motion: Commissioner Johnson made a motion to approve Resolution No. 17-03 Site Plan, A Resolution Recommending Approval of a Site Plan in the RC – Regional Commercial District for Marvin Development IV, LLC for Taco Bell, Commissioner Wilkinson seconded. (Motion was approved 5-0 Commissioner Lyytinen Abstained)

Cottingham noted that this item would be forwarded to the City Council for their meeting on Tuesday, March 21st.

Zoning Ordinance Amendments – Breweries, Taprooms, Brew Pubs and Micro Distilleries

Mr. Cottingham stated the City Council had recently amended the city code to include Breweries, Taprooms, Brew Pubs and Micro-Distilleries. With these amendments there will need to be changes made to the Zoning Ordinance as to where these types of facilities are allowed. Staff and the Commission had discussed this at last month's meeting and the



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Commission had requested some additional information. Cottingham noted that he provided the definitions from the City Code on the different uses along with the State Statute information on them. He was looking for discussion on what Zoning Districts the Commission felt would be appropriate for these uses.

The Commission discussed the different Zoning Districts and felt they should be allowed in the HC – Historic Commercial, CC – City Center, RC – Regional Commercial LI – Light Industry and the OM – Office/Manufacturing Districts as permitted uses.

Cottingham noted he would put together a legal notice for the textual amendments to the Zoning Ordinance and have the public hearing at the April 11th Planning Commission meeting.

Zoning Ordinance Amendment – Crematories

Mr. Cottingham stated that at the last meeting the Commission had minimum discussion on crematories and the possibility of amending the Ordinance to allow them in other Zoning districts besides the HI – Heavy Industry District. He has put together some information on crematories that was distributed with the packet about crematories and the process of cremation. He noted that the City of Duluth has two crematories, one at Park Hill Cemetery in east Duluth and one in with a funeral home at 4100 Grand Avenue in west Duluth. Grand Rapids has one in their commercial/downtown area. Northfield has two, one in a residential district and one in a commercial district. Both Grand Rapids and Northfield treat them as an accessory use to a funeral home.

The Commission discussed the locations and was Ok with allowing them in the commercial, light industry and office/manufacturing districts. They were a little uncomfortable with allowing them in the residential district with the funeral home and suggested staff discuss this portion with the City Council to get their input in regards to the residential district.

Cottingham noted he would follow up with the City Council at a future work session and get back to the Commission with this and go from there.

Commissioner’s Questions/Comment

None

Next Meeting

April 11, 2017

Meeting adjourned 7:44 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator