



Regular Meeting of the Planning Commission

Tuesday, May 9, 2017

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the April 11, 2017 Planning Commission meeting
- _____
5. Zoning Case 17-06: City of Cloquet – Ordinance Amendment “Special Event”
- _____
6. Zoning Case 17-07: Bert Whittington – Alley Vacation
- _____
7. Zoning Case 17-10: Morning Star Woodworks, Inc. – Variance
- _____
8. Commissioner’s Questions/Comments
- _____
9. Adjourn

NEXT MEETING:
June 13th @ 7 pm



Regular Meeting of the Planning Commission

Tuesday, April 11, 2017

7:00 p.m.

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CALL TO ORDER

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

ROLL CALL

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

Absent: Commission members: none.

Others Present: Karla Southworth, Bill Manahan, Mike Bach, Steve Sather, Barb Wyman, Ben Sather, Debra Shaff, Clarence Badger and Wesley Vork.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

March 14, 2017 Meeting Minutes

Chairperson Wilkinson asked for any corrections or additions.

Motion: Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from March 14, 2017, Commissioner Lyytinen seconded. (Motion was approved 7-0).

Zoning Case 17-04: Site Plan for Commonwealth Development, White Pine Apartments

Chairman Wilkinson introduced Zoning Case 17-04, Site Plan for Commonwealth Development, for White Pine Apartments. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Commonwealth Development is proposing a site plan for White Pine Apartments with associated parking, landscaping, grading and drainage and building location. He noted that Mike Bach was present representing Commonwealth Development.

Mike Smith, R.A. Smith National stated that this would be a three story, 35 unit apartment building with underground and surface parking, shared parking and driveways with the current apartment to the south, underground stormwater retention and a playground. He noted they were not seeking any variances for the site.

Commissioner Berglund asked if the site would have adequate parking since 14th Street was fairly busy and had limited parking on it.



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Mr. Bach noted that they had two parking stalls per unit which met the ordinance minimum requirement and typically this type of housing generated closer to one and one half stalls per unit.

Motion: **Commissioner Lyytinen made a motion to approve Resolution No. 17-04, A Resolution Recommending Approval of a Site Plan in the R3 – Multiple-Family Residence District for Commonwealth Development for White Pine Apartments subject to the conditions in the draft Resolution, Commissioner Sanders seconded. (Motion was approved 7-0)**

Cottingham noted that this item would be forwarded to the City Council for their meeting on Tuesday, April 18th.

Zoning Case 17-02: Variance, Planned Unit Development, Preliminary and Final Plat for Country Club Townhomes, LLC

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-02, Variance, Planned Unit Development, Preliminary and Final Plat for Country Club Townhomes, LLC. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham Country Club Townhomes, LLC is proposing a variance, planned unit development, preliminary and final plat. The variance is from the minimum size of a planned unit development, 3.5 acres versus 10 acres. The planned unit development is to allow for flexibility in the design, ie. lots less than the minimum size, no frontage on a public road and storage building. The preliminary and final plats are for the creation of 12 single family lots, one lot for the construction of a storage building and an outlot that will provide access to 10 of the lots and the storage building and common area for all property owners. He noted that a legal notice was published in the Pine Journal on March 30, 2017 and property owners within 350 feet were sent notices of the public hearing. Dave Chmielewski is here representing Country Club Townhomes, LLC.

Mr. Chmielewski stated that he approached the city to see if there was a need for this type of affordable housing and was told that there was. This is a lower density that what was approved before and was changing from townhomes to single family detached homes. He met with Assistant City Engineer Anderson earlier in the day and they have all of the issues worked out. His only concern was working with the Wetland Conservation Act and the filling of two wetlands that he had approval to do in 2005. If he does not get that approval then the project will not happen.

Commissioner Sanders inquired as to the variance for the size of the planned unit development and how it was compatible with the surrounding area.

Mr. Cottingham stated he was not sure where the ten acre size limit came from for the planned unit development but thought it was from a number of years ago. He felt that this size limit could hamper request for redevelopment in other areas of the city. He noted that much of the



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surrounding area was single family homes with the exception of the one townhome structure to the east.

Commissioner Johnson inquired how these units would look compared to the townhomes.

Mr. Chmielewski stated they would be different colors to break things up but would have similar looks as the townhomes.

Commissioner Sanders inquired as to the gate on the access to Reservation Road.

Mr. Chmielewski stated the gate would be going away and was proposed so that all the units would have an address off Carlton Avenue West. They will have to sign this entrance so that people understand that the units have addresses off the other road.

Wesley Vork, Carlton stated he owns the two lots to the north and was glad to see that they would be single family homes and not townhomes.

Commissioner Bosto inquired as to the distance between the development and the propane storage area to the north.

Mr. Chmielewski estimated that it was over 300 feet since Mr. Vork owned two lots between this development and the storage area.

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

Commissioner Sanders expressed concern over approving the final plat at this time with the number of issues in the Assistant City Engineers Memo.

Mr. Chmielewski state he met with the Assistant City Engineer today and everything was worked out and that new plans would be submitted within a couple of days.

Mr. Cottingham assured the Commission that the final plat would not be released for filing until all the items were taken care of.

Commissioner Sanders stated he was comfortable with this.

Motion: **Commissioner Berglund made a motion to approve Resolution No. 17-02 Variance; and Recommend for approval Resolutions 17-02 PUD, 17-02 PP and 17-02 FP, A Resolution Approving a Variance to the Minimum Size of a Planned Unit Development in the R2 – One and Two Family Residence District for Country Club Townhomes, LLC; A Resolution Recommending Approval of a Planned Unit Development; A Resolution Recommending Approval of a Preliminary Plat; and A Resolution Recommending Approval**



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of a Final Plat in the R2 – One and Two Family Residence District for Country Club Townhomes, LLC subject to the conditions in the draft Resolutions, Commissioner Bosto seconded. (Motion was approved 7-0)

Mr. Cottingham noted these items would be discussed at the City Council meeting on May 2, 2017.

Zoning Case 17-05: Zoning Ordinance Text Amendment – Breweries, Taprooms, Brew Pubs and Micro-Distilleries

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-05, Zoning Ordinance Text Amendment – Breweries, Taprooms, Brew Pubs and Micro-Distilleries for the City of Cloquet. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted the City Council had amended the City Code in December to add these uses in the liquor licensing chapter. With that changes were needed to also address these uses. He noted that at this time there was no one proposing anything but they just wanted to be prepared. He noted that a legal notice was published in the Pine Journal on March 30, 2017 for the public hearing.

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

Motion: Commissioner Bosto made a motion to approve Resolution No. 17-05, A Resolution Recommending Approval the City Council of Cloquet approve the Attached Ordinance Relating to Breweries, Taprooms, Brew Pubs, Cocktail Rooms and Micro-Distilleries, Commissioner Johnson seconded. (Motion was approved 7-0)

Mr. Cottingham noted this would be forwarded to the City Council for their meeting on April 18, 2017.

Zoning Case 17-06: Zoning Ordinance Text Amendment – Special Event Definition

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-06, Zoning Ordinance Text Amendment – Special Event Definition for the City of Cloquet. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted this was being done since in the approval of the conditional use permit for SKB Environmental/Shamrock Landfill they were allowed to operate up to 24 hours for a “Special Event”. In the conditional use permit a “Special Event” was not defined and it was felt that there should be a definition for a it. The definition would not be for what the materials being brought in but only for the hours they were allowed to be open for the material. He noted that a legal notice was published in the Pine Journal on March 30, 2017 for the public hearing.



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Clarence Badger, 1518 Moorhead Road provided a history of the landfill from back in the early 70's. He felt the definition should regulate more than just the hours of operation of the facility. He felt that the event should be limited to 30 days or 4 weeks and for something within a 30 mile radius of Cloquet. He felt the decision for the event should be up to the Planning Commission and not the Zoning Administrator since he had lots of things to do with his job and should not have to handle this also.

Barb Wyman, 347 Nelson stated that she was on the City Council when the conditional use permit was approved and thought they had done a good job with the approval. She felt the definition should be limited to 10 days and only for a project in Carlton County. She felt it should be more of a local landfill and not regional. She was tired of having to keep coming back to these meetings every time a change was proposed.

Karla Southworth, 1414 Lawrence Road stated she agreed with Mr. Badger and Ms. Wyman and felt the area should be limited to Carlton County.

Wesley Vork, Carlton stated he did not have an opinion one way or another on this. He noted he was on the Carlton City Council in 2012 when the flood occurred and that SKB was really good to work with for their community and really helped out in this emergency.

John Domke, SKB Divisional VP said there are only two certified landfills in the upper Midwest that government waste can go to and theirs is one of them. The project in Ashland with the cleanup of the bay is a government project and thus the material needs to go to one of these two landfills. If they didn't need the additional hours to be open to assist with the haul distance of the material this would not be an issue. He noted the city did not restrict other businesses in their area. He stated they would be Ok with tabling this request to see about amending the conditional use permit rather than the City Code.

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

Commissioner Berglund stated he was in favor of tabling the request to see if amending the conditional use permit was an option.

Commissioner Sanders stated he would be in favor of eliminating the special event provision from the conditional use permit.

Mr. Cottingham noted that if the conditional use permit were to be amended it would require a new public hearing. He would discuss this issue with the City Attorney.

Motion: Commissioner Berglund made a motion to table Resolution No. 17-06, A Resolution Recommending the City Council of Cloquet approve the Attached



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**Ordinance Relating to a Special Event, Commissioner Johnson seconded.
(Motion was approved 7-0)**

Mr. Cottingham noted he would discuss some things pertaining to this with the City Attorney and that this would be back on the agenda for May 9, 2017. He would let the Planning Commission members know what the City Attorney had to say.

Tax Increment Financing (TIF) Approval for Country Club Townhomes, LLC for Country Club Patio Homes

Chairman Wilkinson introduced the item and asked Mr. Cottingham for an overview. Mr. Cottingham stated that the developer of Country Club Patio Homes is request the City to approve a Tax Increment Financing (TIF) application for the development that the Planning Commission reviewed earlier in the meeting. One of the requirements of a TIF application is that the Planning Commission needs to determine that the project is consistent with the Comprehensive Plan. The Comprehensive Plan has this property guided for ‘Low Density Residential’ and what is proposed is low density residential. The Comprehensive Plan also discusses affordable housing and the need for this within the community.

Motion: **Commissioner Berglund made a motion to approve Resolution No. 17-02 TIF, A Resolution of the City of Cloquet Planning Commission Finding that a Development Program for Development District No. 4 and Tax Increment Financing Plan for Tax Increment Financing District No. 4-1 Conform to the General Plans for the Development and Redevelopment of the City, Commissioner Lyttinen seconded. (Motion was approved 7-0)**

Commissioner’s Questions/Comment

There was some additional discussion regarding the Special Event Ordinance.

Next Meeting

May 9, 2017

Meeting adjourned 8:32 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: May 3, 2017

**ITEM DESCRIPTION: ZONING CASE 17-06: ZONING ORDINANCE TEXT
AMENDMENT – SPECIAL EVENT DEFINITION**

Background

The City of Cloquet is proposing to amend the Section 17.1.05 Definitions of the City Code (Zoning Ordinance). The proposed amendment is to add the following definition: Special Event.

In March 2017 SKB Environmental/Shamrock Landfill requested approval of additional hours of operation for a special event in order to bring materials in from Ashland, WI. In the approval of the Conditional Use Permit in 2011 it included wording for hours of operation being Monday through Saturday 7:00 am to 5:00 pm and the Landfill may operate on a 24-hour basis as needed for special events, leachate hauling, and emergency conditions (as defined below). This statement only defines emergency conditions and not special events. It has been suggested by the City Attorney that the city may want to define a special event in order to eliminate any confusion as to what may be allowed.

A public hearing was held on Tuesday, April 11, 2017 to consider a possible amendment to Section 17. A legal notice was published in the Pine Journal on March 30, 2017, Property owners were **not** sent a notice of the hearing since this is a textual amendment.

During the public hearing the Planning Commission heard from a couple of different parties. One felt that the definition should limit the event to 30 days or 4 weeks and to an area within 30 miles of the site. Another felt it should be limited to 10 days and to an area within Carlton County.

The Planning Commission discussed the definition and since it really only involved the original conditional use permit approval of the landfill then why didn't we just amend the conditional use permit and add the definition to it. This has been discussed with the City Attorney and determined that the City cannot amend the conditional use permit unless they have done something that warrants the change. Based on this the Planning Commission will need to come up with a definition that will then be forwarded to the City Council for their approval. Staff has checked with other cities trying to see who might have a definition that we could look at and compare but have been unsuccessful in finding anything. Commissioner Sanders put together his thoughts for a definition as seen in the attached email. The main issues are the length of the event and it's location to the landfill.



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1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Policy Objectives

Since there currently is not a definition for a “special event” in the Ordinance it was felt that a definition should be added.

Financial Impacts

The Zoning Ordinance Text Amendment fee is \$300. These fees have been waived since the city is the applicant.

Advisory Committee Action Requested

The Planning Commission listened to the testimony that was presented at the public hearing and reviewed the proposed language for a special event. The Planning Commission should put together a definition and recommend approval of the request.

Staff Recommendation

Staff would recommend approval of the Zoning Ordinance Text Amendment as identified in the attached pages. There are portions of the definition that need to be discussed and decisions made as highlighted in the definition.

Supporting Documents Attachments

- Resolution No. 17-06
- Commissioner Sanders Definition

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-06

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE
THE ATTACHED ORDINANCE RELATING TO A SPECIAL EVENT**

WHEREAS, the City of Cloquet is proposing to amend the Zoning Ordinance to define a “Special Event”; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on April 11, 2017 at which time Zoning Case / Development Review No. 17-06 was heard and discussed; and

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the attached Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 17-06 to the Cloquet City Council.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
KELLY JOHNSON	_____	TERRI LYYTINEN	_____
JOHN SANDERS	_____	NATHANIEL WILKINSON	_____
URIAH WILKINSON	_____		

Passed and adopted this 9th day of May 2017.

CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____

Alan Cottingham
City Planner/Zoning Administrator

ORDINANCE NO. XXX

AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE PERTAINING TO A DEFINITION OF A “SPECIAL EVENT”

The City Council of the City of Cloquet does hereby ordain as follows:

Section 1. **Section 17.1.05, Definitions** is amended to add:

Subd. 107.2 Special Event. Means a unique and unforeseen event of no more than _____ days/weeks duration occurring within the Cloquet Area / the Carlton County Region / the Northeastern Minnesota Region / a _____ mile radius from Cloquet, or a combination of a radius and an area or region, which is of such significance as to allow for the relaxing of zoning requirements and the implementation of special provisions when provided in any permit, variance or other zoning document.

The Zoning Administrator shall make the final determination as to whether the significance of a qualifying event rises to the level of a Special Event. A Special Event may be extended for an additional durational period by approval of the Zoning Administrator.

Section 2. **Effective Date.** This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

Passed this 16th day of May 2017.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

By: _____
Its City Administrator

Al Cottingham

From: John Sanders (jsanders@cloquet.com)
Sent: Sunday, April 16, 2017 6:29 PM
To: Al Cottingham, Heath Wilkinson (heath@willard.com), Jess Berglund (jberglund@willard.com), Kelly Johnson (kjohnson@splitrockprivatetrading.com), Ryan Post (rpost@yahoo.com), Nathaniel Wilkinson (nathaniel@willard.com), Terri Byington (terri@willard.com)
Subject: RE: Special Event Discussion

All,

Based on the framework that Al previously provided us, I took the liberty to take an initial stab at defining "Special Event" to provide us a starting point for furthering this discussion. The first part below is the definition followed by my reasoning for such.

Special Event. Means a unique and unforeseen event of no more than seven days duration occurring within a 25 mile radius from Exit 239 on Interstate 35, which is of such significance and importance to the residents of Cloquet as to allow for the relaxing of zoning requirements and adding the burden of extended hours on the residents of Cloquet. The Zoning Administrator shall make the final determination as to whether the significance of a qualifying event rises to the level of a Special Event. Infrequently, the city may allow a Special Event that has a duration longer than seven days but this will require a public hearing and approval of the City Council.

Reasoning:

I felt county was not a good boundary due to Cloquet's location in the northeastern corner of the county. The northeast region is undefined and the residents of Cloquet should not be burdened by extended hours of operation to take industrial waste from International Falls, Ely, Grand Marais, ...

Radius seems a logical choice for distance limit but the challenge is establishing the distance and reason for this limit. The landfill is located at Exit 239 on Interstate 35. Exit 214 is the southern exit for Moose Lake and near the southerly terminus of Carlton County. This is 25 miles and seems a reasonable distance for Cloquet to be a good neighbor to the surrounding area. We are not limiting where Shamrock can operate their business, we are saying that if we are going to allow them to operate 24 hours it will be for significant and important events within 25 miles.

Establishing a time limit on duration was more difficult. In my opinion, a project lasting in excess of four months would not qualify for a Special Event. I know this commission has differing opinions on the impacts of noise with 24 hour operation of the landfill, but I try to put myself in the shoes of a Hilltop resident having my windows open on a summer night and hearing a truck every seven minutes which is what they can expect with this Ashland Project. This to me is a burden put on the Hilltop neighborhood and would impact their quality of life. What I am proposing is limiting Special Event duration to seven days but providing the possibility of a longer duration in very infrequent occurrences.

Al, I would request that the City Attorney attend the meeting that we discuss this item.

John Sanders



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: May 3, 2017

ITEM DESCRIPTION: ZONING CASE 17-07: ALLEY VACATION – VACATING THE EAST/WEST ALLEY LYING WEST OF MAIN STREET NORTH OF ST. LOUIS AVENUE

Background

Bert Whittington is proposing to vacate the east/west alley west of Main Street north of St. Louis Avenue. This is being requested since the alley was platted with the City of Cloquet Dunlaps Addition in 1882 and has never been constructed. There is an overhead power line running within this right-of-way but no city utilities exist within the right-of-way.

The Park and Recreation System Master Plan that was adopted in 2014 identified that the city should look to purchase property along and around the riverfront. The City recently vacated the alley in the block to the east of this seeing no need to keep the alley. With the recent development of the riverfront plan there is nothing called out to happen within this corridor.

A public hearing will be held on Tuesday, May 9, 2017 to consider a possible alley vacation. A legal notice was published in the Pine Journal on April 20, 2017 and effected property owners were sent notices of the public hearing.

Policy Objectives

There is no formal requirement on determining if an alley should be vacated. It is really up to a common sense approach as to whether there is currently or will be in the future a need for the alley that is being vacated.

Financial Impacts

The filing fee for the vacation of an alley is \$350.00. The applicant has paid that fee.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the vacation. Following this testimony the Planning Commission should review the vacation and either recommend approval or denial the vacation as submitted.



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Phone: 218-879-2507 • Fax: 218-879-6555

Staff Recommendation

Staff has reviewed the vacation request and would recommend approval of the vacation. Staff has discussed the proposal and the impact of the riverfront plan and has determined that this property is not needed as part of that plan. If the Planning Commission recommends approval then an easement should be maintained for utility purposes.

Supporting Documents Attachments

- Resolution No. 17-07
- Location Map

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-07

**A RESOLUTION RECOMMENDING APPROVAL OF THE VACATION OF THE
EAST/WEST ALLEY LYING WEST OF MAIN STREET, NORTH OF ST. LOUIS
AVENUE**

WHEREAS, Bert Whittington is proposing to vacate the east/west alley lying west of Main Street, north of St. Louis Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 9, 2017 at which time Zoning Case / Development Review No. 17-07 was heard and discussed; and

WHEREAS, the property of the proposed Vacation is located west of Main Street and north of St. Louis Avenue and is legally described as follows:

The alley located within Block 8, City of Cloquet Dunlaps Addition. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the vacation.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 17-07 for a vacation of the east/west alley lying west of Main Street, north of St. Louis Avenue subject to the following condition.

1. A Drainage and Utility Easement is maintained over the alley.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
KELLY JOHNSON	_____	TERRI LYYTINEN	_____
JOHN SANDERS	_____	NATHANIEL WILKINSON	_____
URIAH WILKINSON	_____		

Passed and adopted this 9th day of May 2017.

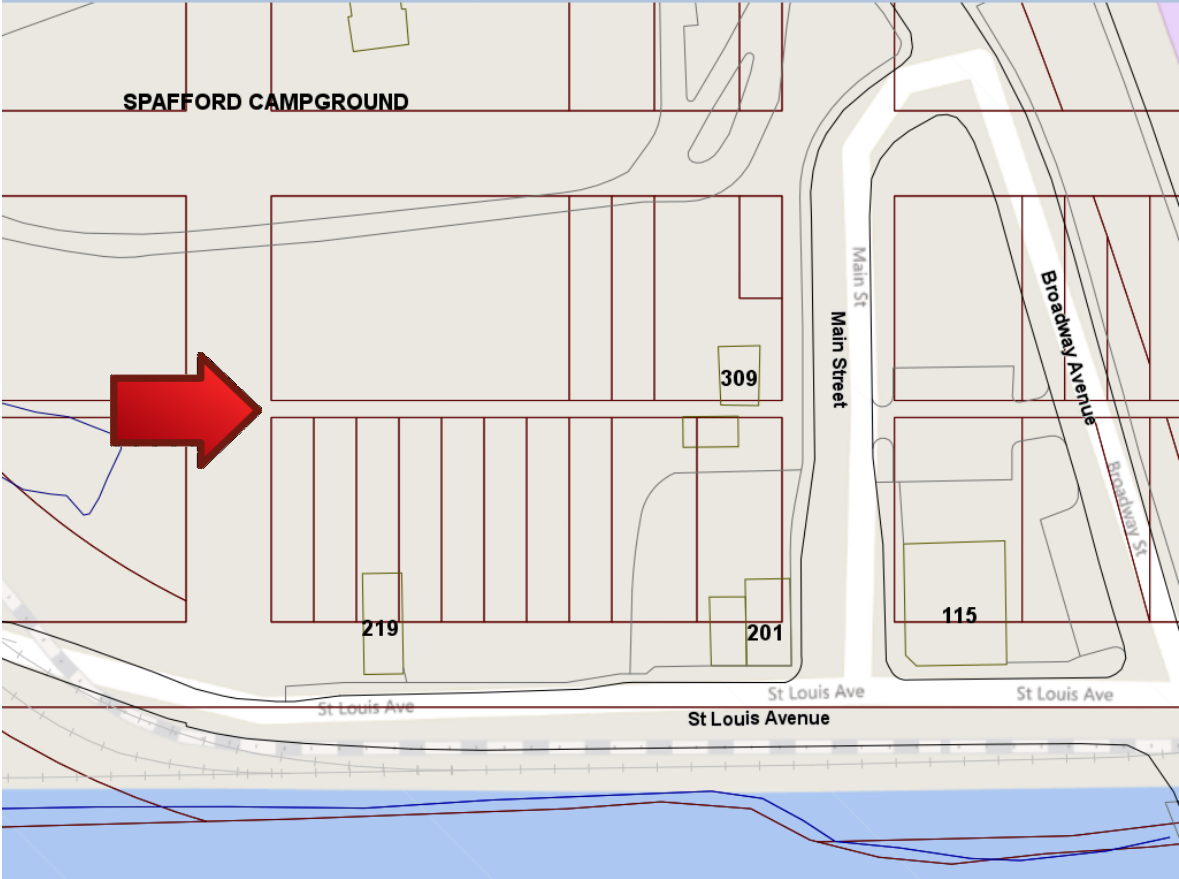
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Whittington



No Scale



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Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: May 3, 2017

ITEM DESCRIPTION: ZONING CASE 17-10: VARIANCE – DANIEL HAMMOND, MORNING STAR WOODWORKS, INC., ALLOW A PYLON SIGN ON PROPERTY THAT DOES NOT ABUT HIGHWAY 33

Background

Daniel Hammond, Morning Star Woodworks, Inc. is proposing a variance to allow a pylon sign on property that does not abut Highway 33. The variance if approved would allow a pylon sign with a height of 35 feet to be constructed versus the Ordinance maximum of 10 feet. The property is located at 801 Tall Pine Lane (PIN 06-510-5996).

Mr. Hammond is proposing to construct a 144 square foot sign on a pole with a total height of 35 feet to replace a 64 square foot sign with a height of 25 feet located off his property at the intersection of Tall Pine Lane and Holmes Drive. The sign would be located within the unused right-of-way on the north side of his property. The Ordinance allows for ground signs not pylon signs to be located in areas that do not abut Highway 33 to a maximum height of 10 feet.

A public hearing will be held on Tuesday, May 9, 2017 to consider a variance to allow a pylon sign on property that does not abut Highway 33 (Section 17.5.13 Subd. 14). A legal notice was published in the Pine Journal on April 27, 2017 and property owners within 350 feet were sent notices of the public hearing.

Policy Objectives

The Zoning Ordinance states Variances may be granted when they are in harmony with the general purpose and intent of the ordinance, are consistent with the Comprehensive Plan, and when the applicant for the variances establishes that there are practical difficulties in complying with the official control. No variance may be granted unless **all** of the following conditions exist:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.



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Financial Impacts

The Variance fee is \$350. The applicant has paid this fee to cover the cost associated with the application process.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the variance. Following this testimony the Planning Commission should review the variance criteria and either approve or deny the variance as submitted. The Planning Commission may impose conditions in the granting of variances; those conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.

Staff Recommendation

Staff has reviewed the variance requirements and would recommend denial of a variance as submitted. Staff is concerned with the precedence that would be established by allowing pylon signs to be located outside of property abutting Highway 33.

Supporting Documents Attachments

- Resolution No. 17-10
- Location Map
- Petitioners Narrative

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-10

**A RESOLUTION DENYING A VARIANCE TO ALLOW A PYLON SIGN ON
PROPERTY THAT DOES NOT ABUT HIGHWAY 33 FOR DANIEL HAMMOND,
MORNING STAR WOODWORKS, INC.**

WHEREAS, Daniel Hammond, Morning Star Woodworks, Inc. is proposing a Variances to allow a pylon sign on property that does not abut Highway 33; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 9, 2017 at which time Zoning Case / Development Review No. 17-10 was heard and discussed; and

WHEREAS, the property of the proposed Variances is located at 801 Tall Pine Lane and is legally described as follows:

That part of the westerly 340 feet of the South One-Half of the Southeast Quarter of the Northeast Quarter, Section 26, Township 49 North, Range 17 West, Carlton County, Minnesota, lying North of the South 508 feet thereof. EXCEPT the westerly 30 feet thereof which is reserved by the City of Cloquet for public street and utility purposes. And,

WHEREAS, the Planning Commission reviewed the staff report and denies the Variance to allow a pylon sign on property that does not abut Highway 33.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission denies Zoning Case 17-10 for a variance to allow a pylon sign on property that does not abut Highway 33.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: _____ NAY: _____ ABSENT: _____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
KELLY JOHNSON	_____	TERRI LYYTINEN	_____
JOHN SANDERS	_____	NATHANIEL WILKINSON	_____
URIAH WILKINSON	_____		

Passed and adopted this 9th day of May 2017.

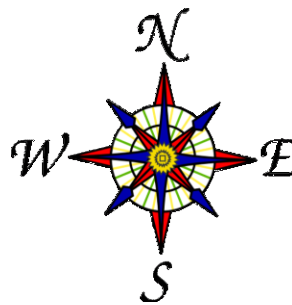
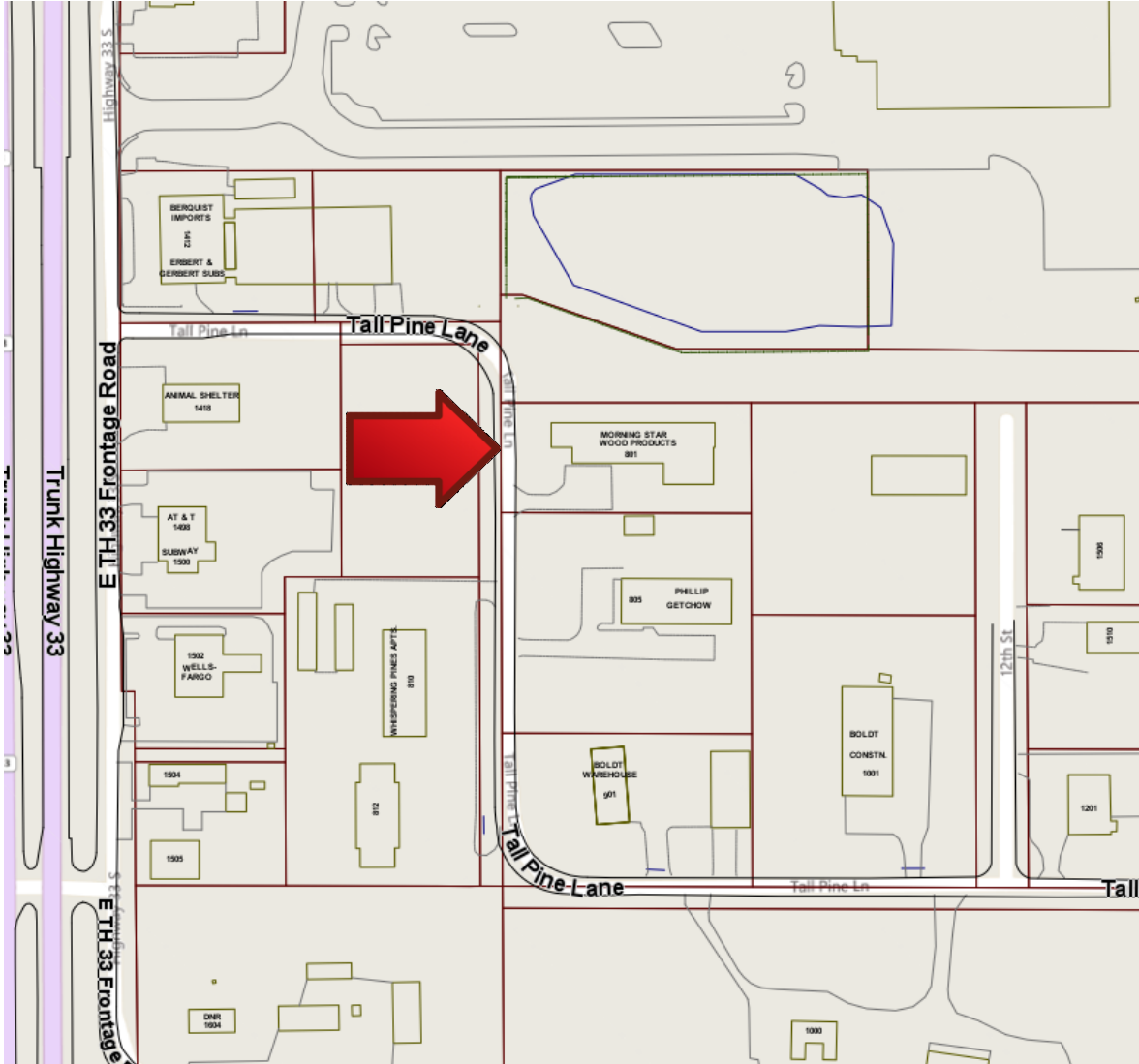
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Morning Star Woodworks, Inc.



No Scale



801 Tall Pine Lane
Cloquet, MN 55720
(218) 879-1922
www.MorningStarWood.com

Date: April 16, 2017

Community Development Department
1307 Cloquet Ave
Cloquet, MN 55720

Dear Planning Commission,

For the past 27 years Morning Star Woodworks has had a sign on the Highway 33 frontage road located at 1418 Hwy 33, Cloquet, MN (the property of Friends of Animals). The sign is 8ft x 8ft and 25ft high. Due to the sale of this property my sign must be relocated. The sign has been a valuable tool in helping our customers find our showroom, since our business is not visible from any busy roadway. It would be an extreme hardship for us not to be able to have a sign visible to our customers.

I am proposing to relocate the sign on the north side of Tall Pine Lane in the city owned street right of way at the corner near my building. The attached map shows the proposed location. I also would like permission to enlarge this sign to 12ft x 12ft and 35ft high so it is visible to my customers from the frontage road.

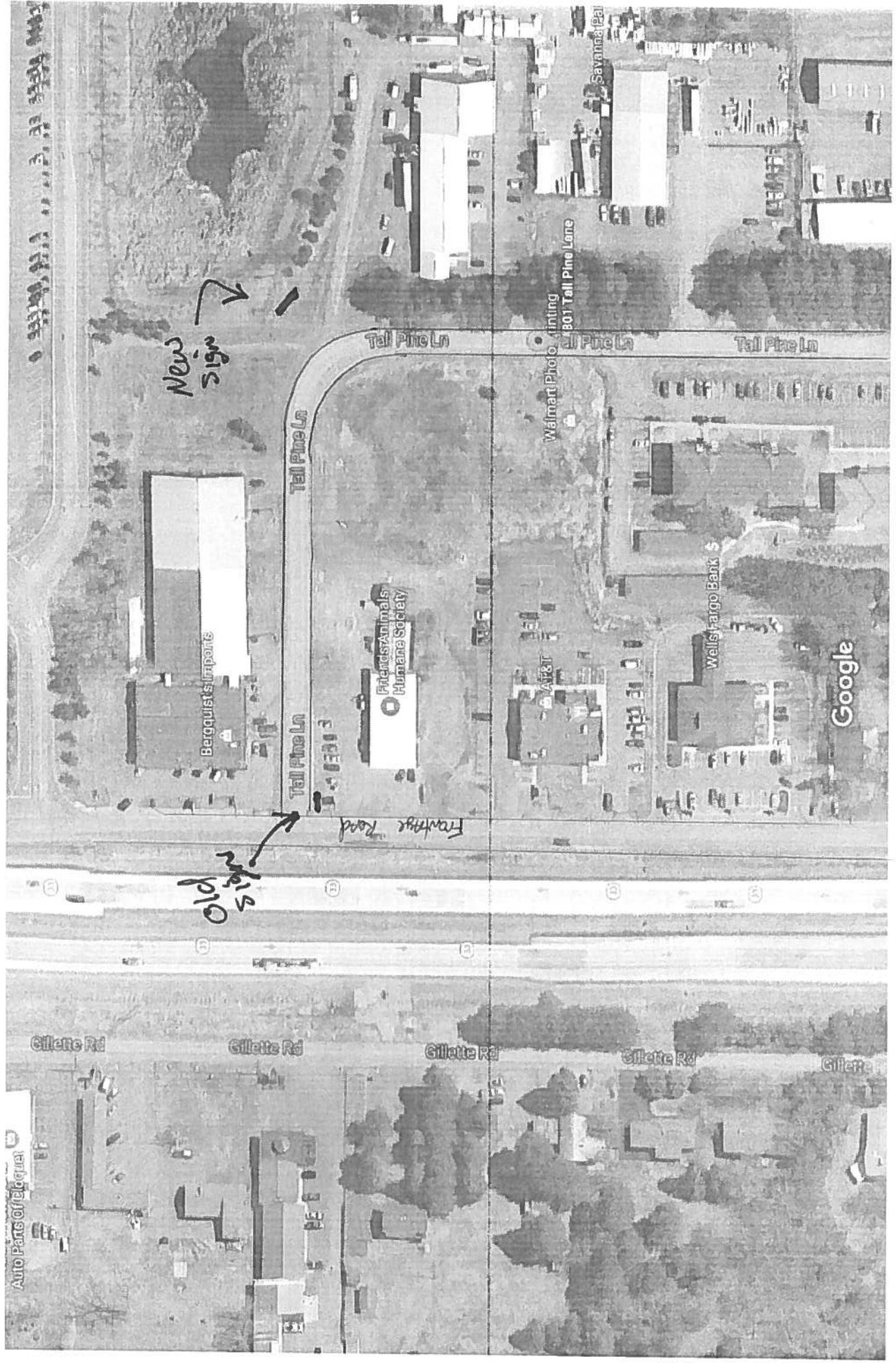
This sign will not alter the essential character of this commercial and industrial park area. Please consider approving my request for this variance, thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel R. Hammond". The signature is fluid and cursive, with a large, sweeping initial "D".

Daniel R. Hammond
President, Morning Star Woodworks, Inc.

Google Maps 801 Tall Pine Ln



Google Maps 801 Tall Pine Ln

