



Regular Meeting of the Planning Commission

Tuesday, November 14, 2017, 2017

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

OATH OF OFFICE – Elizabeth Polling

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the October 24, 2017 Planning Commission meeting
5. Zoning Case 17-16: Radouch Holdings LLC, Street and Utility Vacation
6. Commissioner's Questions/Comments
7. Adjourn

NEXT MEETING:

December 12th @ 7 pm



Regular Meeting of the Planning Commission

Tuesday, October 24, 2017

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

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

ROLL CALL

Attending: Planning Commission members: Uriah Wilkinson, John Sanders, Terri Lyytinen and Nathaniel Wilkinson; City: Al Cottingham.

Absent: None.

Others Present: Rick Norrgard and Tim Grahek

ADDITIONS/CHANGES TO THE AGENDA

Appointment of Vice Chairperson.

Chairperson Wilkinson requested nominations for a Vice Chairperson, John Sanders was nominated. There were no other nominations, Vote 3 – 0, John Sanders abstained.

AGENDA ITEMS

July 11, 2017 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: **Commissioner Sanders made a motion to approve the Planning Commission meeting minutes from July 11, 2017, Commissioner Lyytinen seconded. (Motion was approved 4-0).**

Zoning Case 17-16: Easement Vacation for Radoush Holdings LLC

Chairman Wilkinson excused himself from this discussion since he is involved with this project.

Vice Chairman Sanders reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-16, Easement Vacation for Radoush Holdings LLC. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Radoush Holdings LLC is seeking to vacate a portion of an existing drainage and utility easement in order to locate a new home closer to the property line. In 2004 the city vacated the right of way for Grant Avenue but maintained the drainage and utility easement since a phone line and gas line were located within the easement. These utilities have since been relocated and thus allow the vacation of a portion of the easement. A legal notice was published in the Pine Journal on October 5, 2017 and effected property owners were sent notice of the public hearing. Mr.



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Wilkinson was present representing Radoush Holdings LLC to answer any questions the Commission may have.

Mr. Wilkinson stated that the southwest corner of the property drops of significantly and would present a safety hazard and possibly a structural issue in the future is the home couldn't be shifted to the north. With the vacation of a portion of the easement this would allow the structure to be moved to the north which would take care of the problem. He noted there would still be a 40-foot easement for utilities if it was ever needed in the future.

Vice Chairman Sanders inquired as to the close proximity to the water line and if it would need to be worked on.

Mr. Wilkinson noted that with the jog in the structure for the garage it would have approximately 15 feet between the water line and the structure.

Vice Chairman Sanders closed the public hearing and called for a motion.

Motion: Commissioner N. Wilkinson made a motion to approve Resolution No. 17-16, A Resolution Recommending Approval of the Vacation of a Portion of the East/West Drainage and Utility Easement Lying South of 2005 Grant Avenue, Commissioner Lyytinen seconded. (Motion was approved 3-0).

Mr. Cottingham noted that this item would be forwarded to the City Council at their November 7, 2017 meeting.

Chairman Wilkinson returned to the table.

Zoning Case 17-15: Annual Excavation Permit Renewal

Chairman Wilkinson introduced the Annual Excavation Permit Renewal and asked Mr. Cottingham for an overview. Mr. Cottingham noted this was the annual renewal for 2018. He and the Public Works Director conducted their inspections of each of the four operations and found that everything was in order. The KGM pit and the Ulland pit had asphalt plants running for a time this summer and we did receive a few phone calls about the odors from the plant. He noted that representatives from both Carlton County and Ulland Brothers were present if there were any questions.

Commissioner Wilkinson inquired how staff dealt with the complaints on the odors from the asphalt plant. Most of the complainants did not realize where the odor was coming from and once it was explained to them and the plants were temporary they seemed to be satisfied. Some wondered if the odor was coming from the landfill.

There being no further discussion Chairman Wilkinson called for a motion.



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Motion: Commissioner Sanders made a motion to approve Resolution No. 17-15, A Resolution Recommending Approval of the Annual Excavation Permits for 2018, Commissioner Lyytinen seconded. (Motion was approved 4-0).

Commissioner's Questions/Comment

None.

Next Meeting

November 14, 2017

Meeting adjourned 7:25 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator

DRAFT



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: November 8, 2017

ITEM DESCRIPTION: ZONING CASE 17-16: STREET AND EASEMENT VACATION – VACATING A PORTION OF THE GRANT AVENUE LYING SOUTH OF 2005 GRANT AVENUE

Background

Nathan Radoush is proposing to vacate a portion of Grant Avenue and the drainage and utility easement lying south of 2005 Grant Avenue. This is being requested since a portion of the right-of-way for Grant Avenue west of 21st Street was vacated in 2004 but not all of the right-of-way. Mr. Radoush is proposing to vacate the west 21.34 feet of the east 31.34 feet of Grant Avenue adjacent to Lot 1, Block 4, Southside Addition and the south 20 of the drainage and utility easement within this area.

The right-of-way for Grant Avenue between 20th Street and 21st Street was vacated at two separate times. In 2002 the westerly portion was vacated along with the utility easement since there were no utilities in this portion of the right-of-way. In 2004 the westerly 100 feet of the easterly portion was vacated. The easterly 31.34 feet of the right-of-way was preserved since Grant Avenue was not constructed in 2004 and it was not known if this area would be needed for the cul-de-sac.

A public hearing will be held on Tuesday, November 14, 2017 to consider a possible right-of-way and easement vacation. A legal notice was published in the Pine Journal on October 26, 2017 and effected property owners were sent notices of the public hearing.

Policy Objectives

There is no formal requirement on determining if an easement 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 right-of-way and easement that is being vacated.

Financial Impacts

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



Community Development Department

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

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.

Staff Recommendation

Staff has reviewed the vacation request and would recommend approval of the vacation of the west 21.34 feet of the east 31.34 feet of Grant Avenue adjacent to Lot 1, block 4, Southside Addition and the south 20 feet of the drainage and utility easement within this vacation.

Supporting Documents Attachments

- Resolution No. 17-16.5
- Location Map
- Lot Survey

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-165

**A RESOLUTION RECOMMENDING APPROVAL OF THE VACATION OF A
PORTION OF GRANT AVENUE AND DRAINAGE AND UTILITY EASEMENT
LYING SOUTH OF 2005 GRANT AVENUE**

WHEREAS, Nathan Radoush is proposing to vacate a portion of Grant Avenue and the drainage and utility easement lying south of 2005 Grant 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 November 14, 2017 at which time Zoning Case / Development Review No. 17-16 was heard and discussed; and

WHEREAS, the property of the proposed Street and Drainage and Utility Easement Vacation is located south of 2005 Grant Avenue and is legally described as follows:

The west 21.34 feet of the east 31.34 feet of Grant Avenue adjacent to Lot 1, Block 4 Southside Addition and the south 20 feet of the Drainage and Utility Easement within that area. 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 17-16 for a vacation of Grant Avenue and of the drainage and utility easement lying south of 2005 Grant Avenue.

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

TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
JOHN SANDERS	_____	NATHANIEL WILKINSON	_____
URIAH WILKINSON	_____		

Passed and adopted this 14th day of November 2017.

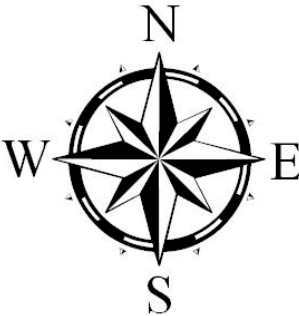
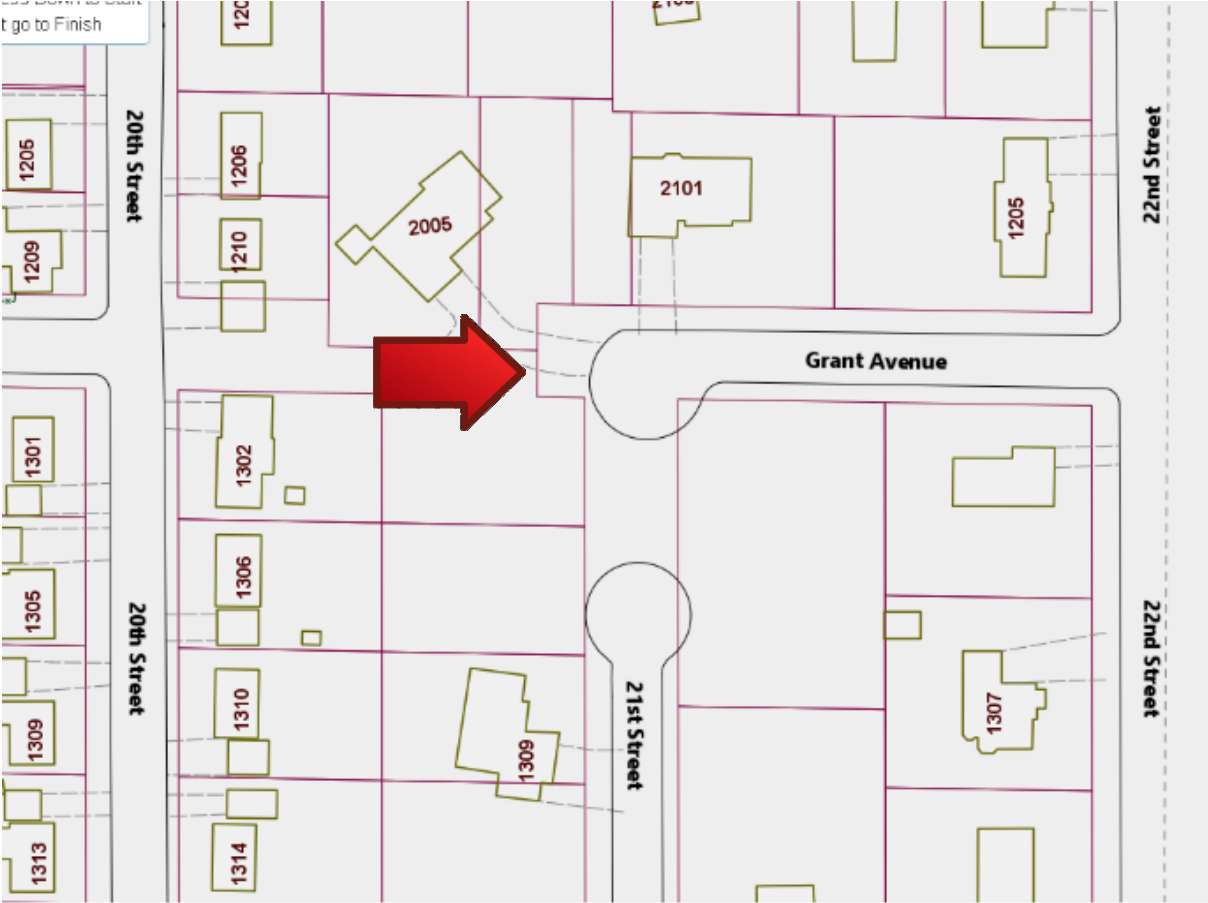
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Radoush



No Scale

SURVEY FOR: REGIONAL REALTY
 ATTN: URIAH WILKINSON
 1219 14TH STREET
 CLOQUET, MN 55720

STRAIGHTLINE SURVEYING, INC.

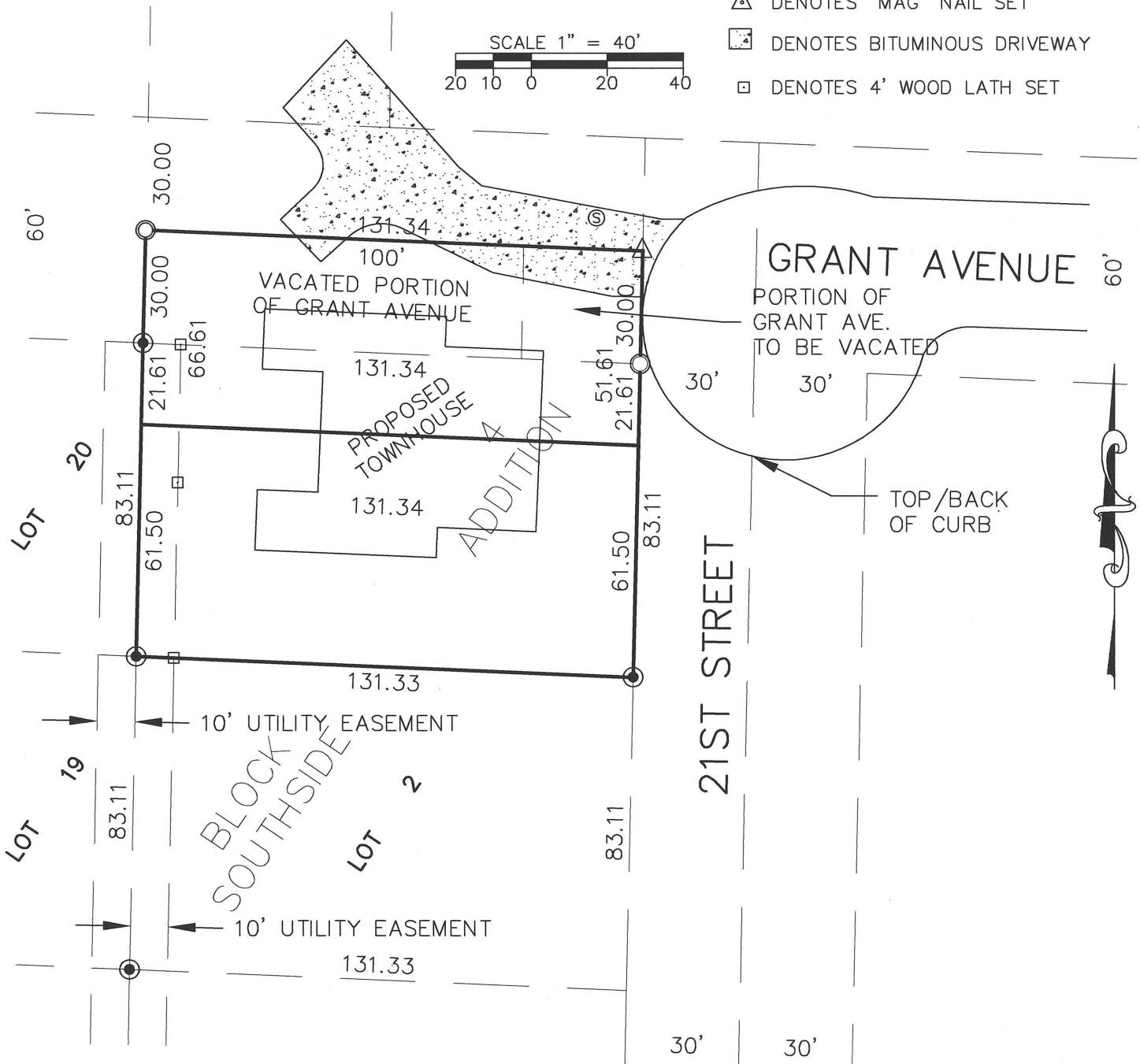
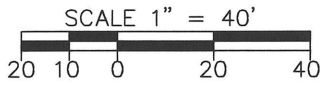
P.O. Box 510, 500 Fatz Blvd
 Moose Lake, MN 55767
 E-MAIL: banderson@straightlinesurveying.com

Telephone: (218)-485-4811
 Fax: (218)-485-4811

SURVEY OF: TWO TRACTS IN LOT 1, BLOCK 4,
 AND A PORTION OF THE VACATED
 GRANT AVENUE, "SOUTHSIDE
 ADDITION TO CLOQUET" CARLTON
 COUNTY, MINNESOTA.

RE: RADOUSH HOLDINGS LLC PROPERTY

- ⊙ DENOTES FOUND IRON MONUMENT
- ⊙ DENOTES 1/2" IRON REBAR MONUMENT SET AND CAPPED "ANDERSON 45498"
- ⊙ DENOTES SANITARY MANHOLE
- △ DENOTES "MAG" NAIL SET
- ▣ DENOTES BITUMINOUS DRIVEWAY
- DENOTES 4' WOOD LATH SET



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Benjamin H. Anderson
 Benjamin H. Anderson

45498
 License No.

10-23-2017
 Date

2016-115
 Job No.

T-49 I P.5
 Book No.