



## **Regular Meeting of the Planning Commission**

Tuesday February 9, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

### **OATH OF OFFICE**

Al Cottingham administered the Oath of Office to John Sanders, Kelly Johnson and Bryan Bosto.

### **CALL TO ORDER**

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

### **ROLL CALL**

**Attending:** Planning Commission members: Michael Haubner, Kelly Johnson, Bryan Bosto, Jesse Berglund, John Sanders and Uriah Wilkinson; City: Al Cottingham

**Absent:** Commission members: Chuck Buscher

**Others Present:** Bob McDonald, Denise Nikko, Corey Nikko, Eric Canfield, Dan Unulock, Bob Grossman, Darlene Manila, Patrick Began, Bob Atkins, Eugene Preiner, Paul Johnson, Dave Johnson, Mary Soyring, Jeff Rock and Dorine Houck.

### **ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

Acting Chairperson Berglund requested nominations for a Chairperson, Jesse Berglund was nominated. There were no other nominations, Vote 6 – 0.

Chairperson Berglund requested nominations for a Vice Chairperson, Uriah Wilkinson was nominated. There were no other nominations, Vote 6 – 0.

### **ADDITIONS/CHANGES TO THE AGENDA**

None.

### **AGENDA ITEMS**

#### **December 8, 2015 Meeting Minutes**

Chairperson Berglund asked for any corrections or additions,

**Motion:**        **Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from December 8, 2015, Commissioner Wilkinson seconded. (Motion was approved 6-0).**



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**Zoning Case 16-01: Land Use Guide Plan Amendment, Rezoning and Site Plan**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-01, Land Use Guide Plan Amendment, Rezoning and Site Plan. He asked Mr. Cottingham to provide an overview of the application. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on January 28, 2016 and property owners within 350 feet were sent notice of the meeting. Kwik Trip is proposing a land use guide plan amendment and rezoning for a 35 foot strip of land on the east side of their site from Single Family Residential to Regional (Highway) Commercial and also a site plan for a gas station, convenience store and car wash on the entire site. The convenience store and car wash are located in the center rear portion of the lot with the gas pump island located between the store and Washington Avenue and a diesel island located between the store and Holmes Drive. He noted that Mr. Scott Teigen, CFO for Kwik Trip was present to answer any questions that the Commission or public may have.

Chairman Berglund opened the public hearing and asked Mr. Teigen if he would like to address the Commission.

Mr. Scott Teigen, Kwik Trip noted the city had requested them to do a traffic study to see what impacts the proposed change might have on the surrounding roads. The study did show there would be an increase in traffic but not a large enough increase that changes to the intersection were warranted when they would open their business. He did note according the traffic study the intersection with Hwy 33 would reach a level of service of F by 2036 if a signal was not installed. His company would be willing to put \$100,000 towards the signal if it were to be installed prior to the intersection meeting warrants for the signal. He reference this store is setup for groceries with gas and it isn't a truck stop, there might be some semi traffic but should not be a lot.

Dan Unulock, 1001 15<sup>th</sup> Street, wondered if Kwik Trip was aware of the changes to Highway 33. With the relocation of Tall Pine Lane intersecting with Highway 33 that could be a great location if they were willing to wait for this to happen.

Eugene Preiner, 1001 Washington Avenue, was concerned with the increased traffic from Kwik Trip. He also noted that the church parks on the shoulder of the road and that makes it difficult with the traffic.

Bob Grossman, 910 Wilson Avenue, had concerns with the noise from the PA system at the pump islands. He felt that additional traffic control should be installed on Washington Avenue at both the Frontage Road and Highway 33.

Jeff Rock, 1312 Washington Avenue, he wondered where safety is involved, he has reports of traffic accidents, the intersections are dangerous, and the city has no control over the road speed. He is concerned with the noise impacts on the neighborhood. He also thinks the future Tall Pine Lane intersection might be a better location.



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Alan Birman, 701 Washington Avenue, he too is concerned with the safety at the intersection with Highway 33 but this is currently there. This would definitely be a nice addition to the community and the area. He did not believe that noise was an issue with the store on North Road with homes closer to that site than this one.

Judd Selland, Taco John's, agreed with Mr. Birman and signals at Highway 33 are a good idea.

Dick Singpiel, 505 12<sup>th</sup> Street, felt safety is an important issue regardless of Kwik Trip. He felt things should be weighed as positives and negatives. In the case of Kwik Trip he felt there were more negatives for the area than positives. This will create additional traffic on Washington Avenue and does Cloquet really need another gas station.

Mary Soyering 820 Taylor Avenue, she lives two blocks north of the site and is concerned with sewer from the new store and the backups the area has had in the past. She is concerned with the Lemon Tree, the congestion on 8<sup>th</sup> Street and the area. She does like having them in the community. She is also concerned with the lights from cars as they are leaving the site.

Patrick Began, 914 8<sup>th</sup> Street, he crosses Washington Avenue every day and is concerned with the additional traffic this will add to the area and the safety of the roads with the additional traffic.

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

Mr. Teigen addressed the Commission regarding the different questions that were raised. The lighting of the site meet the city standards with the lumens from the lights being kept on the site, the P.A. system would be turned off between 10 pm. and 7 am. and would not be on during church. They would be more than happy to work with the neighbors across Washington Avenue to provide screening on their side of the street. Fuel tankers would typically come every day to the site with groceries being delivered three to four times each week.

Commissioner Bosto inquired about the area around Tall Pine Lane and Highway 33.

Mr. Teigen stated they had looked at the Lund property when they were first looking for sites and it was determined to be too small for their needs.

Commissioner Haubner inquired where the parking stalls for the store were located.

Mr. Teigen noted there were 20 stalls around the store and 22 under the gasoline canopies.

Commissioner Sanders was concerned with the truck movement around the site and didn't believe they could enter and exit the site without encroaching on other lanes of traffic. He was also concerned with the storm water runoff onto Holmes Drive from the new entrance and wondered if additional catch basins should be added to handle the runoff.



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Commissioner Wilkinson noted that the things planned for the Highway 33 corridor might not happen for a number of years. This makes it difficult to ask someone to wait until other areas open up for development.

Mr. Teigen noted that they are a permitted use in this district. They would like to see the intersection with Highway 33 signalized sooner than later and are willing to pay up to half of the cost of the signals with a cap at \$125,000.

Mr. Birman noted that there are semi-trucks in the area daily making deliveries to the automobile dealer and Cloquet Motor Sports.

Commissioner Sanders felt the site plan did not meet the requirements of the site plan review as spelled out in Section 17.2.14, Subd. 4. He believed the site drainage and the truck circulation did not meet the minimum standards.

There being no further discussion Chairman Berglund called for a motion noting there were three different actions the Commission was asked to deal with for this application.

**Motion:** Commissioner Johnson made a motion to adopt Resolution No. 16-01 Comp Recommending Approval of the Comprehensive Plan Amendment (Land Use Plan) from “Low Density Residential” to “Highway Commercial”, Commissioner Bosto seconded. (Roll Call, Motion was approved 6-0).

**Motion:** Commissioner Johnson made a motion to adopt Resolution No. 16-01 Rezone Recommending Approval of the Rezoning from “R1 – Single Family Residential” to “RC – Regional (Highway) Commercial”, Commissioner Wilkinson seconded. (Roll Call, Motion was approved 6-0).

**Motion:** Commissioner Sanders made a motion to deny Resolution No. 16-01 Site Plan Recommending Approval of a Site Plan in the RC – Regional (Highway) Commercial District for Kwik Trip, Motion failed for lack of second.

**Motion:** Commissioner Wilkinson made a motion to adopt Resolution No. 16-01 Site Plan Recommending Approval of a Site Plan in the RC – Regional (Highway) Commercial District for Kwik Trip, Commissioner Bosto seconded. (Roll Call, Motion failed 3-3 Haubner, Johnson and Sanders opposed).

Mr. Cottingham noted that if the Commission is going to deny a request they need to provide reasons for the denial. He believed that Commissioner Sanders had stated his reasons but had not heard anything from the other two members.

Commissioners Johnson and Haubner stated they were concerned with the drainage onto Holmes Drive.



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Mr. Cottingham stated that this could be handled as a condition of approval without the need to deny the application.

**Motion:** Commissioner Johnson made a motion to reconsider Resolution No. 16-01 Site Plan Recommending Approval of a Site Plan in the RC – Regional (Highway) Commercial District for Kwik Trip, Commissioner Bosto seconded. (Roll Call, Motion was approved 6-0)

**Motion:** Commissioner Johnson made a motion to reconsider Resolution No. 16-01 Site Plan Recommending Approval of a Site Plan in the RC – Regional (Highway) Commercial District for Kwik Trip adding Condition No. 13 “Drainage from the Driveway onto Holmes Drive needed to be collected before reaching Holmes Drive, Commissioner Bosto seconded. (Roll Call, Motion was approved 5-1 Sanders opposed).

Commissioner Sanders stated he had concerns with safety and the semi’s not staying in their lanes while making turning movements.

Mr. Cottingham noted these recommendations would be forwarded to the City Council at their meeting on Wednesday, March 2, 2016 at 7:00 pm.

Commissioner Bosto left at 8:15 pm.

**Zoning Case 16-02: Zoning Ordinance Text Amendments – Entire Ordinance**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-02, Zoning Ordinance Text Amendments – Entire Ordinance. He asked Mr. Cottingham to provide an overview of the application. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on January 28, 2016, no property owners were notified since this impacts the entire city. The current Zoning Ordinance was gone through with major revisions in 2007 and 2008 and took effect on January 1, 2009. Since that time there have be amendments to it but on a case by case situation. Staff felt that since seven to eight years had passed it was time to review the entire ordinance and make changes as necessary. Three members of the Planning Commission met with him over a number of meetings in 2015 to go page by page through the entire ordinance and recommend changes to it. Following the group review the changes were presented to the entire Planning Commission to see if other changes needed to occur. Cottingham noted that a press release was done and an article was written in the Pine Journal on the proposed changes along with a redlined copy of the ordinance being placed on the city web site for anybody to review. He noted that there was a letter before the Commission from Paul Johnson, 1199 South Oak Street and his concerns. He would address this further during the Commission discussion.

Chairman Berglund opened the public hearing and asked individuals to step to the podium to address the Commission.



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Mr. Bob Atkins, 701 14<sup>th</sup> Street, Atkins – Northland Funeral Home, stated he was not sure as to why the city was proposing to change the ordinance and not allow funeral homes in the R2 – One and Two Family Residential District. He was wondering if someone would explain this to him.

Mr. Cottingham explained when the group was going through the Ordinance the question was raised as to whether or not it made sense to allow funeral homes in the residential district. The group felt that a number of years ago this may be made sense when these things were more neighborhood oriented but today they are more community oriented. The city could look at rezoning his property to Neighborhood Commercial, similar to the property across the street where the dental office is that allows funeral homes. The concern with this is that in the future there are a lot more uses that could go on the property than in the R2 district.

Following discussion between the Commission, staff and Mr. Atkins it was determined to leave this alone rather than opening the area up to a variety of commercial uses.

Mr. Cottingham then reviewed the letter from Paul Johnson, 1199 South Oak Street. He noted that what Mr. Johnson is requesting is that his property be rezoned to SR – Suburban Residential so he could subdivide his property into smaller parcels without city sewer and water. None of the proposed changes are affecting his property.

There being no further discussion Chairperson Berglund closed the public hearing.

**Motion: Commissioner Sanders made a motion to adopt Resolution No. 16-02 Recommending Approval of the Attached Ordinance Relating to Changes to the Entire Zoning Ordinance with the Exception of Allowing Funeral Homes/Mortuary's as a Conditional Use in the R2 District, Commissioner Johnson seconded. (Motion was approved 5-0).**

Mr. Cottingham noted this would be forwarded to the City Council at their meeting on March 15, 2016 at 7:00 pm.

### **Commissioner's Questions/Comment**

Chairperson Berglund asked Mr. Cottingham as to upcoming items for the agenda. Mr. Cottingham noted he had not seen the plans from the school district yet but would expect them pretty soon if they wish to be under construction this spring. Things were moving forward with the fact finding of financial and governance for the cities of Scanlon and Cloquet that may lead to possible merger discussions the preliminary findings have been completed.

### **Next Meeting**

March 8, 2016

Meeting adjourned 8:48 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator