



Regular Meeting of the Planning Commission

Tuesday, October 11, 2016

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 September 13, 2016 Planning Commission meeting

5. Zoning Case 16-15: Annual Gravel Pit Renewals

6. Zoning Case 16-18: Friends of Animals, Conditional Use Permit

7. November Meeting Date

8. Commissioner's Questions/Comments

9. Adjourn

NEXT MEETING:

November 9th @ 7 pm



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

Chairperson Wilkinson called the meeting to order at 7:18 p.m.

ROLL CALL

Attending: Planning Commission members: Chuck Buscher, Bryan Bosto, John Sanders and Uriah Wilkinson; City: Al Cottingham.

Absent: Commission members: Kelly Johnson, Jesse Berglund and Michael Haubner.

Others Present: Bert Whittington, Roy Aho, Brandon and Amber Porter, Jerry Madsen, Sue Adams, Derek Howe, Andrew David, Tom and Kelly Anderson, Sherman Liimatainen and Bill Stone.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

July 12, 2016 Meeting Minutes

Chairperson Wilkinson asked for any corrections or additions.

Motion: Commissioner Sanders made a motion to approve the Planning Commission meeting minutes from July 12, 2016, Commissioner Buscher seconded. (Motion was approved 4-0).

Zoning Case 16-12:Rezoning, City of Cloquet

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-12, Rezoning for City of Cloquet. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on September 1, 2016 and effected property owners and property owners within 350 feet were sent notice of the meeting. The City of Cloquet is proposing to rezone private property around the airport from AIR – Airport district to FR – Farm Residential District. This is being done to clean up the zoning map so that it is consistent with the uses of the property. The property is located south of Airport Road and east of Cartwright Road.



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

Chairman Wilkinson asked if anyone would like to address the Commission on this request.

Ms. Sue Adams, 1603 Airport Road stated she had concerns with the rezoning and the possibility of additional homes/apartments being built on this property. There has been an increase in traffic on Airport Road and she is concerned with additional vehicle traffic in the area.

Mr. Cottingham noted the Farm Residential District had a minimum lot size of five acres with 200 feet of frontage on a public road. It also only allows a single family home on a parcel. There has been a fair amount of development on Fond du Lac property lately and the City does not have any controls over that.

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

Commissioner Sanders stated that the proposal was consistent with the current uses of the property and property surrounding this area. The proposal made sense to him.

Chairperson Wilkinson inquired if other zoning classifications were looked at for this property.

Mr. Cottingham stated that other districts required both sewer and water to be available to the property and since this area did not have both of these services the Farm Residential was the only district that made sense.

Motion: Commissioner Sanders made a motion to adopt Resolution No. 16-12, A Resolution Recommending Approval of the Rezoning from AIR – Airport to FR – Farm Residential for the City of Cloquet, Commissioner Buscher seconded. (Motion was approved 4-0)

Mr. Cottingham noted this item would be forwarded to the City Council for their September 20, 2016 meeting.

Zoning Case 16-13:Alley Vacation, Bert Whittington

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-13, Alley Vacation for Bert Whittington. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on September 1, 2016 and affected property owners were sent notice of the meeting. Mr. Whittington is proposing to vacate the east/west alley between Broadway Avenue and Main Street north of St. Louis Avenue. The alley was platted with the City of Cloquet Dunlaps Addition in 1882 and was never constructed. A portion of the parking lot on the north side of the Northeastern Saloon sits within the right-of-way. There is an overhead power line located within the right-of-way so the easement for the utilities will need to be maintained if approved. He noted the Park and Recreation System Master Plan that was approved in 2014 identified that the city should look to purchase property along and around the riverfront. He had some concerns with vacating the alley even though it is only approximately



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

750 square feet in size. He did point out that the City Council had turned down the opportunity to purchase some property to the west of this site earlier this year. Mr. Whittington was present to address this matter with the commission.

Chairman Wilkinson asked if anyone would like to speak on this item.

Mr. Whittington addressed the Commission noting that he and his wife had owned the Northeastern since 2000. He reviewed the history of the alley and how he found out that it wasn't vacated. He also addressed the history of the Northeastern and the plat that created the alley showing pictures of the area prior to the fire and after the fire. He reviewed the photos of the property from the past to the current. He noted the alley served no public purpose but to provide parking for the Northeastern. He commented that with the street reconstructions that have happened with Broadway Avenue and Main Street there were no curb cuts put in for the alley.

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

The Commission discussed the plat, the time frame involved and the opportunities that the city has had over time to do something with the alley. They noted the vacation seemed appropriate while maintaining the easement for utilities.

Motion: Commissioner Buscher made a motion to adopt Resolution No. 16-13, A Resolution Recommending Approval of the Vacation of the East/West Alley Lying Between Broadway Avenue and Main Street, North of St. Louis Avenue. Commissioner Bosto seconded. (Motion was approved 4-0).

Mr. Cottingham noted this item would be forwarded to the City Council for their September 20, 2016 meeting.

Zoning Case 16-14: Variance, Brandon and Amber Porter

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-14, Variance for Brandon and Amber Porter. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on September 1, 2016 and property owners within 350 feet were sent notice of the meeting. The Porters are proposing a variance to the front yard setback in order to construct a 24 ft. by 36 ft. detached garage. The garage is proposed to be placed closer to the road than the house thus the need for a variance. The proposed location would be approximately 100 feet from the front property line. The property is located at 402 Barbara Circle. He noted that he had heard from two of the neighbors and when it was explained where the garage was being proposed they were both Ok with the request. Mr. and Mrs. Porter are both present to address the Commission.

Mr. Porter addressed the Commission noting they were looking for a place to store things such as cars, a boat and atv's. The structure would match the existing home in appearance. They were



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

trying to place it where it would have the least impact on the lot with minimal clearing and addition of additional hard surface. The location they chose would need a few trees removed and would still be screened from the road.

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

Motion: **Commissioner Sanders made a motion to adopt Resolution No. 16-14, A Resolution Approving a Variance from the Minimum Front Yard Setback for an Accessory Structure in the R1 – Single Family Residence District for Brandon and Amber Porter, Commissioner Bosto seconded. (Motion was approved 4-0).**

Mr. Cottingham noted that they could apply for a building permit at any time.

Zoning Case 16-16: Variance, Jerry Madsen

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-16, Variance for Jerry Madsen. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on September 1, 2016 and property owners within 350 feet were sent notice of the meeting. Mr. Madsen is proposing a variance to the front yard setback in order to construct a 24 ft. by 24 ft. detached garage. The garage is proposed to be placed closer to the road than the house thus the need for a variance. The proposed location would be approximately 125 feet from the front property line. The property is located at 113 Cedar Ridge Lane. Mr. Madsen was present to address the Commission.

Mr. Madsen addressed the Commission stating they have a drainage issue flowing around the north side of their home and placing the garage in this location or constructing an attached garage would cause greater problems with this. The topography of the lots falls off beginning at the road and continues out to the rear of the home. They have had both engineers and architects out to the property to provide advice on where this structure would cause the least amount of problems. The proposed location would have the least amount of impacts on the topography and drainage.

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

Motion: **Commissioner Sanders made a motion to adopt Resolution No. 16-16, A Resolution Approving a Variance from the Minimum Front Yard Setback for an Accessory Structure in the R1 – Single Family Residence District for Jerry Madsen, Commissioner Buscher seconded. (Motion was approved 4-0).**

Mr. Cottingham noted that they could apply for a building permit at any time.



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

Zoning Case 16-17: Conditional Use Permit, Lake Country Power

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-16, Variance for Jerry Madsen. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on September 1, 2016 and property owners within 350 feet along with Thompson Township and Township of Brevator were sent notice of the meeting. Lake Country Power is proposing a conditional use permit to allow an electrical substation in the Farm Residential District. The proposed substation would be located within a fenced enclosure of 90 ft. by 185 ft. in size with along with a parking and maneuvering area of approximately the same size located on a parcel approximately 9 acres in size. The site is located in the southwest corner of West St. Louis River Road and Crosby Road. Representatives from Lake Country Power were present to address the Commission.

Mr. Derek Howe, Project Engineer, Lake Country Power addressed the Commission on the request. He noted this substation would help to relieve issues that they are having with two other substations that are both reaching capacity. If they have an outage at one of those stations they cannot back feed the customers in order to provide them service without this substation. This station would have most of the equipment underground so would be less obtrusive to the area.

Commissioner Sanders inquired as to the possibility of placing slats in the fence and what type of noise would be coming from the site.

Mr. Howe stated they could place slats in the fence to help with screening. The facilities that have everything above ground generates a noise of around 65 decibels on the road adjacent to the site. He believed with this equipment underground the noise level would be less than that.

Mr. Bill Stone, 382 Laine Road inquired where the power would come from to service this site and if they had explored alternative sites.

Mr. Howe stated the power would come from the overhead power lines located approximately one-quarter mile to the east of the site. They did look for alternative locations for the facility however this was the best location for what they were looking to achieve.

Mr. Stone stated he was very supportive of this project and the need for it. He was concerned with the lack of notice to residents, other options for the facility and felt the request should be tabled to explore other solutions.

Mr. Cottingham stated that notices were sent to the Cloquet residents within 350 feet of the full forty acre property and not just this site since it had not been subdivided yet. Also both Thompson Township and Township of Brevator were sent notices and if they chose not to notify their residents we could not help that. As to other options Mr. Howe addressed that issue. He did not see a need to table the request based on these issues.



Regular Meeting of the Planning Commission

Tuesday September 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

Mr. Roy Aho, 357 Laine Road inquired as to why not some other location.

Mr. Howe stated that for every mile the site is moved the cost of the project goes up and reduces the option for back feeding power into other locations. They had explored other locations but this was the best location for their facility.

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

The Commission discussed the proposal and the requirements of the Ordinance. They felt it met the requirements.

Motion: Commissioner Sanders made a motion to adopt Resolution No. 16-17, A Resolution Recommending Approval of the Conditional Use Permit for Lake Country Power for an Electrical Substation in the Farm Residential District subject to the following conditions, 1) A Site/Fence Permit be issued; 2) An access permit from Carlton county is issued; 3) The company in good faith negotiate, enter and maintain a franchise agreement to operate an electrical distribution system in the City of Cloquet consistent with other utility companies; 4) Slats must be installed in the fence to help provide screening of the equipment; 5) The Conditional Use Permit approval is valid to allow construction to begin prior to January 1, 2019. If construction does not begin by that date the Conditional Use Permit will be void, Commissioner Bosto seconded. (Motion was approved 4-0).

Mr. Cottingham noted this item would be forwarded to the City Council for their September 20, 2016 meeting.

Commissioner's Questions/Comment

None.

Next Meeting

October 11, 2016

Meeting adjourned 8:33 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: October 5, 2016

ITEM DESCRIPTION: Gravel Mining Excavation Permit Renewals for 2017

Background

All sand and gravel mining and processing operations require an annual excavation permit. The excavation permit is an annual permit issued at the discretion of the City and does not confer or grant a property right. Prior to renewal of these permits, staff visits each pit to examine the conditions to ensure that zoning ordinance requirements are being met. The excavation permits will be considered at the regular Planning Commission meeting on October 11, 2016.

Policy Objectives

Inspections of active gravel mining operations were conducted in September in accordance with Chapter 17 Section 6.20 Subdivision 8 of the Cloquet Zoning Ordinance. Attached Commissioners will find reports on the annual gravel mine inspections for the four operating within the City.

Upon inspection of the Zack Sand and Gravel Pit it is noted that the approved haul/access road from the pit to the intersection of Stark and Freeman Roads is working very well. Staff has not received any complaints regarding this pit.

The Ulland pit had both an asphalt plant and crushing operation located in the pit at various times this summer. Staff did not receive any complaints about this operation.

The KGM pit is used primarily for KGM and the wood chip operation for Sappi. They had a large amount of activity from this pit this year and more than I have seen in the past three summers. The City received no complaints on the KGM pit.

The Carlton County pit is used primarily for stockpiling of material and not much mining anymore. The millings from different projects have been stored there. The City received no complaints on the County pit.

Financial Impacts

The Annual Excavation Permit renewal fee is \$300. An updated bond is required of all applicants, along with a questionnaire, and on-site inspection with City staff.



Community Development Department

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Advisory Committee Action Requested

That the below four excavation permits be renewed for 2017, subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

- Abramson Construction, Inc. / KGM (Permits #76-18, 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5, and 79-7)
- Zack Sand and Gravel (Permit #08-01)

Staff Recommendation

Staff recommends the Planning Commission move to adopt Resolution No. 16-15, A Resolution Approving Gravel Mine Renewals for 2017.

Supporting Documents Attachments

- Resolution No. 16-15
- Pit Inspection Sheets

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-15

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF
CLOQUET APPROVE THE ANNUAL EXCAVATION PERMITS FOR
2017**

WHEREAS, the following gravel mine operators have submitted request for renewal of their Excavation and Operating Permits for the year 2017:

- Abramson Construction, Inc./KGM (Permits #76-18 and 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5 and 79-7)
- Zack Sand and Gravel (Permit #08-01); and,

WHEREAS, said renewals were considered at the regular meeting of the Cloquet Planning Commission on October 11, 2016, at which time information was reviewed relative to said renewals, and questions were asked by those gravel mine operator representatives in attendance; and,

WHEREAS, no changes were proposed by any of the operators for their operations; and,

WHEREAS, the Planning Commission found that renewal is in order at this time for all operations listed above; and,

WHEREAS, the Commission recommends the renewal of the gravel mining Excavation Permits subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that it recommends to the City Council approval of the renewal of the gravel mining Excavation and Operating Permits subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

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

JESSE BERGLUND	_____	BRYAN BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 11th day of October 2016.

CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Zack Sand and Gravel – Stark Road**

DATE OF INSPECTION: **September 21, 2016** TIME OF DAY: **9am**

WEATHER CONDITIONS: **Sunny, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	<input type="checkbox"/>	<input type="checkbox"/> NA	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The Zack Sand and Gravel pit is located behind the Cloquet Business Park off of Stark Road. This property is zoned Farm Residential.

Mr. Zack reports this has been a pretty good year. They have removed approximately 10,000 cubic yards of material so far this. The access road is in great shape with a little slope work needing to be done. We have received no complaints on the operations.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Ulland Sand and Gravel Pit**

DATE OF INSPECTION: **September 21, 2015** TIME OF DAY: **10:30 am**

WEATHER CONDITIONS: **Clear, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	X	<input type="checkbox"/>	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	X	<input type="checkbox"/>	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The Ulland Pit is located south of I-35 and west of Hwy 45. The property is zoned Heavy Industrial.

They have had an asphalt plant set up for about one month this summer in the pit. They were also doing crushing on the site on the pit floor. They had removed approximately 17,000 cubic yards of material from the site through mid-August. They noted it is difficult to identify the amount of material that will leave the pit next year since they do not have any contracts yet.







GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **KGM**

DATE OF INSPECTION: **September 21, 2014** TIME OF DAY: **10:00 am**

WEATHER CONDITIONS: **Clear, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	<input type="checkbox"/>	<input type="checkbox"/> NA	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The KGM pit is owned and operated from the main office in Angora, MN. The property is zoned Heavy Industrial.

Carlson Timber remains active in the pit chipping wood and loading semi trucks to haul the wood chips to Sappi. Very active with chips being brought in and being hauled out.

KGM had a fair amount of activity this year from their pit. The major pit faces have been worked this year with over 25,000 cubic yards removed by the end of July with lots of material still being hauled out.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Carlton County – Airport Road**

DATE OF INSPECTION: **September 21, 2015** TIME OF DAY: **9:30 am**

WEATHER CONDITIONS: **Clear, 55 degrees, early fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	<input type="checkbox"/>	<input type="checkbox"/> NA	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

There was some activity in the County pit this year with approximately 3,000 cubic yards of material being removed. There is a security gate at Airport Road that is used as required, the FDL Reservation Pit is adjacent and to the direct east of this pit. They use this pit for County Road projects in the area and will stockpile blacktop from some of the road projects for use in the future.







Community Development Department

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

PLANNING COMMISSION MEMO

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: October 5, 2016

ITEM DESCRIPTION: ZONING CASE 16-18: CONDITIONAL USE PERMIT – FRIENDS OF ANIMALS, HUMANE SOCIETY IN THE LI – LIGHT INDUSTRY DISTRICT

Background

Friends of Animals is proposing a conditional use permit to allow a humane society in the LI – Light Industry District. The property involved is located at 1001 Avenue B. Friends of Animals would like to remodel the former Carlton County building for their facility.

A public hearing will be held on Tuesday, October 11, 2016 to consider a conditional use permit for a humane society in the Light Industry District. A legal notice was published in the Pine Journal on September 29, 2016 and property owners within 350 feet were sent notices of the public hearing.

Policy Objectives

The Zoning Ordinance states Conditional Use Permits may be granted when they comply with the following approval criteria: (*Staff comments in italic*)

1. Consistency with the Comprehensive Plan. The relationship of the proposed use to the goals, objectives, and policies of the City of Cloquet Comprehensive Plan. *The proposed site is guided as Light Industry. For the purposes of the Comprehensive Plan, acceptable land uses include industrial development.*
2. Compatibility. The compatibility of the proposed use with existing development within three hundred (300) feet of the proposed use and within five hundred (500) feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible. *The property surrounding this site is retail, office, warehouse and distribution.*
3. Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable. *There is a need for a humane society in the community. They are currently located at 1418 Hwy 33 South and are proposing to relocate to this site.*



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4. Neighborhood protections. The sufficiency of terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. *The site is the former home of Carlton County offices. The conversion of the site to the Friends of Animals Humane Society will involve remodeling of the interior of the building to meet their needs. They are proposing to construct an outdoor kennel space to accommodate 12 – 15 dogs. They will be outside an average of 4 – 5 times per day for approximately 20 – 30 minutes. This affords them a little fresh air and gives staff the opportunity to clean their indoor space.*

5. Conformance with other requirements of this Chapter. The conformance of the proposed development with all provisions of this Chapter. *The proposed location meets all of the requirements of the Zoning Ordinance. There is adequate off street parking for employees and customers.*

6. Other factor. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Planning Commission or the City Council feels are necessary for review in order to make an informed and just decision.

Financial Impacts

The Conditional Use Permit fee is \$400. 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 conditional use permit. Following this testimony the Planning Commission should review the approval criteria and either recommend approval, approval with conditions or denial of the conditional use permit. The Planning Commission may impose conditions in the granting of conditional uses.

Staff Recommendation

Staff has reviewed the conditional use permit approval criteria requirements and would recommend approval of the conditional use permit subject to at least the conditions in the draft Resolution.

Supporting Documents Attachments

- Resolution No. 16-18
- Location Map
- Narrative
- Aerial Photo

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-18

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE
THE CONDITIONAL USE PERMIT FOR FRIENDS OF ANIMALS FOR A HUMANE
SOCIETY IN THE LIGHT INDUSTRY DISTRICT**

WHEREAS, Friends of Animals is proposing a Conditional Use Permit for a humane society in the Light Industry District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet were sent notice. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on October 11, 2016 at which time Zoning Case / Development Review No. 16-18 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit is located at 1001 Avenue B and is legally described as follows:

Lot 4, Block 6, except the north 15 feet and except the south 30 feet, Docket 249613, together with adjoining vacated easterly 8.38 feet of 10th Street in Book 25, page 420, Docket 270445,

And,

The south 30 feet of Lot 4, Block 6, Docket 249613, except minimum interest on Docket 249565. Together with adjoining vacated easterly 8.38 feet of 10th Street in Book 25, page 420, Docket 270445,

And,

Lot 5 and part of Lot 6, Block 6, lying north of the following line; commencing at the northwest corner of Lot 6, thence south 22 feet to the point of beginning, thence southeast to a point on the east line of Lot 6, 36.2 feet south from the northeast corner, together with adjoining vacated easterly 8.38 feet of 10th Street in Book 25, page 420, Docket 270445 and together with vacated north 1 foot 3 inches of right of way of Avenue B abutting Lot 6, Docket 271340, All in Nelsons Subdivision of Outlots 35, 36 and 40, Carlton County, Minnesota. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 16-18 to the Cloquet City Council to allow a humane society in the Light Industry District subject to the following conditions:

1. The three lots must be consolidated into one tax parcel.
2. A Building Permit must be issued prior to beginning any work.
3. Animals shall not be left outside unattended.
4. Outside kennels constructed on the site shall be adequately screened.

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

JESSE BERGLUND	_____	BRYON BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 11th day of October 2016.

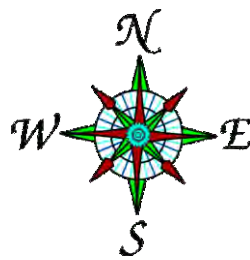
CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Friends of Animals



No Scale

Al Cottingham

From: Cynthia Haglin <foacindy@yahoo.com>
Sent: Monday, September 26, 2016 4:53 PM
To: Al Cottingham
Subject: FOA permit

Hello. Here is a brief summary of our outdoor kennel space plans.

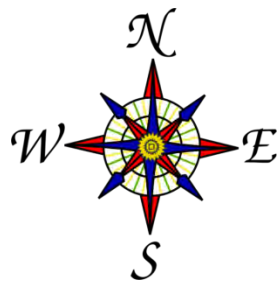
Friends of Animals intention is to construct an outdoor kennel space to accomodate 12-15 dogs. They will be outside an average of 4-5 times per day for approximately 20-30 minutes. This affords them a little fresh air and gives staff the opportunity to clean their indoor space.

Let me know if you have further questions.

Cindy

Sent from my iPhone

AERIAL PHOTO
1001 AVENUE B



NO SCALE



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: October 5, 2016

ITEM DESCRIPTION: NOVEMBER MEETING DATE

Our regular meeting date for November would be the 8th; however, November 8th is an election day and therefore we could not hold a meeting until after the polls close at 8:00 p.m. I am suggesting that if we have a meeting that it would be held on Wednesday, November 9th at 7:00 p.m. We will discuss this date change at the meeting to be sure that is Ok with a majority of members.