



**Regular Meeting of the Planning Commission**

Tuesday, February 10, 2015

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

**AGENDA**

OATH OF OFFICE: Jesse Berglund and Uriah Wilkinson

1. Call to Order
2. Roll Call
3. Election of Chairperson and Vice Chairperson
4. Additions/Changes to the Agenda
5. Minutes from the November 25, 2014 Planning Commission meeting
6. Zoning Case 15-01: Land Use Guide Plan Amendment and Rezoning
7. Commissioner's Questions/Comments
8. Adjourn

**NEXT MEETING:  
MARCH 10<sup>TH</sup> @ 7pm**



**Regular Meeting of the Planning Commission**

Tuesday November 25, 2014

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

**CALL TO ORDER**

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

**ROLL CALL**

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

**Absent:** Commission member: None

**Others Present:** Tim Grahek, Daniel and Diane Lambert, Michael Welch, Bob Himango and Ryan Swanson

**ADDITIONS/CHANGES TO THE AGENDA**

None.

**AGENDA ITEMS**

**October 28, 2014 Meeting Minutes**

Chairperson Sanders asked for any corrections or additions.

**Motion:** Commissioner Wilkinson made a motion to approve the Planning Commission meeting minutes from October 28, 2014 as amended, Commissioner Johnson seconded. (Motion was approved 7-0).

**Zoning Case 14-19: Variance- 818 White Avenue**

Chairperson Sanders reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 14-19, Variance for Diane Lambert, 818 White Avenue. He asked Mr. Cottingham to provide an overview of the request. Mr. Cottingham noted this was a public hearing and notice had been published in the Pine Journal and effected property owners were sent notice of the meeting. Mr. Cottingham noted this was a variance to allow an accessory structure in the front yard. It would be setback 30 feet from White Avenue but since it was closer to the street than the house it needed a variance. He noted that the accessory structure would be further from the street than other homes in the area. Ms. Lambert was present to answer any questions the commission might have.

Chairperson Sanders asked if anyone would like to speak on this item.

Ms. Lambert stated she had nothing to add to what was presented but was present to answer any questions.



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

The commission discussed the location of the structure and the number of cars on the site. It appeared that a couple of the vehicles were inoperable and thus should be removed. They discussed having this as a condition of approval.

**Motion: Commissioner Johnson made a motion adopt Resolution No. 14-19 approving the Variance for an accessory structure in the front yard in the R2 – one to two-family residence district for Diane Lambert subject to the condition that the old panel truck be removed by January 1, 2015, Commissioner Buscher seconded. Motion was approved 7-0.**

**Zoning Case 14-14: Street Vacation – Hawthorne Street**

Chairperson Sanders introduced Zoning Case 14-14, Street Vacation for Hawthorne Street. He asked Mr. Cottingham to provide an overview of the request. Mr. Cottingham noted there was a public hearing on this at the October 14, 2015 meeting and the request was tabled for some additional information. The request is for the vacation of Hawthorne Street lying north of Carlton Avenue West. The street was platted in 1907 and has never been constructed. The item was tabled with concern that the home on the west side of the street was constructed within the right of way and appeared to possibly extend past the center of the street. The City Attorney wanted to be sure that following the vacation, if approved, the home would be on one property and not two. A survey was needed or consent from the property owner to the east giving up their portion of the vacated street. He noted that he had received a letter from Patrick and Lynda Welch stating they were ok with their portion of the vacated street being given to the property to the west. He noted that Mr. Himango was present to answer any questions the commission might have.

The commission discussed the vacation and was glad that the issue could be worked out.

**Motion: Commissioner Berglund made a motion adopt Resolution No. 14-14 recommending approval of the vacation of Hawthorne Street lying north of Carlton Avenue West, Commissioner Wilkinson seconded. Motion was approved 7-0.**

**Zoning Case 14-13: Sand and Gravel Operation Renewal – Ulland Brothers**

Chairperson Sanders introduced Zoning Case 14-13, Sand and Gravel Operation Renewal, Ulland Brothers. He asked Mr. Cottingham to provide an overview of the request. Mr. Cottingham noted this was the annual renewal of the excavation permit for the Ulland Brothers. This application was tabled at the October 28, 2014 meeting for some additional information. Staff has included in the packet the three conditional use permits that were approved in the 70's and their application for this year's excavation permit. On the commission table were copies of a graphic showing where a proposed eight foot high berm would be constructed to help with the noise from the operation. He noted that in the Zoning Ordinance there were noise levels that



staff would use if complaints were made in the future about the operations. This would be used as a nuisance issue. He noted Mr. Tim Grahek was present to discuss the application.

The commission discussed the noise issue from the crusher and wondered about options if this became a problem in the future. Mr. Cottingham noted that it might need to be moved in to the area of the pit where the temporary asphalt plant was located to provide additional perming from the residents. This would mean that the raw materials would need to be transported further to get to the crusher. Mr. Grahek noted that they had enough material put up for next year for the projects that they are aware of. He is not sure that they will need to have a crusher on site next year.

The commission discussed the berm with Mr. Grahek and the timing for the construction of it. The construction of the berm was to help with the noise of the crusher and if the crusher was not going to be present in 2015 the urgency of constructing the berm was not as great.

**Motion:** Commissioner Berglund made a motion adopt Resolution No. 14-13 Ulland recommending approval of the annual excavation permit for 2015 for Ulland Brothers subject to the condition that an eight foot high berm be constructed extending west from the Shamrock berm approximately 300 feet and then north to the existing trees, approximately 350 feet, Commissioner Johnson seconded. Motion was approved 7-0.

#### **Zoning Case 09-16: Wetland Delineation – I-35 and Highway 33**

Chairperson Sanders introduced Zoning Case 09-16, Wetland Delineation – I-35 and Highway 33. He asked Mr. Cottingham to provide an overview of the request. Mr. Cottingham noted this request was to reapprove the wetland delineation for this area that was done in 2009. The City of Cloquet is the applicant and has a purchase agreement on the property. The Technical Evaluation Panel met on site and reviewed the 2009 delineation report and felt that there were no changes to the site and the wetlands had not changed. They have signed off on the 2009 report to allow it to be good for another 5 years. Staff is asking the commission to reapprove the 2009 delineation for an additional 5 years.

The commission discussed the property and the wetland delineation report for the property. They felt since there were no changes to the property they could support the Technical Evaluation Panel and except the delineation report for another 5 years.

**Motion:** Commissioner Johnson made a motion adopt Resolution No. 09-16 recommending approval of the Wetland Delineation (Boundary and Tupe) conducted by Short Elliot Hendrickson for the Hwy 33 and I-35 area, Commissioner Wilkinson seconded. Motion was approved 7-0.



**Regular Meeting of the Planning Commission**

Tuesday November 25, 2014

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

**Commissioner's Questions/Comment**

Mr. Cottingham noted that the December 9<sup>th</sup> meeting would probably be cancelled.

**Next Meeting**

December 9, 2014.

Meeting adjourned 7:35 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator



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To: Planning Commission  
From: Al Cottingham, City Planner/Zoning Administrator  
Date: February 4, 2015

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**ITEM DESCRIPTION: ZONING CASE 15-1: COMPREHENSIVE PLAN  
AMENDMENT (LAND USE PLAN) AND REZONING**

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**Background**

In 2009 this area was platted by Western Lake Superior Habitat for Humanity. As part of the plat, the City approved the creation of three new single family lots with the remainder of the property being deeded to the City for storm water retention. The zoning and land use designations, at the time of the plat, were the same as today.

Receiving the case file, the Commission did not identify any specific concerns about the zoning of land use designation. Habitat was allowed to plat the property as proposed even though the construction of single family homes would be in conflict with these two guiding documents. The City subsequently issued two building permits in conformance with the new plat and two single family homes were constructed.

The city was recently approached by an individual interested in constructing a home on the third lot. It was through this process that staff identified the conflict with the Zoning and Comprehensive Plan. As a result, in order for the third lot to be developed with a single family home the Commission must consider the proposed amendments.

In August 2007 the City Council adopted the 2007 – 2027 Comprehensive Plan for the City of Cloquet. Chapter 3 of the Plan, Land Use discusses Inventory and Analysis; Goals, Objectives, and Policies; and, Land Use Plan.

Staff has reviewed the language in the Comprehensive Plan pertaining to both the “Moderate-Density to High-Density Residential” and “Low Density Residential”. In reviewing these write ups there is no compelling rationale to leave things the way they are. The property surrounding this property is “Low Density Residential” thus this would not be creating a spot area for the residential use.

The zoning of property needs to be consistent with the Comprehensive Plan; therefore if the plan is amended to “Low Density Residential” then the zoning should also be amended. In this case the R2 – One and Two Family Residential would be appropriate since the surrounding property is Zoned R2.

Staff felt that since the land use and zoning were overlooked with the platting of the property in 2009 and there was more property involved than specifically platted by Western Lake Superior habit for Humanity the City would be the applicant rather than the property owner.

The City of Cloquet is proposing to amend the Land Use Plan portion of the Comprehensive Plan by changing the current classification of the property located southwest of Spruce Street and Prospect



## Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720

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

Avenue West from “Moderate to High Density Residential” to “Low Density Residential”. The City is also proposing a Rezoning of the property from the current classification of “R3 Multiple-Family Residence” to “R2 One and Two Family Residence”. The City is proposing this change so the existing single family homes will be conforming uses rather than non-conforming uses. The amendment and rezoning, if approved, would amend the Land Use Plan Map of the Comprehensive Plan and the Zoning Map.

The Comprehensive Plan Amendment is the first step in a two-step process that he needs to go through prior to receiving a building permit to remodel the building. If this step is recommended for approval then the rezoning of the property should also be recommended for approval so the two are consistent.

A public hearing will be held on Tuesday, February 10, 2015 to consider a possible amendment to the Comprehensive Plan (Land Use Plan) and Rezoning. A legal notice was published in the Pine Journal on January 29, 2015 and property owners within 350 feet and those whose property is effected were sent notices of the public hearing.

### **Policy Objectives**

The Land Use Plan portion of the Comprehensive Plan discusses the “Moderate-Density to High-Density Residential” on page 3-14 and the “Low Density Residential” on pages 3-13 and 3-14. The plan does not have any specific locational criteria for where certain districts should be located or rational as to why districts are located where they are.

### **Financial Impacts**

The Comprehensive Plan Amendment fee is \$300 and Rezoning fee is \$400. The City does not charge itself these fees.

### **Advisory Committee Action Requested**

The Planning Commission should listen to the testimony that is presented at the public hearing and review the language in the Comprehensive Plan pertaining to both the “Moderate-Density to High Density Residential” and “Low Density Residential”. Following this review the Planning Commission can recommend approval of the request, recommend denial of the request or table the request for some additional information. The Commission should take the same action on the Rezoning application so the two are consistent.

### **Staff Recommendation**

Staff would recommend approval of the Comprehensive Plan Amendment from “Moderate to High Density Residential” to “Low Density Residential” and Rezoning from R3 – Multiple Family Residence to R2 – One and Two Family Residence.

### **Supporting Documents Attachments**

- Resolution No. 15-01 Comp
- Resolution No. 15-01 Rezone
- Location Map
- Comprehensive Plan Pages
- Land Use Plan
- Zoning Map

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

Commissioner \_\_\_\_\_ offered the following Resolution and moved its adoption.

**RESOLUTION NO. 15-01 Comp**

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE  
THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM  
“MODERATE-DENSITY TO HIGH-DENSITY RESIDENTIAL” TO “LOW DENSITY  
RESIDENTIAL”**

**WHEREAS**, The City of Cloquet is proposing a Comprehensive Plan Amendment (Land Use Plan) from “Moderate-Density to High-Density Residential” to “Low Density Residential”; 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 February 10, 2015 at which time Zoning Case / Development Review No. 15-1 was heard and discussed; and

**WHEREAS**, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located southwest of Spruce Street and Prospect Avenue West and is legally described as follows:

All of Spruce Street Hollow.

And.

That part of “Block A” County Auditor’s Subdivision Number 31 described as follows:

Commencing at the northeast corner of “Block A” thence south on the east line 220 feet, thence west 10.4 feet to the west line of Spruce Street (point of beginning), thence continue west 245 feet, thence south 135 feet to the north right-of-way of CSAR # 7, thence east along the right-of-way 270 feet to the west line of said street, thence north 225 feet to the point of beginning. Carlton County, Minnesota.

and

**WHEREAS**, the Planning Commission reviewed the staff report and recommends approval of the Comprehensive Plan Amendment (Land Use Plan).



**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA,** that the Planning Commission recommends approval of Zoning Case 15-1 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 BOSTA	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 10<sup>th</sup> day of February 2015.

CITY OF CLOQUET

\_\_\_\_\_  
JOHN SANDERS  
CHAIR

ATTEST: \_\_\_\_\_  
Alan Cottingham  
City Planner/Zoning Administrator

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

Commissioner \_\_\_\_\_ offered the following Resolution and moved its adoption.

**RESOLUTION NO. 15-01 Rezone**

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE  
THE REZONING FROM “R3 – MULTIPLE FAMILY RESIDENCE” TO “R2 – ONE  
AND TWO FAMILY RESIDENCE”**

**WHEREAS**, The City of Cloquet is proposing a Rezoning from “R3 – Multiple Family Residence” to “R2 – One and Two Family Residence”; 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 February 10, 2015 at which time Zoning Case / Development Review No. 15-1 was heard and discussed; and

**WHEREAS**, the property of the proposed Rezoning is located southwest of Spruce Street and Prospect Avenue West and is legally described as follows:

All of Spruce Street Hollow.

And.

That part of “Block A” County Auditor’s Subdivision Number 31 described as follows:

Commencing at the northeast corner of “Block A” thence south on the east line 220 feet, thence west 10.4 feet to the west line of Spruce Street (point of beginning), thence continue west 245 feet, thence south 135 feet to the north right-of-way of CSAR # 7, thence east along the right-of-way 270 feet to the west line of said street, thence north 225 feet to the point of beginning. Carlton County, Minnesota.

and

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

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA,** that the Planning Commission recommends approval of Zoning Case 15-01 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 BOSTA	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 10<sup>th</sup> day of February 2015.

CITY OF CLOQUET

\_\_\_\_\_  
JOHN SANDERS  
CHAIR

ATTEST: \_\_\_\_\_  
Alan Cottingham  
City Planner/Zoning Administrator

# LOCATION MAP



No Scale

## LAND USE PLAN

This section summarizes and expands on the concepts and actions discussed in the inventory and analysis section, and the goals, objectives, and policies section of this chapter.

### OVERVIEW OF FUTURE LAND USES

The following provides an overview of the future land uses designated on the Land Use Plan (see Figure 3-3: Land Use Plan). Detailed parcel data was not available when the Land Use Plan was prepared. Therefore, refer to the Land Use Plan as a general guide. The actual boundaries of the various land uses should generally correspond with lot lines and street centerlines.

#### Rural Residential

The Comprehensive Plan guides most rural areas in the city (not served by City sewer and water) for rural residential use not to exceed a density of one dwelling unit per five acres. Acceptable land uses in this area include single-family residences; agriculture, parks, open spaces, and essential services such as water towers. Historically, the City required one or two-acre minimum lots for rural residential or agricultural uses not served by public sewer and water. By guiding rural residential uses for five-acre minimum lots, the Comprehensive Plan encourages development in areas of the city that are (or can reasonably be) served by public sewer and water. Five-acre minimum lots also help preserve the rural character of Cloquet, while still allowing reasonable rural residential development.

The Comprehensive Plan envisions that public sewer and water will eventually serve those rural residential areas that are within the anticipated 2027 public sewer and water service boundary (see Figure 3-3: Land Use Plan and Figure 3-4: Phased Sewer and Water Extension and Staged Growth Plan). Consequently, the City encourages new development in areas guided for rural residential use to employ cluster development or conservation subdivision techniques where appropriate. These techniques not only help protect significant natural areas and rural character, but they also can help facilitate cost-effective future extensions of urban services to clusters of development as opposed to scattered development. The City may consider offering density bonuses for development that incorporates these techniques. Refer to the Staged Growth Plan discussed later in this chapter for additional information.

#### Suburban Residential

The suburban residential land use classification recognizes existing or planned areas for single-family residential use on lots between one and five acres in areas that the City does not anticipate serving with sewer and water before 2027. This area includes existing and planned phases of the Otter Creek Subdivision in south central Cloquet. The Otter Creek Subdivision is bounded on the north and east by Otter Creek, the west by Fond du Lac tribal or allotment land, and the south by Twin Lakes Township. Unlike the rural residential development to the north, the Otter Creek subdivision is outside Cloquet's Drinking Water Supply Management Area (refer to Chapter 5: Utilities and Community Facilities for additional information). Therefore, the Otter Creek Subdivision is a unique subdivision that the City does not anticipate serving with sewer and water before 2027.

#### Low-Density Residential

The Comprehensive Plan guides most of the area within the anticipated 2027 public sewer and water service boundary for low-density residential use. Acceptable land uses in this area include single-family detached residences, duplexes, twinhomes, religious institutions, parks, essential services, and



other public and semi-public uses that can be sensitively integrated into a low-density residential neighborhood. Low-density residential uses should have a density of one to five dwelling units per acre.

The Comprehensive Plan guides a significant amount of existing agricultural or rural residential land for future low-density residential use. However, as the City prepares detailed plans to provide public sewer and water to these existing rural areas of the city, the City may find that it is not feasible to serve certain existing rural development with public sewer and water. In those cases, the City could possibly amend this Comprehensive Plan and guide those areas for suburban residential use rather than for future low-density residential use.



### **Moderate-Density to High-Density Residential**

The Comprehensive Plan continues to guide existing townhomes, mobile home parks, condominiums, and apartments for moderate-density to high-density residential use. The Plan does not specifically guide additional parcels for moderate to high-density residential use. Rather, it promotes sensitive integration of these uses into the city center, planned mixed residential, and the commercial/residential mixed-use areas described below.

Consistent with the City's current Zoning Ordinance, moderate to high-density residential use allows for a density of 5 to 32 dwelling units per acre. However, the City's Zoning Ordinance and Zoning Map will identify the maximum allowable density for specific parcels in the City.

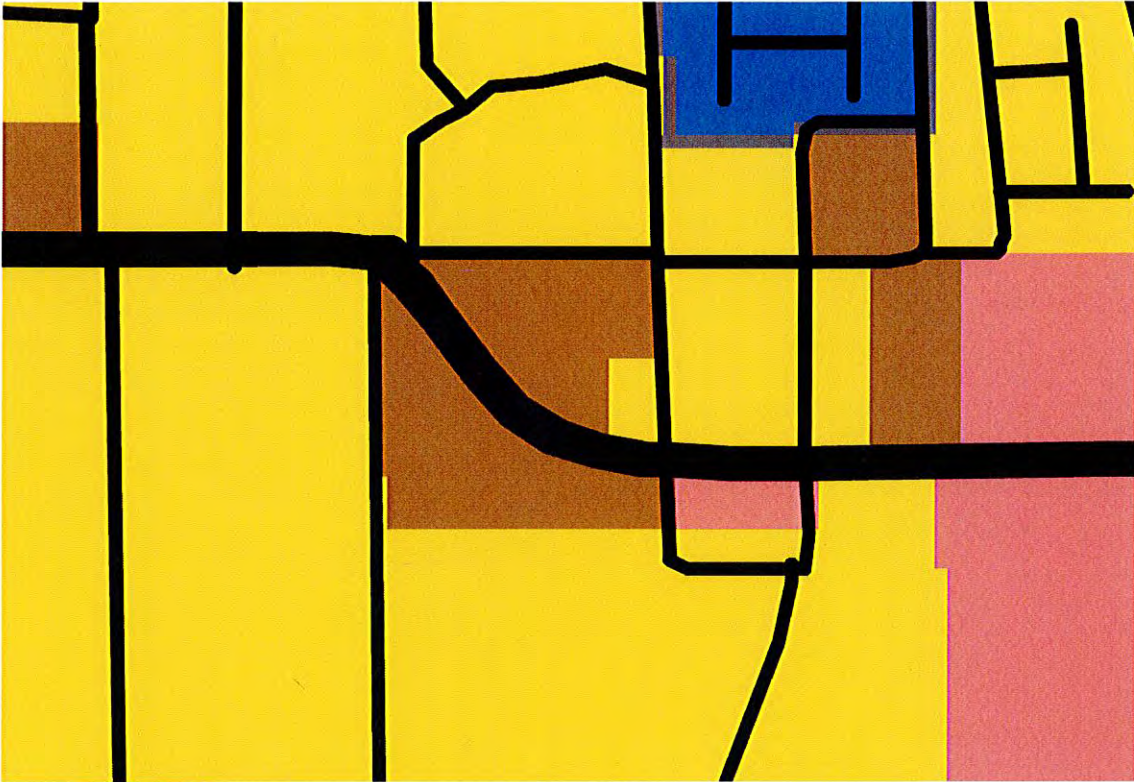
#### **Planned Mix Residential**












The Comprehensive Plan guides several areas in the city for planned mixed residential uses. This land use designation provides opportunities to develop a mixture of housing types and densities within a planned development. Planned mixed residential uses may include single-family detached housing, moderate-density single-family attached housing, and high-density apartments or condominiums carefully integrated into a planned residential development. Within this planned setting, parks, religious institutions, essential services, public and semi-public uses, and a limited amount of neighborhood commercial use, may also be acceptable complimentary uses.

Before allowing any significant development in an area guided for planned mixed residential use, the City should prepare a master plan for the area (or alternatively the City should coordinate with a developer to review the developer's master plan for the area). In general, proposed moderate to high-density residential uses (as well as neighborhood commercial uses) should be considered in the context of a planned unit development that involves at least several acres of land. The City should not permit uncoordinated or spot development in this area that may preclude logical development of the whole area. The following provides a general description of the planned mixed residential areas in the city.

Planned Mixed Residential South of Stark Road. The Comprehensive Plan guides an area south of Stark Road and east of Freeman Road for planned mixed residential use. This area is mostly undeveloped with a mixture of scattered wetlands and upland. Public sewer and water currently serve the Cloquet Business Park to the north and they could reasonably serve this planned mixed residential area as well. The Comprehensive Plan guides the area to the east for highway commercial use and the area to the west for low-density residential use. Consequently, this planned mixed residential area could serve as a transition between the highway commercial use and the low-density residential use. The existing wetlands in this area may provide an attractive amenity and a functional buffer between the various uses in the area.

# LAND USE GUIDE PLAN



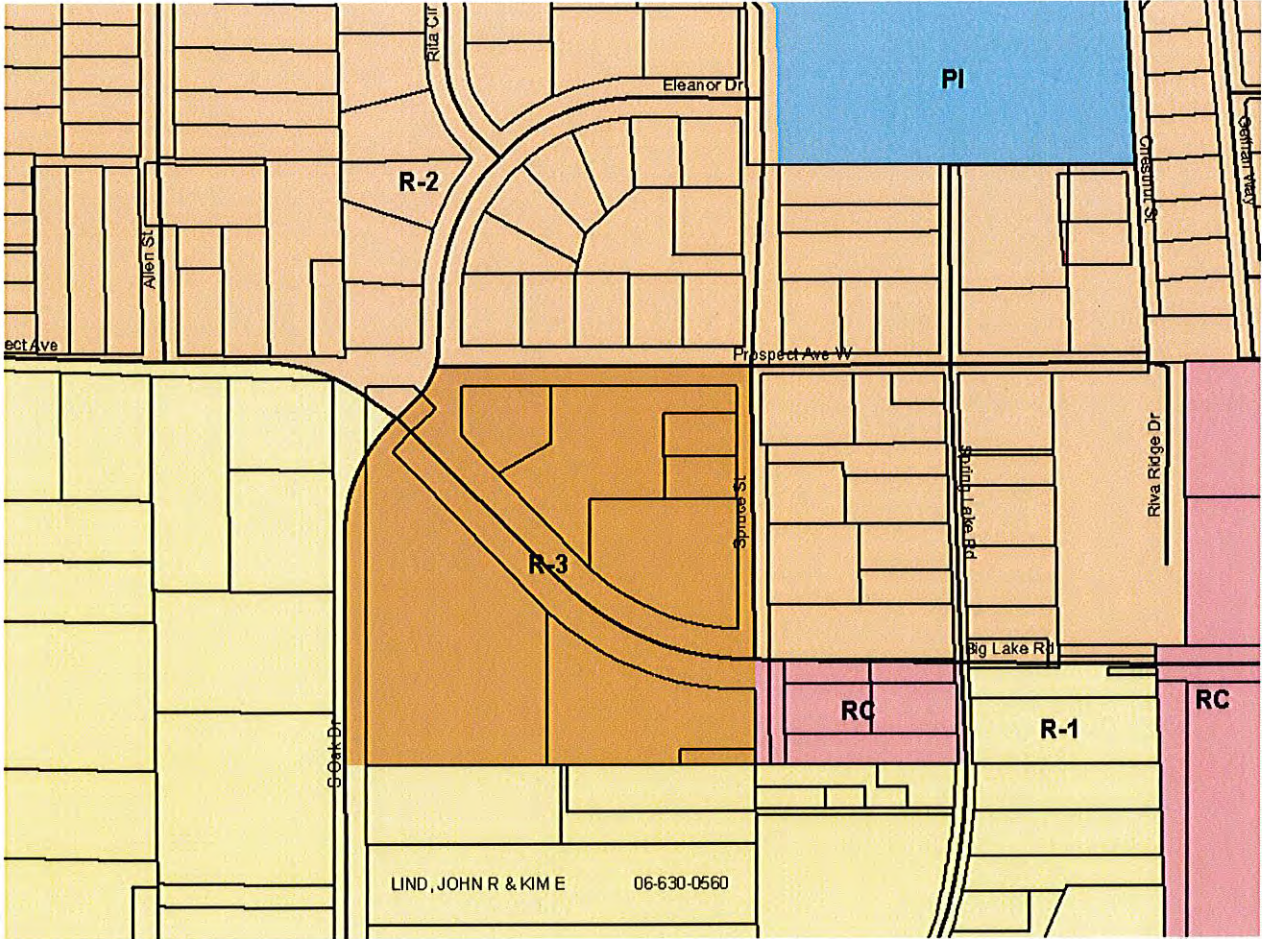
-  Suburban Residential (1 DU/Ac Max)
-  Low Density Residential (1-5 DU/Ac)
-  Mod. to High Density Residential (5-32 DU Ac)
-  Planned Mixed Residential (Variable Density)
-  Neighborhood Commercial
-  Highway Commercial
-  City Center
-  Highway Commercial/Residential Mix
-  Commercial-Industrial Reserve
-  Light Industry
-  Heavy Industry



No Scale



# ZONING MAP



No Scale