



**Regular Meeting of the Planning Commission**

Tuesday, March 10, 2015

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 February 10, 2015 Planning Commission meeting
5. Zoning Case 15-02: Conditional Use Permit for SAC Wireless for Cellular Tower
6. Commissioner's Questions/Comments
7. Adjourn

**NEXT MEETING:**  
March 24<sup>th</sup> @ 7pm



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**CALL TO ORDER**

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

**OATH OF OFFICE**

Mr. Cottingham administered the Oath of Office to Jesse Berglund and Uriah Wilkinson.

**ROLL CALL**

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

**Absent:** Commission members: Bryan Bosto, Michael Haubner and Chuck Buscher

**Others Present:** None

**ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

Acting Chairperson Sanders requested nominations for a Chairperson, Jesse Berglund was nominated. There were no other nominations, Vote 4 – 0.

Chairperson Berglund requested nominations for a Vice Chairperson, Kelly Johnson was nominated. There were no other nominations, Vote 4 – 0.

**ADDITIONS/CHANGES TO THE AGENDA**

None.

**AGENDA ITEMS**

**November 25, 2014 Meeting Minutes**

Chairperson Berglund asked for any corrections or additions,

**Motion:** Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from November 25, 2014, Commissioner Wilkinson seconded. (Motion was approved 4-0).



**Zoning Case 15-01: Land Use Guide Plan Amendment and Rezoning**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 15-01, Land Use Guide Plan Amendment and Rezoning. He asked Mr. Cottingham to provide an overview of the application. Mr. Cottingham noted the City was the applicant for this application located southwest of Spruce Street and Prospect Avenue West. The request was for a Land Use Guide Plan Amendment from “Moderate-Density to High-Density Residential” to “Low Density Residential” and a Rezoning from R3 - Multiple Family Residential to R2 – One and Two Family Residential. This is being done to clean up the area and make the existing single family homes a conforming use.

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

There being no further discussion Chairperson Berglund closed the public hearing

Chairperson Berglund called for a motion.

**Motion: Commissioner Sanders made a motion to adopt Resolution No. 15-01 Comp Recommending Approval of the Comprehensive Plan Amendment (Land Use Plan) from “Moderate-Density to High-Density Residential” to “Low Density Residential”, Commissioner Johnson seconded. (Motion was approved 4-0).**

Mr. Cottingham noted this would be placed on the City Council agenda for February 17, 2015.

**Motion: Commissioner Johnson made a motion to adopt Resolution No. 15-01 Rezone Recommending Approval of the Rezoning from “R3 – Multiple Family Residence” to “R2 – One and Two Family Residential”. Commissioner Sanders seconded. (Motion was approved 4 – 0)**

Mr. Cottingham noted this would be placed on the City Council agenda for February 17, 2015.

**Commissioner’s Questions/Comment**

Chairperson Berglund asked Mr. Cottingham for an update on the Rental Housing Code, the Scanlon discussions and any other items that may be of interest to the Commission.

Mr. Cottingham noted that there were some minor changes to the Rental Housing Code since it was first adopted and that it would take effect on March 1, 2015. Staff was in the process of sending out notices to approximately 370 rental property owners making them aware of the code and a registration form to be filled out and returned to his office.

He noted that the first meeting with representatives of Scanlon was held to explore the possibility of a consolidation of the two communities. There were four representatives from both communities. This meeting was primarily a meet a greet session with information being handed out on the formal process and to discuss how the group wished to continue. The group felt that



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the advantages and disadvantages should be looked at and then carry on discussions from there. This would be the topic of the next meeting to be held on February 25<sup>th</sup>. There was also an information packet handed out that had copies of the statute and information from other communities that had gone through the process.

He also referenced the Big Lake Sanitary Sewer District and the proposed plans to bring sewer from the Big Lake area into Cloquet and then onto Western Lake Superior Sanitary Sewer District for treatment. This will require an amendment to the Comprehensive Plan for an expansion to our sewer district boundary. This will be scheduled for a future meeting when all the issues get worked out.

**Next Meeting**

March 10, 2015

Meeting adjourned 7:32 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator



**PLANNING COMMISSION MEMO**

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

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**ITEM DESCRIPTION: ZONING CASE 15-02: CONDITIONAL USE PERMIT –  
CELLULAR TOWER IN THE LIGHT INDUSTRY  
DISTRICT**

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**Background**

SAC Wireless for AT&T is proposing a conditional use permit to allow the construction of a 190 foot mono-pole cellular tower with antenna's not to exceed a total height of 199 feet. The property involved is located north of Carlton Avenue and west of Scanlon Way. The property is owned by the City of Cloquet and if the conditional use permit is approved then a lease would need to be entered into between the applicant and the City.

Staff has been working with the applicant for a number of months on both the lease agreement and the location of the tower. The Ordinance requires a minimum of 500 feet separation between the tower and any residential structure and a minimum setback of 75 percent of the tower height (150 ft.) to the property lines. Access to the tower will be from Scanlon Way with the tower being approximately 542 feet north of the closest home on Carlton Avenue.

A conditional use permit was approved for this same tower in October 2013 but since the building permit was not taken out within one year the conditional use permit is void and needed to be reapplied for.

A public hearing will be held on Tuesday, March 10, 2015 to consider a conditional use permit for a cellular tower in the Light Industry District. A legal notice was published in the Pine Journal on February 26, 2015 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, light industries differ from heavy industries in that they are smaller operations that generally do not create excessive noise, smells, or traffic concerns.*



## Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720

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

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 land to the east and north is owned by Sappi and is part of their buffer between their operations and the road. The land to the north and west is owned by Jarden (Diamond Brand) for future development. The land to the south is low density residential and has a number of single family homes on it. The tower will be over 500 feet to the closest home.*

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. *This really doesn't apply since it is a cellular tower but it does provide cellular service to those parties that have this as their service provider.*

4. Neighborhood protections. The sufficiency of terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. *The access to the site will be off Scanlon Way with what I would call a single driveway approach. The woods on the site will remain except for the driveway and the 50 foot by 50 foot area for the tower and related equipment. The tower will be a minimum of 500 feet from the homes on the south side of Carlton Avenue.*

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 will be no wetlands impacted and a minimal number of trees will be removed to accommodate the site.*

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 approve, approve with conditions or deny the conditional use permit. The Planning Commission may impose conditions in the granting of conditional uses.



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**Staff Recommendation**

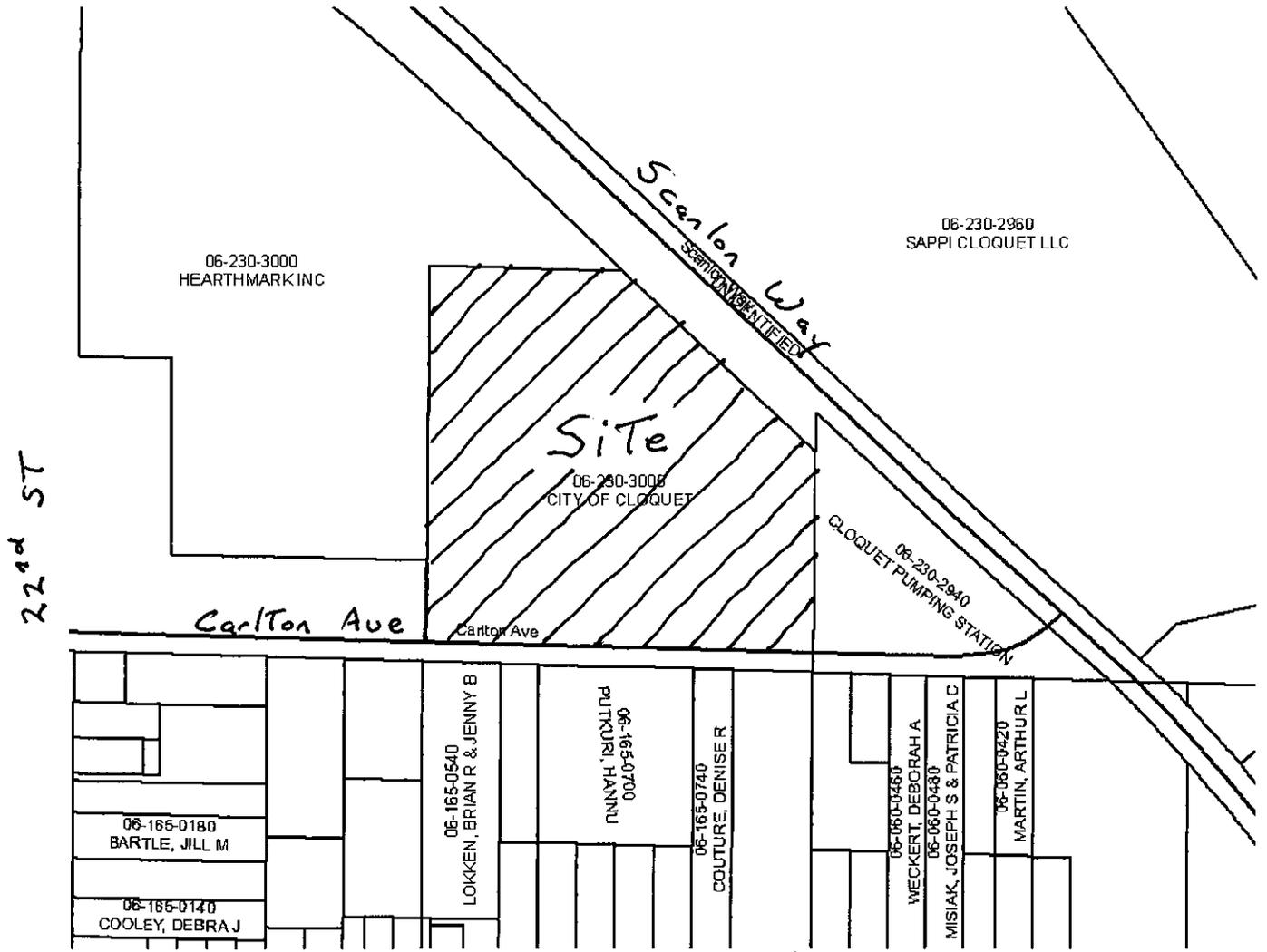
Staff has reviewed the conditional use permit approval criteria requirements and would recommend approval of the conditional use permit subject to at least the conditions in the draft Resolution.

**Supporting Documents Attachments**

- Resolution No. 15-02
- Location Map
- Site Drawings

# LOCATION MAP

## AT&T TOWER



No Scale

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

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

**RESOLUTION NO. 15-02**

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE  
THE CONDITIONAL USE PERMIT TO ALLOW A CELLULAR TOWER IN THE  
LIGHT INDUSTRY DISTRICT**

**WHEREAS**, SAC Wireless (AT&T) is proposing a Conditional Use Permit for a 190 foot mono-pole cellular tower 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 March 10, 2015 at which time Zoning Case / Development Review No. 15-02 was heard and discussed; and

**WHEREAS**, the property of the proposed Conditional Use Permit is located west of Scanlon Way and north of Carlton Avenue and is legally described as follows:

That portion of the Northwest Quarter of the Northeast Quarter (NW ¼ of NE ¼ ) of Section 24, Township 49, Range 17 West, described as follows: Commencing at the Southeast corner of said forty, thence North on East forty line 170 feet to the point of beginning; thence West parallel to South forty line 600 feet; thence North parallel to East forty line 500 feet; thence East parallel to South forty line 315 feet, more or less, to a point lying 50 feet Southwest of the West State Highway 45 right of way; thence Southeasterly along a line parallel to and 50 feet Southwest of said highway right of way to a point on the East forty line; thence South on East forty line 195 feet, more or less, to the point of beginning. 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 15-02 to the Cloquet City Council to allow a 190 foot mono-pole cellular tower in the Light Industry District subject to the following condition:

1. The maximum height of the tower and the attached antenna's shall be 200 feet.
2. The lease agreement must be finalized prior to the issuance of a building permit.
3. The tower shall not be artificially illuminated unless required by the FCC or FAA regulations.
4. If the tower is required to have flashing type lighting or illumination, the use of red flashing lights is required during the night time hours as opposed to white strobe lights unless otherwise federally mandated.

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 10<sup>th</sup> day of March 2015.

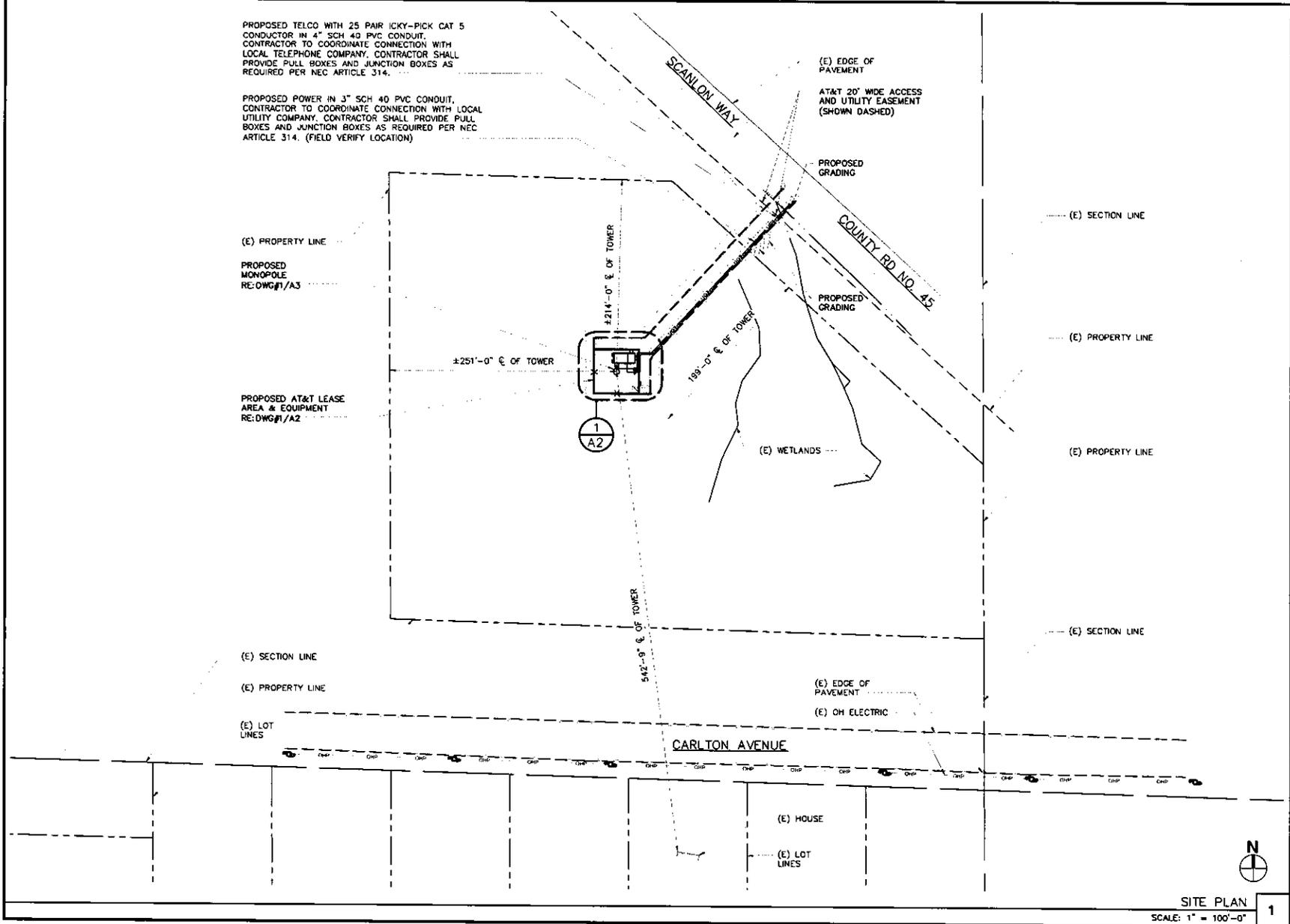
CITY OF CLOQUET

\_\_\_\_\_  
JESSE BERGLUND  
CHAIR

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

PROPOSED TELCO WITH 25 PAIR ICKY-PICK CAT 5 CONDUCTOR IN 4" SCH 40 PVC CONDUIT. CONTRACTOR TO COORDINATE CONNECTION WITH LOCAL TELEPHONE COMPANY. CONTRACTOR SHALL PROVIDE PULL BOXES AND JUNCTION BOXES AS REQUIRED PER NEC ARTICLE 314.

PROPOSED POWER IN 3" SCH 40 PVC CONDUIT. CONTRACTOR TO COORDINATE CONNECTION WITH LOCAL UTILITY COMPANY. CONTRACTOR SHALL PROVIDE PULL BOXES AND JUNCTION BOXES AS REQUIRED PER NEC ARTICLE 314. (FIELD VERIFY LOCATION)



4300 MARKET POINTE DR.  
BLOOMINGTON, MN 55435



1501 E WOODFIELD ROAD, SUITE #300E  
SCHAUMBURG, IL 60173  
www.sacw.com  
847-544-1600

DRAWN BY: BK  
CHECKED BY: NP

REV	DATE	DESCRIPTION
D	06/18/14	REVISED TOWER & SITE LOCATION
C	05/27/14	REVISED TOWER LOCATION
B	05/06/14	ISSUED FOR REVIEW

I HEREBY CERTIFY THIS PLAN, SPECIFICATIONS, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.  
PRINT NAME: NESTOR POPOVICH  
SIGNATURE: *N. Popovich*  
DATE: 08/20/2014 LICENSE # 47725

MPLSMNU5452  
SAPPI RELO  
CLOOQUET, MN 55720  
RAWLAND

SHEET TITLE  
**SITE PLAN & LEGEND**

SHEET NUMBER  
**A1**

SITE PLAN  
SCALE: 1" = 100'-0"  
1

(E) TREE LINE  
RE: NOTE#5/A2

AT&T 20' WIDE ACCESS  
AND UTILITY EASEMENT  
(SHOWN DASHED) TO  
FOLLOW EXISTING  
CONCRETE ACCESS  
DRIVE TO SITE

GRAVEL PAVED AT&T  
ACCESS EASEMENT -  
TURNAROUND AREA

PROPOSED CHAIN  
LINK FENCE

PROPOSED  
LEASE AREA

NOM. 12'X24' AT&T  
PREFABRICATED CONC  
EQUIPMENT SHELTER

PROPOSED AT&T  
ACCESS ICE/CABLE  
BRIDGE

PROPOSED  
MONOPOLE  
RE: DWG#1/A3

PROPOSED  
HANDHOLE

PROPOSED  
H-FRAME  
RE: DWG#1/AB

(E) TREE LINE  
RE: NOTE#5/A2

50'-0" LEASE AREA

49'-0" COMPOUND FENCE

9'-7"

49'-0" COMPOUND FENCE

50'-0" LEASE AREA

12'-0"  
20'-0"

3'-6"  
3'-6"  
4'-0"  
12'-0" DOUBLE GATE  
5'-0"  
6"



COMPOUND PLAN  
SCALE: 1/8" = 1'-0"

1

**LEASE AREA**

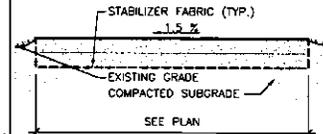
BASE COURSE: 4" MIN.  
OF COMPACTED CA-6  
COARSE AGGREGATE.

TOP COURSE: 4" MIN.  
OF COMPACTED CA-7  
COARSE AGGREGATE.

**ACCESS DRIVE**

BASE COURSE: 6" MIN.  
OF COMPACTED CA-3  
COARSE AGGREGATE.

TOP COURSE: 3" MIN.  
OF COMPACTED CA-6  
COARSE AGGREGATE.



GRAVEL PAVING DETAIL  
NOT TO SCALE 2

**GENERAL NOTES:**

- ELEVATIONS ARE ABOVE MEAN SEA LEVEL.
- DO NOT SCALE DIMENSIONS FROM THIS DRAWING.
- ALL EXISTING RECORDED EASEMENTS ARE INDICATED ON THIS DRAWING TO THE BEST OF THE ARCHITECT'S KNOWLEDGE PER VISUAL INSPECTION, SURVEY DRAWINGS, AND INFORMATION RECEIVED FROM AT&T WIRELESS.
- REFER TO SP1 AND SP2 FOR EROSION CONTROL AND SOIL STABILIZATION METHODS.
- REMOVE EXISTING TREES IF NECESSARY.

**SURVEY BENCHMARK/PROJECT DATUM**

LOCATION:

ELEVATION:

LATITUDE:

LONGITUDE:

PROJECT DATUM:

**LEGEND**

EXISTING	NEW
—S—	SANITARY —SAS—
—ST—	STORM —STS—
—W—	WATER —W—
—M—	MANHOLE —M—
—E—	ELEVATIONS —E—
—S—	STORM STRUCTURE —S—
—P—	PROPERTY LINE & R.O.W. —P—
—D—	SURFACE DRAINAGE —D—
—L—	LIGHT STANDARD —L—
—S—	STREET LIGHT —S—
—E—	SPOT ELEVATION —E—
—C—	CONTOUR —C—
—C—	CONTOUR TO BE REGRADED —C—
—G—	GAS MAIN —G—
—M—	MANHOLE —M—
—C—	CATCH BASIN —C—
—F—	FIRE HYDRANT —F—
—E—	EASEMENT LINE —E—
—F—	FENCE —F—
—U—	BURIED UTILITY LINE —U—
—U—	UTILITY POLE —U—
—O—	OVERHEAD UTILITY LINE —O—
—B—	BUILDING —B—



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847-844-1500

DRAWN BY: BK  
CHECKED BY: NP

REV	DATE	DESCRIPTION
D	06/18/14	REVISED OWNER SITE LOCATION
E	02/21/14	REVISED OWNER LOCATION
B	02/08/14	ISSUED FOR REVIEW

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS.

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