



Regular Meeting of the Planning Commission

Tuesday, December 8, 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 November 10, 2015 Planning Commission meeting
5. Joint Meeting with the City Council
6. Zoning Ordinance Review
7. Commissioner's Questions/Comments
8. Adjourn

**NEXT MEETING:
January 12@ 7pm**



Regular Meeting of the Planning Commission

Tuesday November 10, 2015

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

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

ROLL CALL

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

Absent: Commission members: Michael Haubner

Others Present: James and Lisa Kuklis

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

October 13, 2015 Meeting Minutes

Chairperson Berglund asked for any corrections or additions,

Motion: Commissioner Wilkinson made a motion to approve the Planning Commission meeting minutes from October 13, 2015, Commissioner Johnson seconded. (Motion was approved 6-0).

Zoning Case 15-17: Trails Edge Revised Final Plat

Chairperson Berglund introduced the revised Final Plat for Trails Edge. He asked Mr. Cottingham to provide an overview of the application. Mr. Cottingham noted this was not a public hearing since it was a final plat and the public hearing is held at the preliminary plat stage. He noted Mr. Kuklis is proposing to revise the final plat of Trails Edge from a CIC Plat to a 505 Plat. The main differences are the common grounds for the entire development goes away, each unit will no longer be on its own parcel and the road will be a platted right-of-way. There are no additional units being proposed than what was approved with the preliminary plat. He noted Mr. and Mrs. Kuklis were present if the Commission had any questions of them.

Commissioner Wilkinson inquired as to why the change. James Kuklis explained that his intention was to have this as a 55 and older rental community and in trying to refinance the development the lender informed him that as a CIC Plat he could not get the reduced interest rate since each unit could be sold individually. He said that when he did the CIC Plat he thought this was the best for him but he has discovered that it wasn't with the type of development that he wanted to have.



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The Commission discussed the plat and the future of Outlot B. Mr. Kuklis stated that he would back in 2016 with development plans for that area.

Chairperson Berglund called for a motion.

Motion: Commissioner Sanders made a motion to adopt Resolution No. 15-17 Recommending the City Council of Cloquet Approve the Revised Final Plat for James Kuklis for Trails Edge, Commissioner Johnson seconded. (Motion passed 6-0)

Cottingham noted that this item would be forwarded to the City Council for their meeting on Tuesday, November 17th at 7:00 pm.

Zoning Ordinance Update Plan of Attack

Chairperson Berglund asked Mr. Cottingham for an overview. Mr. Cottingham noted for the past number of months he had worked with Commissioners Berglund, Johnson and Wilkinson going through the Zoning Ordinance in order to update it. A redlined copy of the Ordinance was at their spots and if they wanted it in electronic form to let him know. He would like the members to go through the revisions so they could discuss the changes proposed and other areas that maybe the group missed at their December 8th meeting. If needed they would continue discussions into January. Once the Commission was comfortable with the entire document then a public hearing would be scheduled. He would work on a press release identifying the major changes in addition to the formal legal notice and having it on the city web site.

Commissioner's Questions/Comment

Chairperson Berglund asked Mr. Cottingham as to upcoming items for the agenda. Mr. Cottingham noted Kwik Trip was planning to have their formal application submitted in December in order to make the January meeting. Scanlon had approved going ahead with the consolidation study so the City Council would be discussing this at their December 17th meeting. He had not seen or heard anything from the school district but would think that their plans for the new middle school would be submitted in February or March in order to begin construction in the spring. They will be doing some tree removal during the winter months.

Next Meeting

December 8, 2015

Meeting adjourned 7:25 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department
1307 Cloquet Avenue • Cloquet MN 55720
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To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: December 2, 2015

ITEM DESCRIPTION: JOINT MEETING WITH THE CITY COUNCIL

Once again it's time to think about dates for a joint meeting with the City Council. City Council meetings are the first and third Tuesday's of each month. In looking at upcoming dates that would mean January 5th and 19th, February 2nd and 16th, March 1st and 15th. These meetings would begin at 5:30 and last up to 1.5 hours. Could you please look at your calendars and have a couple of dates picked out that would work for you.

Thank you.



PLANNING COMMISSION MEMO

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: December 2, 2015

ITEM DESCRIPTION: ZONING ORDINANCE REVIEW

At the last meeting the Planning Commission members were given copies of a “Red Lined” version of the Zoning Ordinance. The “Red Lined” version shows proposed changes that a committee of Commission members and staff had come up with. Commission members were asked to review the changes and see if other changes should be added. Discussions will begin at the December 8th Planning Commission meeting.

As one additional item to look at with the update Mr. Clarence Badger, 1518 Moorhead Road is requesting the Commission change the SR – Suburban Residential District to allow for the creation of new plats or re-plats in that district. A copy of his request is attached. This is not a Public Hearing so if the Commission wishes to hold off on this discussion until the Public Hearing that would be fine. However, staff would suggest at least having some discussion on this prior to the Public Hearing.

With the adoption of the Ordinance that took effect on January 1, 2009 a revision was made requiring “Any additional platting or re-platting, other than the Otter Creek Subdivision Development, within this district will require the extension of sanitary sewer and municipal water services.” Staff has allowed the split of property in the SR District to create one additional lot provided the minimum requirements of the district are met. We have not allowed any new subdivisions within the district. While staff was not with the city when the change was made we can only guess as to why the change was made. Our thoughts are that as in most cities land should be either rural or urban with rural land containing large acreage and urban land being small lots. This being said the creation of new 1- acre lots was eliminated. This topic should be discussed during the review.

Staff would support the change that was made with the 2009 Ordinance and I believe the Committee that reviewed the Ordinance would also. This is based on the fact that the Committee is recommending the deletion of the 30,000 sq. ft. lot size in the R1 District with either municipal sewer or water available to the development.

I will be prepared to discuss this and any of the other proposed changes at the meeting on the 8th.

①

I never realized that the city of Cloquet would ever change the zoning law that would discontinue or establish a limit to expansion in the city limits. The zoning law as it currently exists does not only put severe limits but could continue to curtail expansion in Cloquet. I have lived in Cloquet for 76 years and watched it grow and always felt that expansion and growth was important to Cloquet's future. Growth would provide new homes for families, an increase to our tax base and additional tax revenue for years to come. I was informed recently that these ideas changed dramatically in 2007-2008 with just two (2) sentences on p 170 of the current zoning law.

Over the past 40 years I have always planned to develop my property of 7.3 acres. Over those years I have invested both time and money into my property to make that all a possibility. I worked with Carlton County for a 100' easement to my property from County Road #3 (12th Street) and also paid thousands of dollars to have Minn. Power to remove a high power transmission line that cut through my entire property that would have limited my intended future plans. Property taxes on land only is

A short time ago I talked to Cloquet zoning for my property and another parcel of property that would benefit both Cloquet and my family. I was told that I had few and very limited options because of the new zoning regulations passed in 2007-2008. The new regulations put

that
were

② Limits on any new sub-divisions south of Cloquet or Hill Top Addition. Even the two new sub-division of Valley View I and Valley View II would no longer be allowed under these new regulations. Just those two new sub-divisions have currently provided 50 more beautiful or spacious 1 ACRE lots. Those lots have not only provided great family living but has provided a great addition to the city of Cloquet, schools and County. The additional tax base has been increased by just those 2 sub-divisions by 10 to 12 million dollars and that is why it is difficult to understand why any zoning limits would have been imposed 8 years ago. The new zoning regulations that was put together and was approved in 2008 was such a large and comprehensive document that only the consultants and a few who worked on it truly read it fully and understood it completely.

Two reasons for the floor including the limits on any future sub-division are:

- 1.) At the time when the new zoning document was being put together in 2007 - the city was planning to extend water and sewer south from the College; south down county road 3 (14th street). That was 8 years ago - there is still no current plans to do that extension by the County or the city of Cloquet. It would be a very, very expensive extension that would cost millions for Hill-Top residents and Cloquet. Since the five years have come and gone and there is no current plan to bring water and sewer. This should automatically make this part of the zoning law irrelevant and should be removed.

③

2.) In the middle 1970's the city of Cloquet and Knife Falls Township signed a merger agreement. The majority of the residents of Knife Falls did not want to merge with Cloquet. After a number of years the city went to the state to force a consolidation - but the state required that the city of Cloquet had to negotiate and sign a contract with all agreeing to all the terms spelled out in full. - Knife Falls residents would receive lower tax assessment from Cloquet until they had full access to all utilities as the households of urban Cloquet enjoyed. To bring utilities to Knife Falls - it would take a vote of 50% plus of the residents of Knife Falls affected to accomplish it. This issue has been a problem for a number of officials and urban residents. The city has worked around that issue by creating an independent Fire District that taxes all residents the same. The same holds true for curb-gutter and storm tax that is paid by all residents regardless. Water and sewer service is the biggest issue for increasing the taxes to Knife Falls residents. It is a very costly and complicated issue to overcome.

CONCLUSION:

There is no reason for those two sentences to ever have been put into the zoning regulations back in 2007. It is important today to continue to provide for addition new homes in Cloquet. All new homes south of

4

Cloquet on a minimum size Lots of 1 ACRE. Sewer AND WATER IS A MINIMAL problem with our gravel AND WATER AT 80'-100' in depth on Hill Top. OR WEST of Cloquet. It is impossible at the present time to put in large developments - but there is still some small areas that are under 10 acres that could be developed. Those remaining Lots - if built on - would provide additional tax Revenue for all taxing entities. I know that property taxes will never go down but with additional houses being built - there could lower tax increases in the future.

It is very important that those two sentences be removed from the current Zoning Regulations. They appeared on page 170, - 17.6.04 - Subdivision 1, paragraph 1, sentences 2 and 3. (copy of page attached)

Clarence Badger
1518 Moorhead Rd
Cloquet, MN 55720

Subd. 6 Special District Provisions.

- A. Setback from Normal High-Water Mark. No structure designed for habitations shall be located closer than two hundred (200) feet to the normal high-water mark of any stream, river, lake or body of water.
- B. Grazing or Pasturing. Grazing or pasturing of livestock shall be controlled so as to minimize pollution of water bodies. Current standards of the Minnesota Pollution Control Authority shall be referred to for functional guidelines.
- C. Agricultural Feed Lot Operations. Areas devoted to agricultural feed lot operations, including pasturing of animals shall not be permitted within six hundred and sixty (660) feet of any body of water, including intermittent streams, lakes or waterways.
- D. Topography.
 - (1) The cutting or disturbance in other manner of natural forest ecology shall be restricted within a reasonable area paralleling the shoreline or any recreational trail. A length of this area may be clear cut to allow a view corridor to water. However, any cutting shall leave sufficient cover to screen cars, dwellings and other structures, except boathouses, piers, docks and marinas, from view from the shoreline or trail.
 - (2) Natural shrubbery shall be preserved as far as practicable. Where removal is necessary for construction of any structure or use except permitted principal uses, shrubbery must be replaced with other vegetation which is equally suitable in retarding surface run-off and soil erosion.
 - (3) In areas of unusual topography or substantial elevation above the lake, stream, or river level, the water setback may be varied to allow a riparian owner reasonable use and enjoyment of his property. Such determination shall be the responsibility of the Planning Commission, following recommendation from the Zoning Administrator.

17.6.04 SR - Suburban Residential District.

Subd. 1 Intent. The purpose of the SR - Suburban Residential District is to provide areas, as guided by the Comprehensive Plan, for single-family dwellings (and other compatible uses) on lots with a minimum size of one (1) acre. Uses in the SR - Suburban Residential District are not served by municipal water and / or sanitary sewer service. Any additional platting or re-platting, other than the Otter Creek Subdivision Development, within this district will require the extension of sanitary sewer and municipal water services. As soon as municipal services are extended to an area the zoning classification shall change to the R-1 Zoning District.

Subd. 2 Permitted Uses. The following uses shall be permitted as regulated herein, without special application requirements or conditions attached:

- A. Day Care Home and Foster Family Homes as defined in *Section 17.1.06* of this Chapter.
- B. Single family detached dwellings consisting of site-built or Class "A" Manufactured housing.