

Tuesday, October 9, 2018 7:00 pm Regular Meeting 1307 Cloquet Ave, Cloquet, MN 55720

# <u>AGEN</u>DA

<u>GLI</u>	<u>INDA</u>	
1.	Call to Order	
2.	Roll Call	
3.	Additions/Changes to the Agenda	
4.	Minutes from the July 10, 2018 Planning Commission meeting	g
5.	Zoning Case 18-10: Annual Gravel Pit Renewals	

- 6. Discussion of Highway 33 Design Standards, Irrigation Requirements and Parking Requirements in the HC Historic Commercial District
- 7. Commissioner's Questions/Comments
- 8. Adjourn

NEXT MEETING:

November 13<sup>th</sup> @ 7 pm



Tuesday, July 10, 2018 7:00 p.m. 1307 Cloquet Ave, Cloquet, MN 55720

#### **CALL TO ORDER**

Chairman Wilkinson called the meeting to order at 7:00 p.m.

## **ROLL CALL**

**Attending:** Planning Commission members: John Sanders, Terri Lyytinen, Elizabeth Polling, Nathaniel Wilkinson and Uriah Wilkinson; City: Al Cottingham and City Attorney Bill Helwig.

Absent: None.

**Others Present:** Janet Vold, Jody Anderson, Paul Keenan, Dave Johnson, Gary Gatewood, Richard Colsen, Father Fish, Christ Medich, Tom Kloskowski, Jana Peterson and Leigh Deppa.

# ADDITIONS/CHANGES TO THE AGENDA

None.

## **AGENDA ITEMS**

# **June 12, 2018 Meeting Minutes**

Chairman Wilkinson asked for any corrections or additions.

**Motion:** Commissioner Polling made a motion to approve the Planning Commission

meeting minutes from June 12, 2018, Commissioner Lyytinen seconded.

(Motion was approved 5-0).

# **Zoning Case 18-07: Site Plan and Variance for Members Cooperative Credit Union**

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 18-07, Site Plan and Variance for Members Cooperative Credit Union. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that Members Cooperative Credit Union was requesting a site plan and variance in order to construct a new building, located at 1299 Highway 33 South. The variance is for an exterior appearance that doesn't mimic brick or masonry. A legal notice was published in the Pine Journal on June 28, 2018 and property owners within 350 feet were sent notice of the public hearing. Representatives from the Credit Union and their architect were present to answer any questions.

There being no further discussion Chairman Wilkinson closed the public hearing.

The Commission discussed the variance criteria and specifically how the request met condition no. 2 of the criteria. They discussed the log appearance with the pine trees to the west of the



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building and the up-north appearance with this being the wood city. The fiber cement board being used is of a long-lasting nature and durability.

Chairman Wilkinson looked for a motion.

Motion: Commissioner Lyytinen made a motion to approve Resolution No. 18-07 Site

Plan, A Resolution Recommending Approval of a Site Plan in the RC – Regional Commercial District for Members Cooperative Credit Union subject to the conditions in the draft resolution, Commissioner Polling

seconded. (Motion was approved 5-0).

Motion: Commissioner Polling made a motion to approve Resolution No. 18-07

Variance, A Resolution Approving a Variance in the RC – Regional

Commercial District for Members Cooperative Credit Union to allow a wood appearance, Commissioner Lyytinen seconded. (Motion was approved 5-0).

Mr. Cottingham noted the Site Plan would be forwarded to the City Council for the meeting on Tuesday, July 17<sup>th</sup> at 7:00 pm.

# **Zoning Case 18-08: Comprehensive Plan Amendment, Rezoning and Variance for Cloquet Housing Limited Partnership**

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 18-08, Comprehensive Plan Amendment, Rezoning and Variance for Cloquet Housing Limited Partnership. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Cloquet Housing Limited Partnership was proposing to amend the land use plan portion of the comprehensive plan by changing the current classification from Public-Semi Public to Moderate-Density to High-Density Residential; A rezoning for Public/Institutional to Multiple-Family Residence; a variance to exceed the maximum allowed density of 20 units per acre for a density of 23.17 units per acre; and, a variance to allow parking spaces to access directly to a public street by backing onto the public street. A legal notice was published in the Pine Journal on June 28, 2018 and property owners within 350 feet were sent notice of the public hearing. Mr. Keenan was present to address the Commission with a presentation.

Mr. Keenan provided an overview of the project referencing the need for this type of housing, the rent structure, the number of units and the office space being proposed. He addressed concerns that had be expressed in the past regarding property values, crime and tenants. He referenced that without the comprehensive plan amendment and rezoning the site was pretty much limited to being used for a church or school. The variance for the density was due to the size of the building and the reduction of the number of three-bedroom units. The parking onto the street already existed and they were just expanding that area. This was like what is around city hall and Oueen of Peace Church.



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Gary Gatewood,  $310 \, 4^{th}$  Street had concerns about parking on the street and with only 114 spaces where would the guest park.

David Johnson, 615 Chestnut Street wondered if an impact statement for the neighborhood should be done. He was concerned with the impact to the neighborhood with additional traffic and the proposed density.

Richard Colsen, 510 Carlton Avenue doesn't agree with the acreage of the site. The legal description on the County web site only shows a 2-acre site. He is concerned with the density, parking and property values. He is concerned with additional crime that will be brought into the neighborhood.

Mr. Cottingham noted that the legal description on the County web site did not include the vacated right of way for 5<sup>th</sup> Street and Avenue G.

Attorney Helwig stated he did the title work for the school district on this site and the legal description does include those vacated right of ways. He noted that the legal description on the counties web site are sometimes abbreviated.

Father Fish, 102 4<sup>th</sup> Street, Queen of Peace stated that he was neutral on the project. If they were to build the church today they would build it in the country because of the lack of parking. He has had a good relationship with the school district and wants to have an open communication with the new owners.

Tom Kloskowski, 123 7<sup>th</sup> Street inquired it the parking on the west side of 6<sup>th</sup> street would impact the driving lanes, a sidewalk between those parking spaces and the building and a play area for the kids.

Mr. Cottingham stated the parking stalls wound not interfere with the driving lanes on  $6^{th}$  Street and that there would be a sidewalk in front of the parking spaces.

Mr. Keenan stated there is the gym within the building, 2 city parks within a quarter mile of the site. They will have some greenspace on the site.

Christ Medich, 47 6<sup>th</sup> Street inquired how the traffic will leave the site. He was concerned with traffic around the playground and school at Queen of Peace and the inconvenience for church goers and parking around the church.

Jana Peterson, Cloquet Active Transportation Committee inquired as to the possibility of having the parking along 6<sup>th</sup> Street as a back in diagonal for safety purposes having doors open towards the curb rather than the street.

Gary Gatewood, 310 4th Street felt that 57 units was to many and it should be 45 units.

# CLOQUET

# **Regular Meeting of the Planning Commission**

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Leigh Deppa, 115 6<sup>th</sup> Street lives directly to the north of the site and wondered about snow removal and the lights from the cars shining in their windows.

Mr. Cottingham noted that the ordinance required screening with parking located adjacent to property lines.

Dave Johnson, 615 Chestnut Street stated he developed the Laurel Street apartments and was allowed to rezone to R2 and 24 units on the 2-acres that he had and this developer should be held to those standards.

There being no further discussion Chairman Wilkinson closed the public hearing.

Commissioner Sanders inquired as to the office parking and a conditional use permit for non-institutional office and the 5,000-square foot limit.

Mr. Cottingham stated that looked at a shared facility like this with parking being opened up when tenants left for work making room for the office employees to park. He noted that the developer is aware of the office limit and the conditional use permit requirement for non-institutional uses.

Commissioner Sanders stated this was a good use of the building but he was concerned with the number of units.

Chairman Wilkinson looked for a motion.

Motion: Commissioner Sanders made a motion to approve Resolution No. 18-08

Comp, A Resolution Recommending the City Council Approve the Comprehensive Plan Amendment (Land Use Plan) from "Public/Semi-Public" to "Moderate-Density to High-Density Residential" for Cloquet Housing Limited Partnership, Commissioner N. Wilkinson seconded.

(Motion was approved 5-0).

Motion: Commissioner Polling made a motion to approve Resolution No. 18-08

Rezone, A Resolution Recommending the City Council Approve the Rezoning from "Public/Institutional" to "Multiple-Family Residence" for Cloquet Housing Limited Partnership, Commissioner Lyytinen seconded.

(Motion was approved 5-0).

Motion: Commissioner Polling made a motion to approve Resolution No. 18-08

Parking, A Resolution Approving a Variance for Parking Backing onto a Street in the R3 – Multiple-Family Residence District for Cloquet Housing Limited Partnership, Commissioner Lyvtinen seconded. (Motion was

approved 5-0).



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Motion: Commissioner Sanders made a motion to approve Resolution No. 18-08

Density, A Resolution Denying a Variance to Exceed the Allowed Density of 20 Units per Acre in the R3 – Multiple-Family Residence District for Cloquet

Housing Limited Partnership. Motion died for lack of second.

Motion: Commissioner N. Wilkinson made a motion to approve Resolution No. 18-08

Density, A Resolution Approving a Variance to Exceed the Allowed Density of 20 Units per Acre in the R3 – Multiple-Family Residence District for Cloquet Housing Limited Partnership, Commissioner Polling seconded.

(Motion was approved 4-1, Sanders)

Mr. Cottingham noted the Comprehensive Plan Amendment and Rezoning would be forwarded to the City Council for the meeting on Tuesday, July 17<sup>th</sup> at 7:00 pm.

# **Commissioner's Questions/Comment**

The Commission noted for the public that they currently have two vacancies on the board if there was anyone interested in applying they can pick up an application at City Hall.

The discussed the need to review the Highway 33 Design Standards along with the requirements of irrigation.

# **Next Meeting**

August 14, 2018

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 3, 2018

**ITEM DESCRIPTION:** Gravel Mining Excavation Permit Renewals for 2019

# **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 9, 2018.

# **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.

The Zack Sand and Gravel Pit had minimal work from it this year. Staff has not received any complaints regarding this pit.

The Ulland pit had an asphalt plant located in the pit at various times this summer. Staff did receive some complaints about the odor from the asphalt plant on certain days but none about the other operations.

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. They also had an asphalt plant located in the pit at various times this summer. 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**

1307 Cloquet Avenue • Cloquet MN 55720 Phone: 218-879-2507 • Fax: 218-879-6555

# **Advisory Committee Action Requested**

That the below four excavation permits be renewed for 2019, 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. 18-10, A Resolution Approving Gravel Mine Renewals for 2019.

# **Supporting Documents Attachments**

- Resolution No. 18-10
- Pit Inspection Sheets

#### STATE OF MINNESOTA

## **COUNTY OF CARLTON**

# **CITY OF CLOQUET**

Commissioner	offered the following Resolution and moved its add	ption

## **RESOLUTION NO. 18-10**

# A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE THE ANNUAL EXCAVATION PERMITS FOR 2019

**WHEREAS**, the following gravel mine operators have submitted request for renewal of their Excavation and Operating Permits for the year 2019:

- 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 9, 2018, at which time information was reviewed relative to said renewals, and questions were asked of 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 secondomembers voted: AYE: NAY:	ed by Commissioner and being put to vote ABSENT:
TERRI LYYTINEN	ELIZABETH POLLING
JOHN SANDERS	NATHANIEL WILKINSON
URIAH WILKINSON	
Passed and adopted this 9 <sup>th</sup> day of Octo	ber 2018.
	CITY OF CLOQUET
	URIAH WILKINSON CHAIR
ATTEST:Alan Cottingham City Planner/Zoning Administ	rator

SITE IDENTIFICATION: KGM

DATE OF INSPECTION: September 19, 2018 TIME OF DAY: 2:30 pm

WEATHER CONDITIONS: Cloudy, 55 degrees, early Fall

PRESENT: Al Cottingham and Caleb Peterson

	OK	Not OK	
1.	X		Steep slopes (1:1 or greater) protected.
2.	X		Security gate installed and used.
3.	X		Operating hours honored.
4.	X		Inactive slopes maintained.
5.	X		Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X		Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X		Excavation @ 500' (100' non-res.).
8.	X		Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.		$\square$ NA	Crushing plant on pit floor.
10.	X		Erosion/drainage controlled; no standing water.
11.	X		Dust control.
12.	X		Level bottom in non-active areas.
13.	X		Noise levels not exceeded.
14.	X		Reclamation of mined-out sections.
15.	X		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 27,000 cubic yards removed by the end of August with lots of material still being hauled out.





SITE IDENTIFICATION: <u>Carlton County – Airport Road</u>

DATE OF INSPECTION: September 19, 2018 TIME OF DAY: 2:00 pm

WEATHER CONDITIONS: Cloudy, 55 degrees, early fall

PRESENT: Al Cottingham and Caleb Peterson

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

# **COMMENTS**

There was little activity in the County pit this year with approximately 5,000 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.







SITE IDENTIFICATION: <u>Ulland Sand and Gravel Pit</u>

DATE OF INSPECTION: September 19, 2018 TIME OF DAY: 2:45 pm

WEATHER CONDITIONS: Cloudy, 55 degrees, early Fall

PRESENT: Al Cottingham and Caleb Peterson

	OK	Not OK	
1.	X		Steep slopes (1:1 or greater) protected.
2.	X		Security gate installed and used.
3.	X		Operating hours honored.
4.	X		Inactive slopes maintained.
5.	X		Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X		Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X		Excavation @ 500' (100' non-res.).
8.	X		Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.		NA	Crushing plant on pit floor.
10.	X		Erosion/drainage controlled; no standing water.
11.	X		Dust control.
12.	X		Level bottom in non-active areas.
13.	X		Noise levels not exceeded.
14.	X		Reclamation of mined-out sections.
15.	X		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 at various times in the pit. They had removed approximately 50,000 cubic yards of material from the site through mid-September. 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.





SITE IDENTIFICATION: Zack Sand and Gravel – Stark Road

DATE OF INSPECTION: September 19, 2018 TIME OF DAY: 1:30 pm

WEATHER CONDITIONS: Cloudy, 55 degrees, early Fall

PRESENT: Al Cottingham and Caleb Peterson

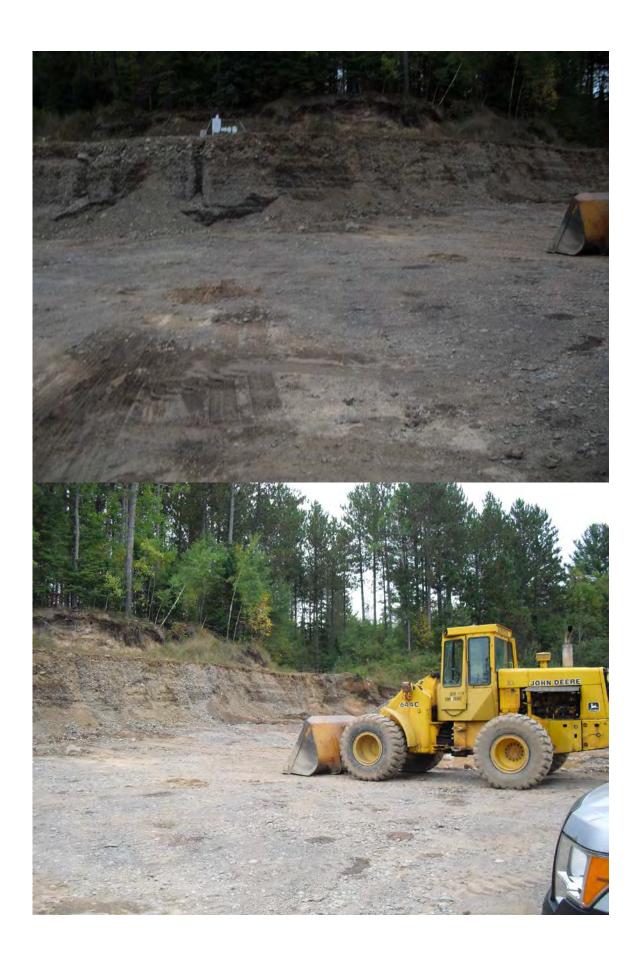
	OK	Not OK	
1.	X		Steep slopes (1:1 or greater) protected.
2.	X		Security gate installed and used.
3.	X		Operating hours honored.
4.	X		Inactive slopes maintained.
5.	X		Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X		Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X		Excavation @ 500'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







# **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 3, 2018

ITEM DESCRIPTION: HIGHWAY 33 DESIGN STANDARDS, IRRIGATION

REQUIREMENTS AND HISTORIC COMMERCIAL

DISTRICT PARKING REQUIREMENTS

# **Background**

With the adoption of the 2009 Zoning Ordinance the Highway 33 Design Standards, Irrigation Requirements and the Parking Requirements in the Historic Commercial District.

Chapter 17.5.15 Design Standards for the Highway 33 Corridor were established to articulate the community's vision for the corridor as identified in the Community Revitalization Master Plan of 1998. The standards apply to any new construction, remodeling or additions to buildings within the corridor. Since the adoption of the standards there have been many questions as to replacing existing building façade and what can they do. Generally, the standards are not an issue for larger companies but are for smaller companies that are on a tight budget.

Chapter 17.5.04 Landscaping Requirements, Subd 3. I states "All landscaped areas except one and two-family dwellings shall be provided with an underground irrigation system. If a variance is approved to eliminate the irrigation system, then an adequate exterior water source (spigots) shall be provided. Generally, this is put into ordinances to help improve the image of the property and to assure that the landscape areas will survive. However, once installed there is no requirement that they use it and is very difficult for staff to enforce.

Chapter 17.6.12 Historic Commercial District, Subd. 6, B. states" Exemption to Off-Street Parking and Loading Requirements Stipulated in Section 17.5.11 and 17.5.14. Up to 100% of the total required off-street parking spaces may be waived by the Planning Commission if it can be shown that adequate off-street parking exist or will be provided through public parking lots located within a distance of four hundred (400) feet of the building line of such use. In my 6 years with the city I have only seen this used once and that was for the former Avenue C restaurant. In the City Center District existing buildings are exempt from off-street parking requirements.

I would like to have some general discussion with the commission on these issues to get a flavor as to your thoughts as to possible Ordinance amendments with these sections.