



Regular Meeting of the Planning Commission

Tuesday, February 12, 2019

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

AGENDA

**Oath of Office
Philip Demers**

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the January 8, 2019 Planning Commission meeting

5. Zoning Case 19-01; Ryan & Zach LLC, Variance

6. Commissioner's Questions/Comments

7. Adjourn

NEXT MEETING:

March 12th @ 7 pm



Regular Meeting of the Planning Commission

Tuesday, January 8, 2019

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

OATH OF OFFICE

Cottingham administered the Oath of Office to members Polling and Sanders.

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.

Absent: None.

Others Present: Zach Zezulka and Jared Weir

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

Election of Chairperson and Vice Chairperson

Motion: Commissioner Lyytinen made a motion to appoint Uriah Wilkinson as Chairperson, Commissioner Polling seconded. (Motion was approved 5-0).

Motion: Commissioner Polling made a motion to appoint John Sanders as Vice Chairperson, Commissioner N. Wilkinson seconded. (Motion was approved 5-0).

November 13, 2018 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: Commissioner Sanders made a motion to approve the Planning Commission meeting minutes from November 13, 2018, Commissioner Lyytinen seconded. (Motion was approved 5-0).

Zoning Case 19-01: Conditional Use Permit for Ryan & Zach, LLC

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-01, Conditional Use Permit for Ryan & Zach, LLC. He asked Mr.



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Cottingham to provide an overview of the topic. Mr. Cottingham noted that Ryan & Zach, LLC is requesting a conditional use permit in order to add two apartments to the ground floor of their building, located at 120 Avenue C. A legal notice was published in the Pine Journal on December 27, 2018 and property owners within 350 feet were sent notice of the public hearing. Mr. Cottingham further noted that he had failed to verify the density of the project and that with four units they would exceed the allowed density of 20 units per acre. He suggested that if the commission was inclined to recommend approval of this that a condition be added requiring approval of a variance or they would be limited to three units. Mr. Zezulka was present to address the Commission.

Commissioner Sanders inquired as to off-street parking and the need to remove trees to accommodate the parking.

Mr. Zezulka stated he did not believe that they would need to remove any of the trees but they might need to trim some of them. There was existing grass areas that would become the drive area.

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

The Commission discussed the conditional use permit criteria and all felt that the request met the criteria.

Chairman Wilkinson looked for a motion.

Motion: Commissioner Polling made a motion to approve Resolution No. 19-01, A Resolution Recommending to the City Council Approval of the Conditional Use Permit for Ryan & Zach, LLC for Two Additional Apartments for a Total of Four in the HC – Historic Commercial District with the addition of a second condition regarding the forth unit as discussed earlier, Commissioner Lyytinen seconded. (Motion was approved 5-0).

Commissioner's Questions/Comment

None

Next Meeting

February 12, 2019

Meeting adjourned 7:14 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

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PLANNING COMMISSION MEMO

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: February 6, 2019

**ITEM DESCRIPTION: ZONING CASE 19-01: VARIANCE – RYAN & ZACH, LLC,
DENSITY VARIANCE IN THE HC – HISTORIC
COMMERCIAL DISTRICT**

Background

Ryan & Zach, LLC are proposing a variance to exceed the maximum allowed density of 20 units per acre to allow an additional two apartments in the HC – Historic Commercial District. The property involved is located at 120 Avenue C. Ryan & Zach, LLC would like to increase the number of apartments in the building from two to four, there is currently two apartments on the second floor and they would like to add two apartments to the main floor. They are seeking to have an density of 24.89 units per acre.

On January 15, 2019 the City Council approved a conditional use permit for four apartments subject to the granting of a variance for the density to allow four units or the conditional use permit would be for only three units.

A public hearing will be held on Tuesday, February 12, 2019 to consider a variance for allowed density in the HC - Historic Commercial District. A legal notice was published in the Pine Journal on January 31, 2019 and property owners within 350 feet were sent notices of the public hearing.

In the past couple of years the City has approved two separate variances for densities exceeding 20 units per acre. The first was for the Aspen Arms/White Pine Apartment project for a density of 32.34 units per acre and the second was for the old Middle School project for a density of 23.17 units per acre. This request is similar to that of the old Middle School in that they are repurposing an existing building.

Policy Objectives

Section 17.6.12, Subd. 3, Conditional Uses states “Apartment, Multiple-family structures existing independently or incorporated with general commercial uses on floors other than the ground floor provided the density does not exceed 20 units per acre.” They are proposing a density of 24.89 units per acre.



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The Zoning Ordinance states variances may be granted when they are in harmony with the general purpose and intent of the ordinance, are consistent with the Comprehensive Plan, and when the applicant for the variances establishes that there are practical difficulties in complying with the official control. No variance may be granted unless all the following conditions exist:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

Financial Impacts

The Variance fee is \$350. 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 variance. Following this testimony the Planning Commission should review the approval criteria and either approve or deny the variance. The Planning Commission may impose conditions in the granting of a variance.

Staff Recommendation

Staff has reviewed the variance criteria requirements and would recommend approval of the variance.

Supporting Documents Attachments

- Resolution No. 19-01 Variance
- Location Map
- Aerial Photo

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-01 VARIANCE

A RESOLUTION APPROVING THE VARIANCE FOR RYAN & ZACH, LLC FOR A DENSITY OF 24.89 UNITS PER ACRE IN THE HC - HISTORIC COMMERCIAL DISTRICT

WHEREAS, Ryan & Zach, LLC are proposing a Variance for a density of 24.89 units per acre in the HC - Historic Commercial 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 February 12, 2019 at which time Zoning Case / Development Review No. 19-01 was heard and discussed; and

WHEREAS, the property of the proposed Variance is located 120 Avenue C and is legally described as follows:

The West ½ of Lot 10 and the West 40 feet of Lot 5, Block 40, City of Cloquet Original Plat, Carlton County, Minnesota. and

WHEREAS, the Planning Commission reviewed the staff report and approves the Variance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission approves Zoning Case 19-01 for a density of 24.89 units per acre in the HC - Historic Commercial District.

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

PHILIP DEMERS	_____	TERRI LYYTINEN	_____
ELIZABETH POLLING	_____	JOHN SANDERS	_____
NATHANIEL WILKINSON	_____	URIAH WILKINSON	_____

Passed and adopted this 12th day of February 2019.

CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator



EXISTING 2 STORY BUILDING

- 2 EXISTING APARTMENTS ON SECOND FLOOR
- 2 NEW APARTMENTS ON FIRST FLOOR

ZEZULKA APARTMENT BUILDING
120 AVENUE C
CLOQUET, MN

12-4-18

