



Regular Meeting of the Planning Commission

Tuesday, May 14, 2019

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: Elizabeth Polling, Terri Lyytinen, Philip Demers, Mark Cline and Uriah Wilkinson; City: Al Cottingham.

Absent: Nathaniel Wilkinson and John Sanders.

Others Present: Paul D. Johnson, Ryan Arola, Robert Yorkell, Mike Koski. Mike Acheson, Dana Sanders, Joshua Sanders, Steve Tomhave, Misty Burggraff, Paul A. Johnson and Diane Johnson.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

April 9, 2019 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: Commissioner Cline made a motion to approve the Planning Commission meeting minutes from April 9, 2019, Commissioner Lyytinen seconded. (Motion was approved 5-0).

Zoning Case 19-05: Variance for Paul D. Johnson

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-05, Variance for Paul D. Johnson, 916 North Road. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Mr. Johnson is seeking a variance to the minimum front yard setback of 25 feet to construct an addition onto the front of his home. The encroachment would be to allow a 21-foot setback. He noted this is a public hearing and property owners within 350 feet were sent notice of the meeting along with a legal notice being published in the Pine Journal on May 2, 2019. Mr. Johnson was present to address the commission and answer any questions.

Paul Johnson, 916 North Road stated his addition was for a covered porch with no walls just structural supports for the roof over a deck.



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The Commission discussed the variance criteria and the fact that this home was pretty much in line with the other homes in the block along North Road.

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

Chairman Wilkinson looked for a motion.

Motion: Commissioner Cline made a motion to approve Resolution No. 19-05, A Resolution Denying a Variance to the Minimum Front Yard Setback in the R1 – Single-Family Residence District for Paul D. Johnson, Commissioner Demers seconded. (Motion was approved 3-2 Lyytinen and Polling).

Zoning Case 19-04: Conditional Use Permit for AROLA Architecture Studio, LLC

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-04, Conditional Use Permit for AROLA Architecture Studio, LLC, 1101 Avenue B. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated that AROLA Architecture Studio, LLC is proposing a conditional use permit to allow 3 apartments on the second floor of the building at 1101 Avenue B. He noted this is a public hearing and property owners within 350 feet were sent notices of the meeting along with a legal notice being published in the Pine Journal on May 2, 2019. Mr. Arola was present to address the commission and answer any questions.

Ryan Arola, 205 W. 1st St., Duluth stated he was representing the building owner on the project and was available to answer any questions.

Robert Yorkell, 1005 Avenue B stated he owns the building to the west of this property and had concerns with the disrespect that prior tenants had for others property, specifically and felt this was a bad idea having apartments in the commercial/industrial area. He also had concerns with parking during the day with the county renting space and using a lot of the parking area.

Chairman Wilkinson inquired as to how many apartments were in the downtown area.

Cottingham stated with the exception of Larson Commons he would estimate somewhere around 30.

The Commission discussed the appearance of the building and the parking area. They commented that the city could not regulate the types of tenants that are rented to.

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

Chairman Wilkinson looked for a motion.



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Motion: Commissioner Cline made a motion to approve Resolution No. 19-04, A Resolution Recommending the City Council Approve the Conditional Use Permit for AROLA Architecture Studio, LLC for Three Apartments in the City Center District, Commissioner Demers seconded. (Motion was approved 5-0).

Cottingham noted that Planning Commission is only an advisory board and this recommendation would be forwarded to the City Council for action at their meeting on May 21, 2019 at 7:00 pm.

Zoning Case 19-06: Comprehensive Plan Amendment and Rezoning for Mike Koski

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-06, Comprehensive Plan Amendment and Rezoning for Mike Koski, 1001 Avenue B. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Mr. Koski is proposing a Comprehensive Amendment and Rezoning from Light Industry to Public-Semi Public. The site if approved would be for Northern Lights Academy. He noted this is a public hearing and property owners within 350 feet were sent notice of the meeting along with a legal notice being published in the Pine Journal on May 2, 2019. Mr. Koski was present to answer any questions.

Cottingham noted that he had received a phone call from Doreen Warner, 15 N. 10th St who expressed concern with a play area for the kids and possible parking along N. 10th between Cloquet Avenue and Avenue B. Currently parking along N. 10th can be very congested with customers of the commercial businesses parking there and blocking driveways. These concerns are also shared by a neighbor who both had to work this evening and could not attend the meeting.

Mr. Koski, 1001 Avenue B explained what Northern Lights Academy is. He noted they currently operate from four separate locations and are trying to get them all under one roof. He noted the building housed the Carlton County Treasure and does meet the accessibility requirements. He noted the types of students that were there primarily stayed inside and didn't go outside to play. There is a patio on the north side of the building above the parking lot that they can use.

Robert Yorkell, 1005 Avenue B expressed concerns with the proposal being close to the railroad tracks, explosives and truck traffic. He felt this would be stressful on the kids and was concerned with their safety. He felt this would have a negative impact on his property and they should look at other property that Mr. Koski owns. He felt this would limit the future use of his property.

Chairman Wilkinson inquired as to how many staff would be at the site.

Mr. Koski stated 10 to 12.



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Chairman Wilkinson stated his concern with the safety for the kids with the railroad tracks and the truck traffic along both streets.

Mr. Koski stated they would be installing a fence along the railroad tracks and that all but a couple of students would use the entrance off the parking lot while these couple of students would need to use the handicap entrance.

Commissioner Polling enquired if this facility was regulated by the state.

Mr. Koski stated it was.

Commissioner Polling stated she wondered what the requirements from the state were, the children access to the building and the security from the railroad tracks. She would also like to have someone from Northern Lights Academy present to answer some questions.

Commissioner Lyytinen was concerned with traffic flow and the drop off and pickup of the students.

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

Chairman Wilkinson looked for a motion.

Motion: **Commissioner Polling made a motion to table this request until May 28, 2009 so the applicant could provide the additional information that was discussed, Commissioner Lyytinen seconded. (Motion was approved 5-0).**

Zoning Case 19-08: Rezoning for Nicholas J. Lind

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-08, Rezoning for Nicholas J. Lind, 1197 South Oak Street. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Nicholas J. Lind is proposing a rezoning from Single-Family Resident to Farm Residential, so he could have chickens. He noted this is a public hearing and property owners within 350 feet were sent notice of the meeting along with a legal notice being published in the Pine Journal on May 2, 2019. He stated Ms. Burggraff was present representing Mr. Lind.

Misty Burggraff, 1197 South Oak Street stated Mr. Lind was out of town so she was there to answer any questions. She noted there was a coop on the property when they purchased it. They didn't know that they couldn't have chickens there so that is why they are looking to rezone the property.

Paul A. Johnson, 1199 South Oak Street stated he did not have a problem with the request and wasn't sure why the property was rezoned from Farm Residential.



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Diane Johnson, 1203 South Oak Street stated that she had lived there for over 30 years and the reason it was rezoned by the city because they did not want a hodge podge of zoning parcels.

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

Chairman Wilkinson looked for a motion.

Motion: Commissioner Cline made a motion to approve Resolution No. 19-08, A Resolution Recommending the City Council Approve the Rezoning from “R1 – Single-Family Resident” to “FR – Farm Residential” for Nicholas J. Lind, Commissioner Lyytinen seconded. (Motion was approved 5-0).

Cottingham noted that Planning Commission is only an advisory board and this recommendation would be forwarded to the City Council for action at their meeting on May 21, 2019 at 7:00 pm.

Zoning Case 19-07: Comprehensive Plan Amendment and Rezoning for Michael J. Acheson

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 19-07, Comprehensive Plan Amendment and Rezoning for Michael J. Acheson. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Mr. Acheson is proposing a Comprehensive Amendment from Low Density Residential to Highway Commercial and Rezoning from Single-Family Resident to Highway Commercial. The property is located northwest of Sunnyside and Boulder Drives and would be used as a parking lot for his business. He noted this is a public hearing and property owners within 350 feet were sent notice of the meeting along with a legal notice being published in the Pine Journal on May 2, 2019. Mr. Acheson was present to answer any questions.

Mike Acheson, 305 Sunnyside Drive stated he was going to address some of the concerns that have been raised by the neighborhood. The proposed parking lot would not have access onto Boulder Drive and therefore should not increase traffic onto Boulder Drive. He wants to work with the neighbors on the screening options for the lot since this will be reflective of his business and he wants a nice appearance. The buffer would help with vehicle noise and pollution from them. The snowbank that they are referring to was created by MNDOT and not him. He has removed it at times at his cost.

Kisber Mettner, 200 Boulder Drive, stated her and her family have lived at this location for 6 years and at the time were looking for their forever home. This was a quiet neighborhood and other families on the block. She is concerned with this changing the neighborhood, obstructing of visibility at Sunnyside Drive and additional traffic into the neighborhood looking for another access to the commercial areas. Her realtor told her in her opinion this would decrease the values at least to the adjacent properties. They were very much opposed to the proposal.



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Dana Sanders, 201 Boulder Drive, stated they moved into this development in 2005 on a dead-end street and a quiet area for the kids to play. They would be losing the buffer to Highway 33. The property owner next to this property tried to purchase this property but was out bid on the sealed bid process. He did sign the petition that was before the Commission stating concerns with the use of the property and the impacts to the neighborhood. She was concerned with the safety and access to and from Boulder Drive and doesn't like the possibility of strangers coming into the neighborhood. She is also concerned with the neighborhood becoming smaller with further encroachment by the commercial businesses.

Steve Tomhave, 212 Boulder Drive, was concerned with the proximity to the home at 221 Boulder Drive and noise. He wondered about other locations for expansion to the parking lot. He also had concerns with site drainage and snow piles blocking visibility.

Joshua Sanders, 201 Boulder Drive, read a statement from his dad. This property used to have a home on it until MNDOT purchased it and removed it for improvements for the highway. In 2010 MNDOT sold the remaining property by sealed bid and Mr. Acheson was the high bid. He was aware of the neighborhood concerns before he bought the property.

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

Commission Cline was concerned with encroaching into the residential neighborhood, the impact to the adjacent home and the amount of opposition from the neighborhood.

Chairman Wilkinson was concerned with the site visibility from Boulder Drive.

Commissioner Demer noted this was the same type of situation on Skyline Drive and Sunnyside Drive when it comes to visibility.

Commissioner Polling agreed with Chairman Wilkinson but struggles with reasonable use of the land and the owners request. She did feel it would have an impact on the neighborhood.

The Commission discussed other possible uses of the property along with the concerns of site visibility from Boulder Drive.

Chairman Wilkinson looked for a motion.

Motion: Commissioner Cline made a motion to approve Resolution No. 19-07 Comp, A Resolution Recommending the City Council Deny the Comprehensive Plan Amendment (Land Use Plan) from "Low Density Residential" to "Highway Commercial" for Michael J. Acheson, Chairman Wilkinson seconded. (Motion was approved 4-1, Lyytinen).



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Motion: Commissioner Polling made a motion to approve Resolution No. 19-07 Rezone, A Resolution Recommending the City Council Deny the Rezoning from “R1 – Single-Family Resident” to “RC – Highway Commercial” for Michael J. Acheson, Commissioner Cline seconded. (Motion was approved 4-1, Lyytinen).

Cottingham noted that Planning Commission is only an advisory board and this recommendation would be forwarded to the City Council for action at their meeting on May 21, 2019 at 7:00 pm.

Commissioner’s Questions/Comment

Cottingham let the Commission know that Commissioner Nathaniel Wilkinson was resigning his position due to increased work responsibilities. If they are aware of anyone who would be interested in applying to have them contact him.

Next Meeting

May 28, 2019

Meeting adjourned 8:45 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator