



Regular Meeting of the Planning Commission

Tuesday, November 12, 2019

7 pm Regular Meeting

101 14th St, Cloquet, MN 55720

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the October 8, 2019 Planning Commission meeting
5. Zoning Case 19-11; Annette Kiehn, Variance
6. Zoning Case 19-13: Annual Gravel Pit Renewals
7. Zoning Case 19-14: Leonard Conklin, Variance
8. Discussion – Multiple-family Structures in the Historic Commercial District
9. Commissioner's Questions/Comments
10. Adjourn

NEXT MEETING:

December 9th @ 7 pm



Regular Meeting of the Planning Commission

Tuesday, October 8, 2019

7:00 p.m.

101 14th Street, Cloquet, MN 55720

OATH OF OFFICE ROBERT ZAPPIA

Mr. Cottingham administered the Oath of Office to Robert Zappia and welcomed him to the Planning Commission.

CALL TO ORDER

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

ROLL CALL

Attending: Planning Commission members: Terri Lyytinen, Rob Zappia, John Sanders and Uriah Wilkinson; City: Al Cottingham.

Absent: Mark Cline, Philip Demers and Elizabeth Polling.

Others Present: Annette Kiehn.

ADDITIONS/CHANGES TO THE AGENDA

Mr. Cottingham added Item 6A. Downtown Store Front Discussion.

AGENDA ITEMS

September 10, 2019 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: Commissioner Lyytinen made a motion to approve the Planning Commission meeting minutes from September 10, 2019, Commissioner Zappia seconded. (Motion was approved 4-0).

Zoning Case 19-11: Variance for Annette Kiehn

Chairman Wilkinson introduced Zoning Case 19-11, Variance for Annette Kiehn and asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Annette Kiehn is proposing two Variances one to the minimum lot size requirement and one to the minimum lot width on a public road in the Farm Residential District. The property is located at 1014 Pinewood Drive. He stated the Commission tabled this request at the last meeting since there was a tie vote on the request with hopes that they would have more members at next months meeting. He noted that this request was different than the Variance for Thomas Montgomery in that one of the lots would not abut a public road. He noted that Keith Bassett, 1531 White Pine Trail had sent an email on the request and that a copy of it was at each commissioner's seat. Ms. Kiehn was present to answer any questions the commission may have.



Regular Meeting of the Planning Commission

Tuesday, October 8, 2019

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Chairman Wilkinson stated his concern with a precedent already being set in that a Variance was granted for Thomas Gerard on Lane Road for lots that did not abut a public road. Mr. Cottingham noted that these lots had been created a number of years ago and the Variance was just a formality to allow him to get a building permit for the lots. He also reduced the number of lots that he had from three to two.

Commissioner Sanders stated that if the Commission was going to continue to grant Variances to the Farm Residential District then maybe we should look at Rezoning this area to allow for the smaller lots.

Ms. Kiehn stated she was trying to get a lot where she could build a smaller home and pay less in property taxes. The property was assessed for water and road improvements to White Pine Trail and that created a burden since they were not using either of them with the current home.

There being no further discussion Chairman Wilkinson looked for a motion.

Motion: Commissioner Sanders made a motion to approve Resolution No. 19-11, A Resolution Denying a Variance to the Minimum Lot Size Requirement and the Minimum Lot Width on a Public Road in the FR- Farm Residential District for Annette Kiehn, Commissioner Zappia seconded. (Motion failed 2-2 Lyytinen and Wilkinson)

Commissioner Sanders inquired as to rezoning the area. Mr. Cottingham stated he would put together a graphic of the zoning in the area so it could be discussed at a future meeting.

Discussion – Multiple-Family Structures in the Historic Commercial District

Chairman Wilkinson introduced the discussion and updated the Commission on the joint meeting that some members had with the EDA earlier this year on this topic. The group felt that they should be preserving the commercial store fronts in the District and not allow them to be removed by multiple-family units. They were open to allowing the units on the ground floor but not in the front of the building.

Mr. Cottingham stated he was looking for a consensus of the Commission on this and whether or not units should be allowed on the ground floor in the rear of the building or only on the upper floors.

The consensus of the Commission was to allow the units on the ground floor in the back half of the building.

Mr. Cottingham stated he would bring some draft language back to the Commission at their next meeting for review before scheduling the public hearing.



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Discussion – Downtown Store Front and Design Standards

Mr. Cottingham stated that he had been in discussion with a property owner who had a building fronting Cloquet Avenue and wondered about removing the front door since it wasn't handicap accessible and he had two other doors on the side of the building. The Downtown Design Standards required the door to remain and it would require a variance to allow it to be removed. He noted that he told the property owner he would not support this but could discuss this with the Commission to get their thoughts.

Commissioner Zappia stated he was concerned with exiting from the building and safety with the removal of this door. Mr. Cottingham stated that the other doors to the building met the requirements for access so it would not be needed based on the building code.

The Commission discussed the owners need for the door and the fact that future owners might want an access onto Cloquet Avenue and would then have to put it back in. They felt the door should remain.

Commissioner's Questions/Comment

None.

Next Meeting

November 12, 2019

Meeting adjourned 7:50 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

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

ITEM DESCRIPTION: ZONING CASE 19-11: VARIANCE FOR ANNETTE KIEHN, 1014 PINEWOOD DRIVE

Background

At the last two meetings this request has had a tie vote and thus does not have a formal approval or denial. This item is back on the agenda in hopes that we can have a Resolution that either approves or denies the request.

Annette Kiehn has submitted a Variance application. The site is located at 1014 Pinewood Drive.

The Variances are to the minimum lot size requirement and the minimum lot width on a public road in the FR – Farm Residential District in order to subdivide her property into two parcels. The property consists of a 5-acre parcel with access to the home via a private easement to Pinewood Drive. Ms. Kiehn is proposing to subdivide the property into the north 3-acres and the south 2-acres with the south parcel abutting White Pine Trail while the northernly parcel would continue to be served via the easement. The property has an approximate 40 foot elevation change between the home and White Pine Trail.

A public hearing was held on Tuesday, September 10, 2019 to consider the variances. A legal notice was published in the Pine Journal on August 29, 2019 and property owners within 350 feet were sent notices of the public hearing. There was no public present at the meeting however, Mr. Cottingham had heard from a property owner in the area that was opposed to the request.

The Planning Commission at its September 10th meeting following a tie vote, voted to table this request until the October meeting. Some members felt that this request was similar to one that was approved a couple of years ago for Thomas Montgomery, 1520 Airport Road. In that approval the Commission determined that his proposed lot sizes were substantially larger than the lots across the street.

This request not only is requesting smaller lots but is requesting one of those lots be serviced via a private easement thus not having any frontage on a public road. Staff is concerned with the precedence this would create allowing a lot without frontage on a public road.



Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Policy Objectives

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 variance establishes that there are practical difficulties in complying with the official control. No variance may be granted unless **all** of 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 Commission should review the Variances and take into account any comments pertaining to it. Following this review the Planning Commission can approve the request, deny the request or table the request for some additional information.

Staff Recommendation

Staff would recommend denial of the Variance as submitted. Staff is concerned with other properties in the area that have similar situations with large lots and homes built on the front or back of the lots and a precedent that may be set by allowing access via a private drive and no frontage on a public road.

Supporting Documents Attachments

- Resolution No. 19-11
- Location Map
- Site Plan
- Aerial Photo

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-11

A RESOLUTION DENYING A VARIANCE TO THE MINIMUM LOT SIZE REQUIREMENT AND THE MINIMUM LOT WIDTH ON A PUBLIC ROAD IN THE FR – FARM RESIDENTIAL DISTRICT FOR ANNETTE KIEHN

WHEREAS, Annette Kiehn is proposing a Variance to the minimum lot size requirement and the minimum lot width on a public road in the FR – Farm Residential District; and

WHEREAS, the property of the proposed Variances is located at 1014 Pinewood Drive and is legally described as follows:

The South Half of the North Half of Government Lot 2 and the westerly 281.50 feet of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter, Section 27, Township 49, Range 17, Carlton County, Minnesota, subject to easement. And,

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

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission denies Zoning Case 19-11 for a Variance for Annette Kiehn to allow a lot of less than 5-acres in size and a lot without a minimum of 200 feet of frontage on a public road.

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

MARK CLINE	_____	PHILIP DEMERS	_____
TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
JOHN SANDERS	_____	URIAH WILKINSON	_____
ROBERT ZAPPIA	_____		

Passed and adopted this 12th day of November 2019.

CITY OF CLOQUET

URIAH WILKINSON
CHAIR

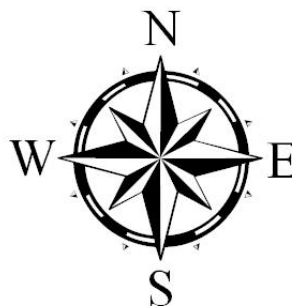
ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

LOCATION MAP

Annette Kiehn



NO SCALE



SURVEY FOR: RICHARD & ANNETTE KIEHN
 1014 PINWOOD DRIVE
 CLOQUET, MN 55726

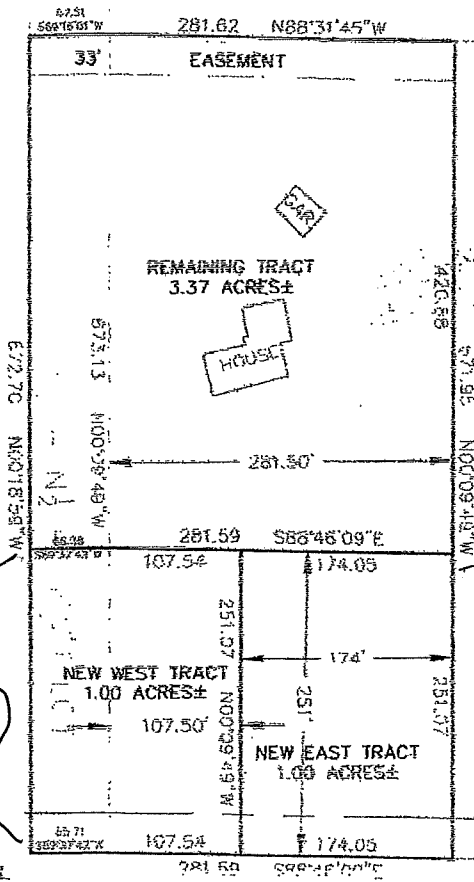
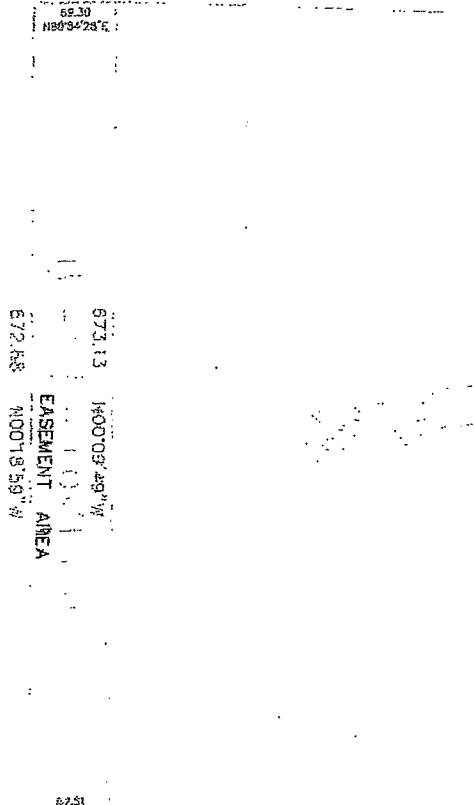
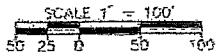
STRAIGHTLINE SURVEYING, INC.

P.O. Box 510, 500 1st St
 Moose Lake, MN 55767
 E-MAIL: bendera@straightlinesurveying.com

Telephone (218)-485-4814
 Fax: (218)-485-4611

SURVEY OF: TWO NEW TRACTS LOCATED IN
 THE SOUTH HALF OF THE
 NORTH HALF OF GOVERNMENT
 LOT 2 AND THE SOUTHWEST
 QUARTER OF THE NORTHWEST
 QUARTER OF THE NORTHEAST
 QUARTER, SECTION 27
 TOWNSHIP 49, RANGE 17,
 CARLTON COUNTY, MINNESOTA

- ⊙ DENOTES FOUND IRON MONUMENT
- ⊙ DENOTES 1/2" IRON REBAR MONUMENT SET AND CAPPED "ANDERSON 45498"
- X DENOTES 80# SPIKE SET
- △ DENOTES "MAG" NAIL SET



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Benjamin H. Anderson 45498 03-08-2016 2016-050 NONE
 Benjamin H. Anderson License No. Date Job No. Book No.



COMMUNITY DEVELOPMENT DEPARTMENT
 101 14th Street • Cloquet MN 55720
 Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov

APPLICATION FORM

PROPERTY OWNER: Richard & Annette Kiehn
 ADDRESS: 1014 Pinewood Dr
 CITY, STATE ZIP CODE: Cloquet MN 55720
 PHONE NUMBER: 218-590-2599(A)

APPLICANT NAME: Annette Kiehn
 ADDRESS: _____
 CITY, STATE ZIP CODE: _____
 PHONE NUMBER: _____

SITE LOCATION/ADDRESS: xxx White Pine trail

LEGAL DESCRIPTION: see Attachment

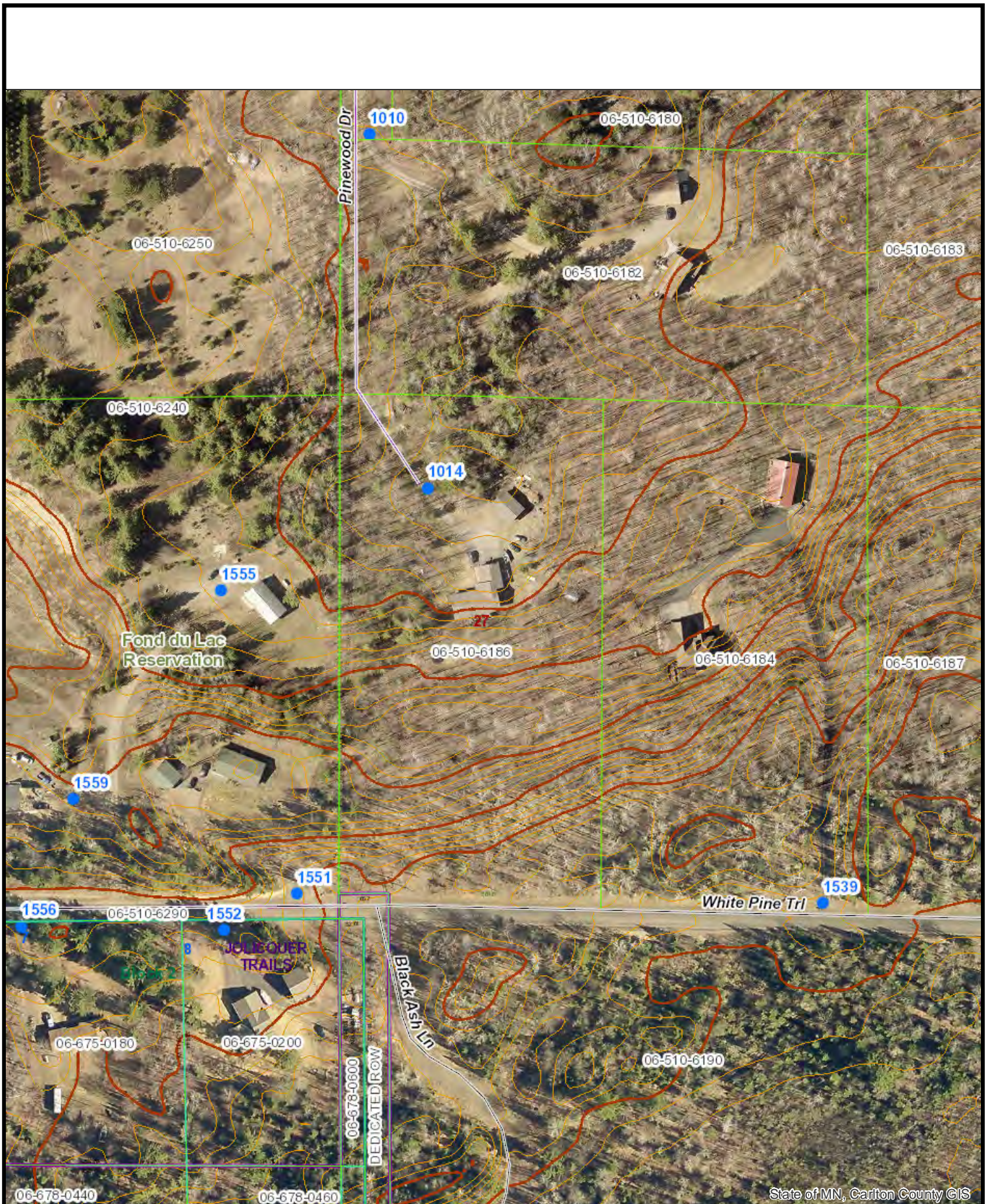
APPLICATION TYPE:			
CONDITIONAL USE	_____	VARIANCE	<u>X</u>
COMP PLAN AMEND	_____	REZONE	_____
PRELIMINARY PLAT	_____	FINAL PLAT	_____
PLANNED UNIT DEV	_____	SITE PLAN	_____
ZONING AMEND	_____	WETLAND CERT/MIT	_____

DESCRIPTION OF PROPOSAL: We would like to split our 5 acre lot into 2 pieces. 2 Acres off white pine trail & keep 3 acres with house of of pinewood Dr.

OWNER SIGNATURE: [Signature] DATE: 7/30/19

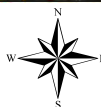
APPLICANT SIGNATURE: [Signature] DATE: 7/30/19

OFFICE USE:
 FILING FEE: _____
 DATE: _____
 CASE NUMBER: _____



State of MN, Carlton County GIS

This data is provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose. Not for survey purposes.



Carlton County, MN

Date: 8/27/2019



Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

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

**ITEM DESCRIPTION: Zoning Case 19-13: Gravel Mining Excavation Permit
Renewals for 2020**

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 November 12, 2019.

Policy Objectives

Inspections of active gravel mining operations were conducted in October in accordance with Chapter 17.6.20 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 by City staff.



Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Advisory Committee Action Requested

That the below four excavation permits be renewed for 2020, 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. 19-13, A Resolution Approving Gravel Mine Renewals for 2020.

Supporting Documents Attachments

- Resolution No. 19-13
- Pit Inspection Sheets

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-13

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF
CLOQUET APPROVE THE ANNUAL EXCAVATION PERMITS FOR
2020**

WHEREAS, the following gravel mine operators have submitted request for renewal of their Excavation and Operating Permits for the year 2020:

- 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 November 12, 2019, 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 seconded by Commissioner _____ and being put to vote members voted: AYE: _____ NAY: _____ ABSENT: _____

MARK CLINE	_____	PHILIP DEMERS	_____
TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
JOHN SANDERS	_____	URIAH WILKINSON	_____
ROBERT ZAPPIA	_____		

Passed and adopted this 12th day of November 2019.

CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **KGM**

DATE OF INSPECTION: **October 24, 2019** TIME OF DAY: **9:30 pm**

WEATHER CONDITIONS: **Cloudy, 35 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

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

KGM had a fair amount of activity this year from their pit. The major pit faces have been worked this year with over 51,000 cubic yards removed by the end of August with lots of material still being hauled out. They have had an asphalt plant setup at various times during the season.











GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Carlton County – Airport Road**

DATE OF INSPECTION: **October 24, 2019** TIME OF DAY: **9:00 am**

WEATHER CONDITIONS: **Cloudy, 35 degrees, early fall**

PRESENT: **Al Cottingham and Caleb Peterson**

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





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Ulland Sand and Gravel Pit**

DATE OF INSPECTION: **October 24, 2019** TIME OF DAY: **9:45 am**

WEATHER CONDITIONS: **Cloudy, 35 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	X	<input type="checkbox"/>	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	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 20,000 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.









GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Zack Sand and Gravel – Stark Road**

DATE OF INSPECTION: **October 24, 2019** TIME OF DAY: **8:30 am**

WEATHER CONDITIONS: **Cloudy, 35 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

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









Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

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

**ITEM DESCRIPTION: ZONING CASE 19-14: VARIANCE FOR LEONARD
CONKLIN, EAST OF 907 STANLEY AVENUE**

Background

Leonard Conklin has submitted a Variance application. The site is located east of 907 Stanley Avenue.

The Variances are to the minimum front yard setback for parking, the requirement for curb and gutter and the Highway 33 Design Standards in the RC – Regional Commercial District in order to construct a new building. Mr. Conklin is proposing to construct a 3,264 square foot (48' x 68') building and the associated parking on the property. He is proposing to have pavement right up to the building and front property line, concrete curb and gutter only along the front property line and the exterior being similar to the building at 907 Stanley Avenue with masonry on the bottom and metal above that.

An application for the Site Plan will be submitted at a later date to be reviewed by the Planning Commission and approved by the City Council.

Chapter 17.5.15 Subd. 5. B. states “Parking areas and access drives shall not be closer than ten (10) feet to any building, and no closer than ten (10) feet to a public sidewalk or street.” Chapter 17.5.11 Subd. 3. C. states “Interior concrete curbs shall be constructed within the property to separate driving and parking areas from landscaped areas and control surface drainage.” Section 17.5.15 Subd. 6. A. states “The use of quality building materials and methods to create an enduring stock of buildings shall be required. Materials shall be durable, easily maintained, attractive at close distances and scaled to pedestrians. Acceptable primary exterior finish materials shall include: brick, stone, decorative concrete blocks, EIFS and precast concrete. Wood, high quality metal (matte finish) or synthetic materials may be acceptable as secondary, trim or accent materials used in combination with a primary material as listed above, provided they do not exceed fifty percent (50%) of any exterior façade which is visible from a ‘public way’. Exceptions will be allowed for high quality synthetic material that mimics brick, masonry, etc. Materials must be durable and properly maintained at all times.”

A public hearing will be held on Tuesday, November 12, 2019 to consider the variances. A legal notice was published in the Pine Journal on October 31, 2019 and property owners within 350 feet were sent notices of the public hearing.



Community Development Department

101 14th Street • Cloquet MN 55720

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

Policy Objectives

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 variance establishes that there are practical difficulties in complying with the official control. No variance may be granted unless **all** of 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 Commission should review the Variances and take into account any comments pertaining to it. Following this review, the Planning Commission can approve the request, deny the request or table the request for some additional information.

Staff Recommendation

Staff has had a difficult time with this application. On one hand our thought is a new building on a vacant piece of property should meet the Ordinance minimum requirements. However, when you look at the buildings on the surrounding properties with the exception of Walmart most of them do not meet any of the same standards that Mr. Conklin is looking to deviate from. The one exception is the exterior of the Carlson Orthodontics building addition done a few years ago did meet the architectural design standards. They did not change anything else on the site so there were no other standards to meet.

Supporting Documents Attachments

- Resolution No. 19-14
- Location Map
- Application Material

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-14

A RESOLUTION _____ A VARIANCE TO THE MINIMUM FRONT YARD SETBACK FOR PARKING, THE REQUIREMENT FOR CURB AND GUTTER AND THE HIGHWAY 33 DESIGN STANDARDS IN THE RC – REGIONAL COMMERCIAL DISTRICT FOR LEONARD CONKLIN

WHEREAS, Leonard Conklin is proposing a Variance to the minimum front yard setback for parking, the requirement for curb and gutter and the Highway 33 Design Standards in the RC – Regional Commercial District; and

WHEREAS, the property of the proposed Variances is located east of 907 Stanley Avenue and is legally described as follows:

Lot 5, Block 1, Harry Newby’s 1st Addition, Carlton County, Minnesota. And,

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

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission denies Zoning Case 19-14 for a Variance for Leonard Conklin to allow a no setback between the building and parking area and the front property line, curb and gutter to be placed only adjacent to the front property line and from the architectural design for the building.

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

MARK CLINE	_____	PHILIP DEMERS	_____
TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
JOHN SANDERS	_____	URIAH WILKINSON	_____
ROBERT ZAPPIA	_____		

Passed and adopted this 12th day of November 2019.

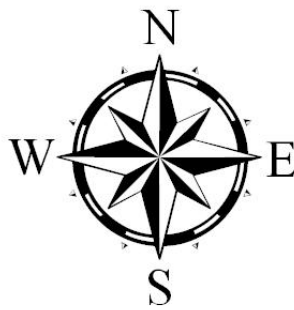
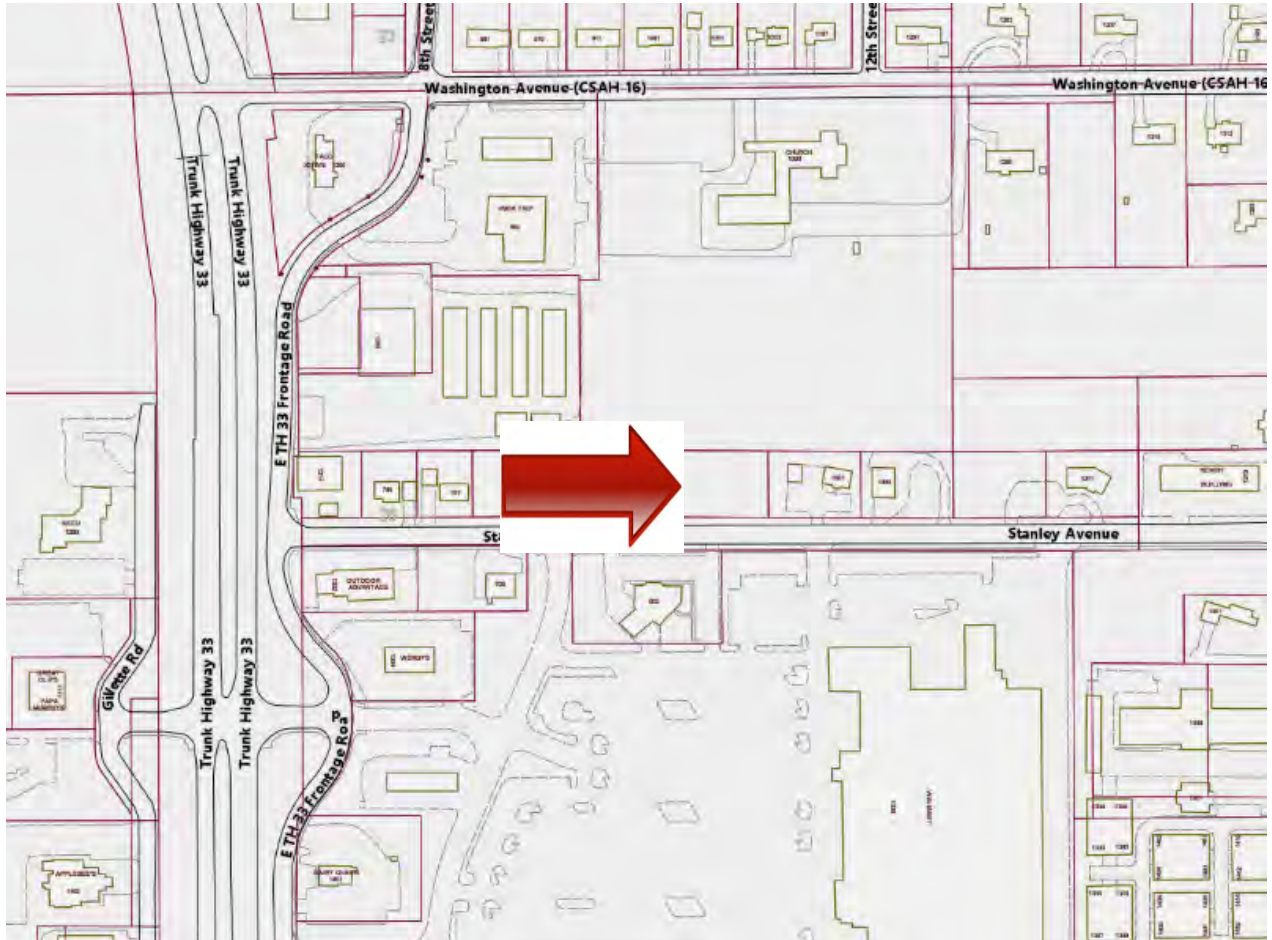
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

LOCATION MAP

Leonard Conklin



NO SCALE

I would like to get a variance to build an office/retail space on the vacant lot on Stanley Ave. The lot is located to the East of the current State Farm office.

My proposal is to have a building that is 48'x68'. There is an attached sketch with this proposal.

The current lot is 167' long by 120' deep. With the need for the building to be 48' deep the lot is too narrow to accommodate the current code for parking, curb and gutter. All other codes will be adhered to. My request is to grant the variance so the building can be built to 48'x68'. There are no issues with the length of the building given the length of the lot. Currently most, if not all of the buildings on Stanley Ave would not meet the requirements for curb, gutter and parking. The total footage for the building will be 3200 sq ft. The total lot sq ft is 20,400.

To address the 3 points on the variance application.

1. The property will be used in a reasonable matter consistent with what is currently on Stanley Ave. The property will have more green space than other similar properties. The building will be similar construction to the buildings already on Stanley Ave.
2. The circumstances are unique in that the lot is very narrow to accommodate the size building that is needed. The new building is narrower existing buildings on Stanley Ave. All setbacks from the lot lines will be adhered too.
3. If the variance is granted it will not alter the character of the locality. The building will be built to fit in with current structures of the area. It will be a 1 story at grade building with a pitched roof.

I believe the proposal addresses the 3 variables needed in order to have a variance approved. I appreciate the consideration.

Lenny Conklin

From: lenny conklin <conzac99@yahoo.com>
Sent: Wednesday, October 16, 2019 11:32 AM
To: Lenny Conklin
Subject: [EXTERNAL] Render 1.png



Sent from my iPhone

Lenny Conklin

From: lenny conklin <conzac99@yahoo.com>
Sent: Wednesday, October 16, 2019 11:32 AM
To: Lenny Conklin
Subject: [EXTERNAL] render3.png



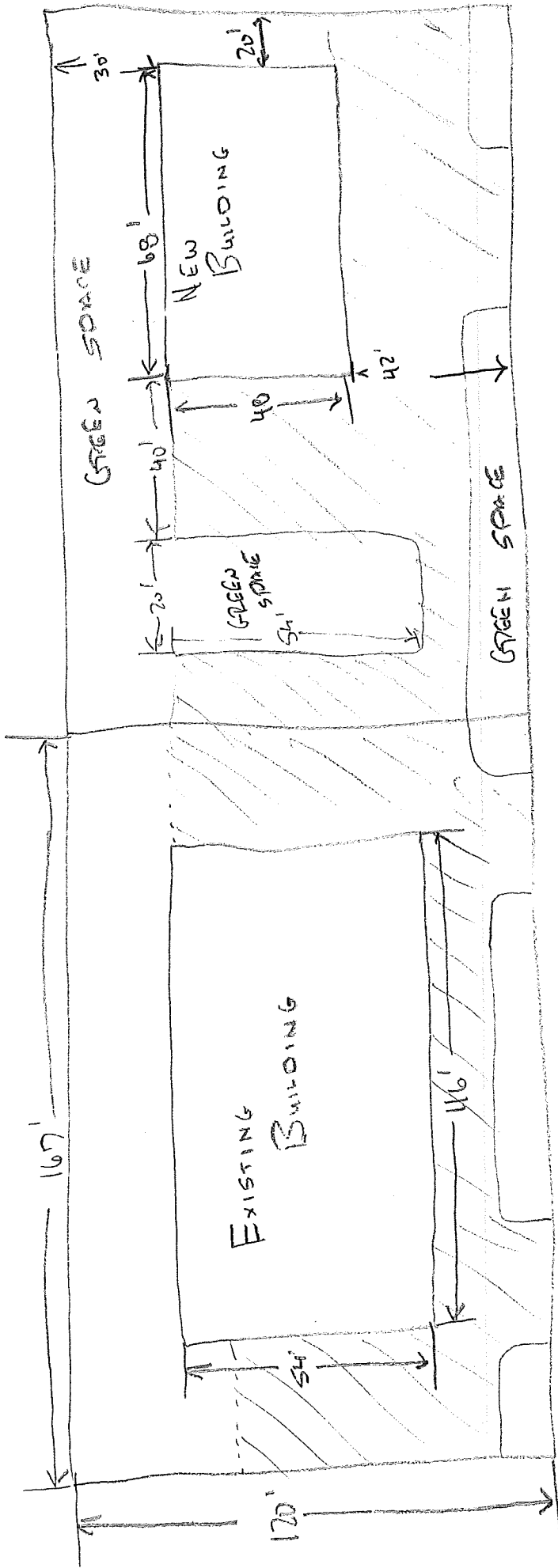
Sent from my iPhone

Lenny Conklin

From: lenny conklin <conzac99@yahoo.com>
Sent: Wednesday, October 16, 2019 11:33 AM
To: Lenny Conklin
Subject: [EXTERNAL] render4.png

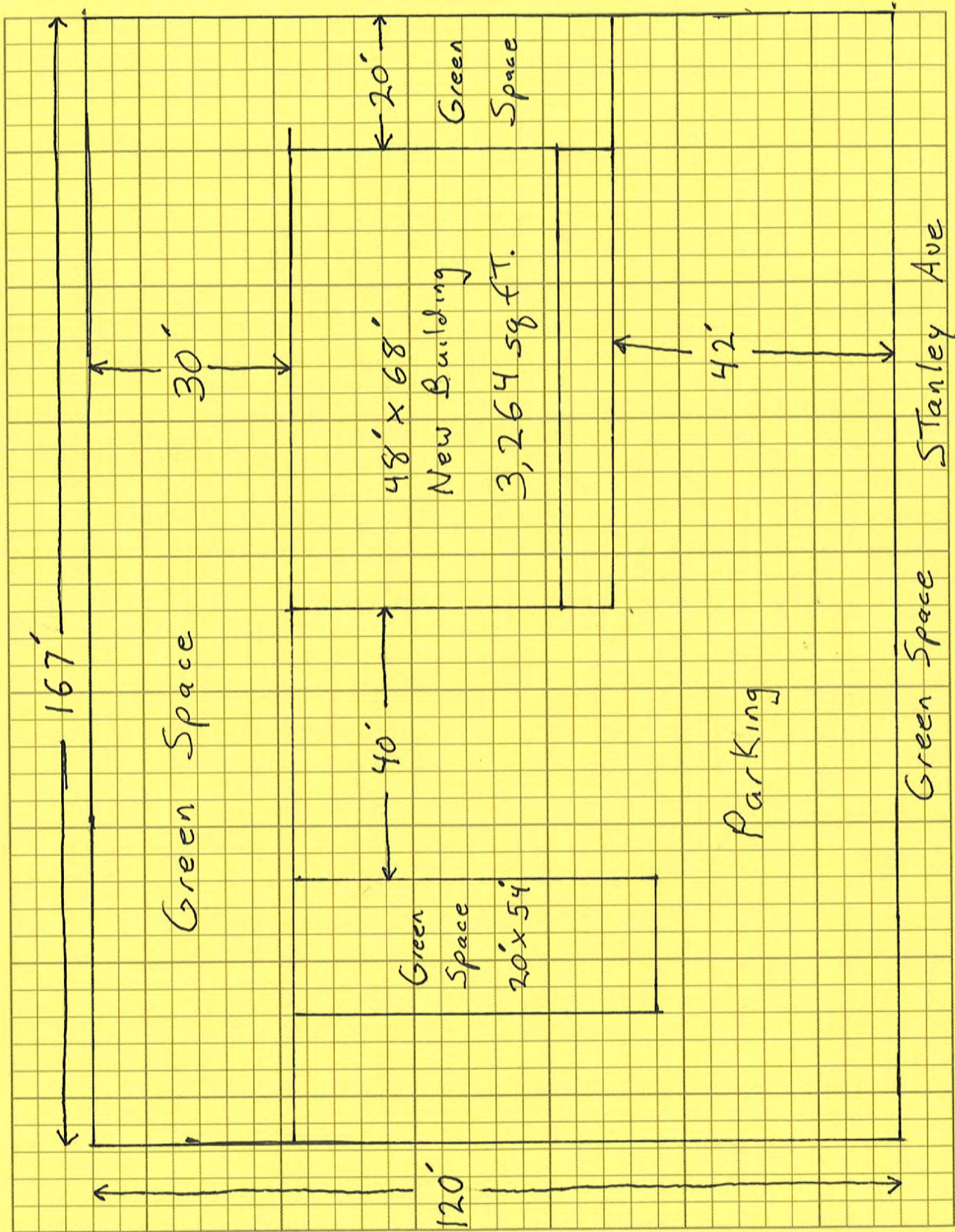


Sent from my iPhone



- New Development will have 45% GREEN SPACE.
- 1111 = PAVEMENT

N
1" = 20'





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

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

ITEM DESCRIPTION: Zoning Discussion for the West End Business District

Attached is a draft Ordinance staff believes will take care of any issues regarding multiple family units in the West End Business District. We have changed the language to require a minimum setback from property lines to make the building independent and if allowing units on the main floor they would be restricted to the back half of the structure.

I have discussed the draft with the City Attorney and his only comment was should the setback from the property line be greater to allow for possible access to the rear and parking. I believe this would be handled with a site plan review and that the setback is the minimum allowed.

ORDINANCE NO. XXXA

**AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE
PERTAINING TO RESIDENTIAL USES IN THE HISTORIC COMMERCIAL
DISTRICT**

The City Council of the City of Cloquet does hereby ordain as follows:

Section 1. **Section 17.6.12, Historic Commercial District, Subd. 3 Conditional Uses** is amended to read as follows:

- A. Residential Uses: Apartments, Multiple-family structures existing independently with a minimum side and rear setback of 3 feet or on the back half of the ground floor of a commercial building and the floors above provided the density does not exceed 20 units per acre.

Section 2. **Effective Date.** This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

Passed this ____ day of _____ 2019.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

By: _____
Its City Administrator

Published this _____ day of _____, 2019.