



Regular Meeting of the Planning Commission

Tuesday, January 14, 2020

7 pm Regular Meeting

101 14th Street, Cloquet, MN 55720

AGENDA

**Oath of Office
Terri Lyytinen**

1. Call to Order
2. Roll Call
3. Election of Chairperson and Vice Chairperson
4. Additions/Changes to the Agenda
5. Minutes from the December 10, 2019 Planning Commission meeting
6. Zoning Case 19-15; City of Cloquet, Zoning Ordinance Amendment
7. February Meeting
8. Commissioner's Questions/Comments
9. Adjourn

NEXT MEETING:

February 12th @ 7 pm



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7:00 p.m.

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CALL TO ORDER

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

ROLL CALL

Attending: Planning Commission members: Uriah Wilkinson, Elizabeth Polling Terri Lyytinen, Rob Zappia, John Sanders, Mark Cline and Philip Demers (arrived at 7:05); City: Al Cottingham.

Absent: None.

Others Present: Kyle Backstrom and David Wiggins.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

November 12, 2019 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions. Commissioner Sanders had two corrections.

Motion: Commissioner Sanders made a motion to approve the Planning Commission meeting minutes from November 12, 2019 with the corrections noted, Commissioner Lyytinen seconded. (Motion was approved 6-0).

Zoning Case 19-16: Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill

Chairman Wilkinson introduced Zoning Case 19-16, Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill and opened the public hearing. He asked Mr. Cottingham to provide an overview. Mr. Cottingham stated SKB Environmental Cloquet Landfill is proposing an expansion of their hours to be open 24 hours a day, seven (7) days a week solely for SRFI material being transported with SKB trucks and direct employees. Mr. Cottingham noted that the original conditional use permit approval limited their hours of operation and those hours were amended in 2014. Mr. Cottingham noted this is a public hearing with a legal notice published in the Pine Journal on November 28, 2019 and property owners within 1320 feet were notified. Mr. Cottingham noted representatives from SKB Environmental Cloquet Landfill were present to answer any questions.

Commissioner Cline inquired as to what the original hours of operation allowed.



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Mr. Cottingham noted that they were approved for 7am – 5 pm Monday – Friday and 7 am – 1 pm on Saturday. The hours approved in 2014 changed Saturday hours to be open 7 am – 5 pm.

Kyle Backstrom, site manager for SKB stated all drivers are licensed operators of the landfill. They use the scale at Verso to weight the materials so they would not need to stop at the scale on site to weigh the material prior to dumping the material. He stated that they are currently bringing the trailers out to the site, unhooking them and then taking an empty trailer back. They then hook up the full trailer in the morning and dump the materials.

Commissioner Sanders inquired as to the number of loads that would be brought in during these extended hours.

Mr. Backstrom stated the when Verso was in their prime, they would be bringing in maybe 6 loads of material during these extended hours. He was not sure if they would reach those numbers.

Commissioner Zappia inquired as to whether this was virgin pulp or recycled paper pulp material.

Mr. Backstrom stated it was recycled paper pulp material.

Commissioner Zappia inquired what hazard is the material and who does the study on it to define it.

Mr. Backstrom stated the Minnesota Pollution Control Agency (MPCA) does not define it as hazardous and an independent lab does the testing and review of the material every two years. He noted all of this information is at their site and can be looked at if he wanted to come there.

Commissioner Sanders inquired as to putting a time frame on this so it could be reviewed to see if any complaints came in with the extended hours.

Mr. Cottingham stated that this could be added as a condition of approval.

Chairman Wilkinson stated the term heavy equipment was vague and maybe we should define the equipment they cannot use.

Mr. Cottingham stated he could do that by referencing a bulldozer and loader.

There being no further discussion Chairman Wilkinson closed the public hearing and looked for a motion.



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Motion: Commissioner Polling made a motion to approve Resolution No. 19-16, A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow for the Expanded Hours of Operation for Shamrock Environmental Cloquet Landfill subject to conditions, Commissioner Lyytinen seconded. (Motion passed 7-0)

Motion: Commissioner Sanders made a motion to amend Resolution No. 19-16 by deleting the finding of fact paragraph and the 6 facts, Commissioner Cline seconded. (Motion passed 7-0)

Mr. Cottingham noted this recommendation would be forwarded to the City Council for their December 17th meeting.

Zoning Case 19-18: Special Event for SKB Environmental Cloquet Landfill

Chairman Wilkinson introduced Zoning Case 19-18, Special Event for SKB Environmental Cloquet Landfill and asked Mr. Cottingham to provide an overview. Mr. Cottingham stated SKB Environmental Cloquet Landfill is seeking approval of a special event in order to bring materials into the site from the Twin Ports Interchange project being proposed by MNDOT. They are requesting hours of operation for this project to be 7 am – 8 pm, seven (7) days per week. The project is anticipated to last for three (3) years. He noted the application met the site distance requirement in that it was within 30 miles of the landfill. The Commission would need to decide if this was a unique or unforeseen event of limited duration. He noted representatives from SKB Environmental Cloquet Landfill were present to answer any questions.

Kyle Backstrom, SKB Environmental Cloquet Landfill stated that at this time they were not sure if there would be a need for Sunday hours but wanted to ask for them in case there was a need to accept the material on a Sunday.

Commissioner Sanders stated he did not believe that this was a unique or unforeseen event. The State has been talking about this project for a number of years and they are always reconstructing roads, so this is not unique. Thus, the request in his opinion does not meet the definition of a special event.

Commissioner Polling agreed with Commissioner Sanders.

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

Motion: Commissioner Sanders made a motion to approve Resolution No. 19-18, A Resolution Denying a Special Event for SKB Environmental Cloquet Landfill, Commissioner Polling seconded. (Motion passed 6-1 Demers)



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Zoning Case 19-15: Zoning Ordinance Text Amendment for the City of Cloquet

Chairman Wilkinson introduced Zoning Case 19-15, Zoning Ordinance Text Amendment for the City of Cloquet and opened the public hearing. He asked Mr. Cottingham to provide an overview. Mr. Cottingham stated the City of Cloquet is looking to amend Section 17.6.12 of the City Code pertaining to residential uses in the Historic Commercial District. This issue came up earlier this year with the approval of apartments on the ground floor of a building. The Commission has been discussing this over the past few months and a draft Ordinance is in the packet with some draft language. Mr. Cottingham noted this is a public hearing with a legal notice published in the Pine Journal on November 28th and no property owners were notified since this is a text amendment.

The Commission discussed the proposed changes to the language and had a couple of changes to the language.

There being no further discussion Chairman Wilkinson closed the public hearing and looked for a motion.

Motion: Commissioner Cline made a motion to table the request, Commissioner Zappia seconded. (Motion passed 7-0)

Commissioner's Questions/Comment

None.

Next Meeting

January 14, 2020

Meeting adjourned 8:21 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: January 8, 2020

**ITEM DESCRIPTION: ZONING CASE 19-15: ZONING ORDINANCE TEXT
AMENDMENT –HC – HISTORIC COMMERCIAL
DISTRICT RESIDENTIAL USES**

Background

The City of Cloquet is proposing to amend Section 17.6.12 HC – Historic Commercial of the City Code (Zoning Ordinance).

The change to the Historic Commercial District is to more clearly define the residential uses within the district. This issue came up earlier this year with the approval of apartments on the ground floor of a building. See the attached Draft Ordinance Amendment for the changes.

A public hearing was held on Tuesday, December 10, 2019 to consider a possible amendment to Section 17. A legal notice was published in the Pine Journal on November 28, 2019, Property owners were **not** sent a notice of the hearing since this is a textual amendment. No one spoke at the public hearing. The Planning Commission then reviewed the changes and requested a few other changes and tabled the request. Staff has made those changes in the attached Resolution.

Policy Objectives

As times change amendments to the Ordinance are made to try to stay current with things.

Financial Impacts

The Zoning Ordinance Text Amendment fee is \$300. These fees have been waived since the city is the applicant.

Advisory Committee Action Requested

The Planning Commission should review the proposed language changes. Following this review, the Planning Commission can recommend approval of the request, recommend denial of the request or table the request for some additional information.

Staff Recommendation

Staff would recommend approval of the Zoning Ordinance Text Amendment as identified in the attached pages.

Supporting Documents Attachments

- Resolution No. 19-15

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-15

A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE THE ATTACHED ORDINANCE RELATING TO RESIDENTIAL USES IN THE HISTORIC COMMERCIAL DISTRICT

WHEREAS, the City of Cloquet is proposing to amend the Zoning Ordinance related to residential uses in the Historic Commercial District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on December 10, 2019 at which time Zoning Case / Development Review No. 19-15 was heard and discussed; and

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the attached Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 19-15 to the Cloquet City Council.

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 14th day of January 2020.

CITY OF CLOQUET

CHAIR

ATTEST: _____

Alan Cottingham
City Planner/Zoning Administrator

ORDINANCE NO. 486A

**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. Apartments may be located in the rear of the ground floor of a commercial building provided no more than 50 percent of the ground floor is used for apartments and all the floors above may be used for apartments. The density of the site cannot 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.