

**Regular Meeting of the Planning Commission**

Tuesday, August 8, 2023

7 pm Regular Meeting

101 14<sup>th</sup> Street, Cloquet, MN 55720

**AGENDA**

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the June 13, 2023, Planning Commission meeting

5. Zoning Case 23-06 Timothy Herbert, Street Vacation

6. Commissioner's Questions/Comments

7. Adjourn

**NEXT MEETING:**

**September 12<sup>th</sup> @ 7 pm**



**Regular Meeting of the Planning Commission**

Tuesday, June 13, 2023

7:00 p.m.

101 14<sup>th</sup> Street, Cloquet, MN 55720

**CALL TO ORDER**

Terri Lyytinen called the meeting to order at 7:00 p.m.

**ROLL CALL**

**Attending:** Planning Commission members: Terri Lyytinen, Michelle Wick, Brittany Kuschel, Elizabeth Polling and Philip Demers; City: Al Cottingham.

**Absent:** None.

**Others Present:** Dr. Michael Cary, Tim Proson and Kyle Backstrom.

**AGENDA ITEMS**

**Additions/Changes to the Agenda**

None.

**March 28, 2023, Meeting Minutes**

Chairperson Lyytinen asked for any corrections or additions.

**Motion:** Commissioner Kuschel made a motion to approve the Planning Commission meeting minutes from March 28, 2023, Commissioner Wick seconded. (Motion was approved 5-0).

**Zoning Case 23-04: ISD # 94, Variance**

Chairperson Lyytinen introduced Zoning Case 23-04, Variance for ISD # 94, Cloquet Public Schools and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated ISD # 94 was proposing a variance to the minimum front yard setback in order to construct a “sport court”, accessory use for the long/triple jump area in conjunction with the high school track. The property is located north of Washington Avenue, east of 18<sup>th</sup> Street and west of 22<sup>nd</sup> Street. The use would be located on the 22<sup>nd</sup> Street side of the site. The property is Zoned PI – Public/Institutional. The looked at other possible locations to place this event area and due to safety concerns this was the only area that it could go. This is a public hearing, and a legal notice was published in the Pine Knot on June 2<sup>nd</sup> and property owners within 350 feet were notified of the hearing. Dr. Michael Cary was present representing the School District.



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Dr. Cary discussed four other possible locations and why they had determined each location did not make sense for safety reasons. The locations were near the shot-put discus throw area, across the entrance drive near the new location of the tennis courts, between the track and the entrance drive and between the track and the football field and that area did not have enough room.

There being no further discussion Chairman Lyytinen closed the public hearing and called for a motion.

**Motion: Commissioner Wick made a motion to approve the Variance of the minimum front yard setback in the PI – Public/Institutional District for ISD # 94, Commissioner Kuschel seconded. (Motion passed 5-0)**

**Zoning Case 23-05, SKB Environmental, Site Plan**

Chairperson Lyytinen introduced Zoning Case 23-05, Site Plan for SKB Environmental. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated SKB Environmental was proposing a site plan in order to construct a 6,000 square foot office/maintenance building on their property. The property is located at 761 Hwy 45. The property is Zoned HI – Heavy Industry. The proposed building meets the minimum setbacks, parking requirements, landscape requirements and trash storage requirements. This is not a public hearing since this is an allowed use. Mr. Kyle Backstrom was present representing SKB Environmental.

Mr. Backstrom stated the existing temporary structures would be removed with the construction of this building.

The Commission discussed the building and the ordinance requirements along with the temporary buildings.

There being no further discussion Chairman Lyytinen called for a motion.

**Motion: Commissioner Polling made a motion to recommend approval of a Site Plan in the HI – Heavy Industry District for SKB Environmental subject the condition in the draft resolution, Commissioner Demers seconded. (Motion passed 5-0)**

Mr. Cottingham stated this would go to the City Council at their meeting on June 20<sup>th</sup> at 6:00 pm.



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**Commissioner's Questions/Comment**

Mr. Cottingham brought the commission up to date on two recent legislations that were passed and their impact on the Zoning Ordinance. They are 1. The "Sacred Communities and Micro-Unit Dwellings" and 2. The "Cannabis Business". The Sacred Communities and Micro-Unit Dwellings will take effect on January 1, 2024, so changes to the Ordinance will need to take place prior to that while the Cannabis Business will be sometime in late 2024 of early 2025.

**Next Meeting**

July 11, 2023

Meeting adjourned 7:130 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator



**Community Development Department**

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

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To: Planning Commission  
From: Al Cottingham, City Planner/Zoning Administrator  
Date: August 2, 2023

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**ITEM DESCRIPTION: ZONING CASE 23-06: STREET VACATION – VACATING A PORTION OF PROSPECT AVENUE LYING SOUTH OF 433 3<sup>RD</sup> STREET**

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**Background**

Timothy Herbert is proposing to vacate a portion of Prospect Avenue lying south of 433 3<sup>rd</sup> Street. This is being requested since the north portion of Prospect Avenue was platted with the Park Addition in 1901 and has never been constructed. There are currently a water line, power line and century link line running within this right-of-way.

A public hearing will be held on Tuesday, August 8, 2023 to consider a possible street vacation. A legal notice was published in the Pine Knot on July 21, 2023 and effected property owners were sent notices of the public hearing.

**Policy Objectives**

There is no formal requirement on determining if a street should be vacated. It is really up to a commonsense approach as to whether there is currently or will be in the future a need for the Street that is being vacated.

**Financial Impacts**

The filing fee for the vacation of an alley is \$350.00. The applicant has paid that fee.

**Advisory Committee Action Requested**

The Planning Commission should listen to the testimony that is presented at the public hearing for the vacation. Following this testimony, the Planning Commission should review the vacation and either recommend approval or denial of the vacation as submitted.

**Staff Recommendation**

Staff has reviewed the vacation request and would recommend approval of the vacation retaining an easement for utilities.

**Supporting Documents Attachments**

- Resolution No. 23-06
- Location Map
- Copy of Plat's

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

Commissioner \_\_\_\_\_ offered the following Resolution and moved its adoption.

**RESOLUTION NO. 23-06**

**A RESOLUTION RECOMMENDING APPROVAL OF THE VACATION OF A PORTION OF PROSPECT AVENUE LYING SOUTH OF 433 3<sup>RD</sup> STREET**

**WHEREAS**, Timothy Herbert is proposing to vacate a portion of Prospect Avenue lying south of 433 3<sup>rd</sup> Street; and

**WHEREAS**, As required by ordinance, notification was advertised in the Pine Knot and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on August 8, 2023, at which time Zoning Case / Development Review No. 23-06 was heard and discussed; and

**WHEREAS**, the property of the proposed Vacation is located south of 433 3<sup>rd</sup> Street and is legally described as follows:

That portion of Town Road, Prospect Avenue lying south of Lot 11, Block 2, and north of the quarter section line, Park Addition to the Village of Cloquet, Carlton County, Minnesota. And,

**WHEREAS**, the Planning Commission reviewed the staff report and recommends approval of the vacation.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA**, that the Planning Commission recommends approval of Zoning Case 23-06 for a vacation of a portion of Prospect Avenue lying south of 433 3<sup>rd</sup> Street while retaining a drainage and utility easement over that area.

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

PHILIP DEMERS	_____	BRITTANY KUSCHEL	_____
TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
MICHELLE WICK	_____		

Passed and adopted this 8<sup>th</sup> day of August 2023.

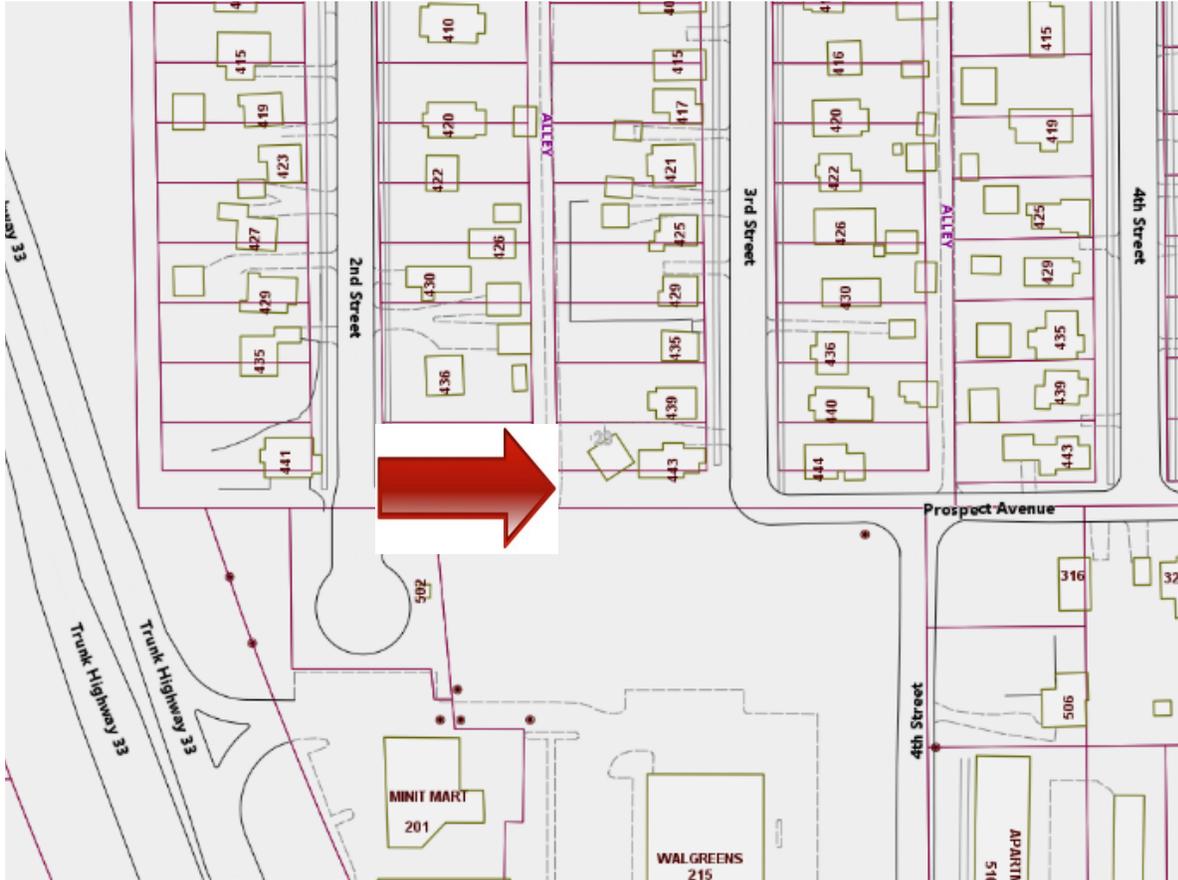
CITY OF CLOQUET

\_\_\_\_\_  
TERRI LYYTINEN  
CHAIR

ATTEST: \_\_\_\_\_  
Alan Cottingham  
City Planner/Zoning Administrator

# LOCATION MAP

Timothy Herbert



**NO SCALE**

# Park Addition To The Village Of Cloquet

State of Minnesota } ss  
County of Carlton }

I, H. M. Holdref do hereby certify that I am a practical Surveyor & that I did lat the request of H. M. Selmsier and Annie Selmsier his wife the owners of the description here, the 10 acres the South East Quarter of the South East Quarter of the North West Quarter of Section Twenty Three (23) Township Forty Nine (49) Range Seventeen (17) 4th P. Mer. in Carlton County Minnesota, did correctly survey & plat of said tract as shown by the plat upon which this certificate is made into streets (Alley lots & blocks) erected thereon monuments as required by law as an addition to Cloquet known as Park Addition, to the Village of Cloquet, that the same is duly surveyed upon the premises, and that the said plat annexed is a correct plat & survey thereof. Witness my hand & seal this 22 day of May A.D. 1901.

H. M. Holdref (Seal)  
County Surveyor



State of Minnesota } ss  
County of Carlton }

Before me a Justice of the Peace in and for said County personally came H. M. Selmsier & Annie Selmsier his wife and acknowledged that the survey and plat upon which this certificate of acknowledgement as written was made at the request of the said H. M. Selmsier Annie Selmsier the owners of the 10 acres the South East Quarter of the South East Quarter of the North West Quarter of Section Twenty Three (23) Township Forty Nine (49) Range Seventeen (17) of 4th P. Mer. which is surveyed and platted as the Park Addition to the Village of Cloquet as shown by said plat, that the several streets and alleys on said plat designation are dedicated for public use. I further acknowledged that the said survey and plat is the act & deed of the said H. M. Selmsier and Annie Selmsier in testimony of all which we hereunto set our hands and seal at Cloquet Minnesota this 21st day of May 1901.

Henry M. Selmsier (Seal)  
Annie Selmsier (Seal)

State of Minnesota } ss  
County of Carlton }

Before me this 22 day of May A.D. 1901, came H. M. Holdref County Surveyor of Carlton County Minnesota who acknowledged the foregoing certificate to be his voluntary act for the purposes therein expressed.

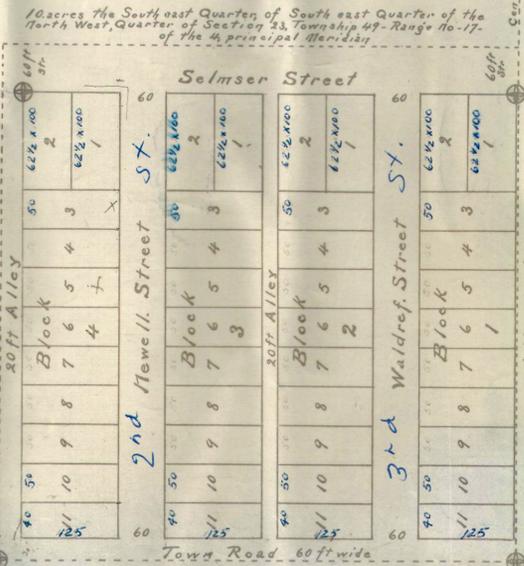
C. L. Carlson  
Justice of the Peace  
in and for Carlton County Minn.

I hereby certify that taxes for the year 1900 on the lands described within are paid.

H. M. Gallagher  
County Treasurer.

Taxes paid & transfer entered this 25th day of May A.D. 1901.

John F. Hynee  
Co. Auditor



Scale 1 inch to the 100 ft.

Corner Stones of 10 acre lot.

Subscribed & sworn to before me this 21st day of May A.D. 1901

H. A. Kempf  
Justice of the Peace in and for  
Carlton County, Minn.

File No: 11132.

Office of Register of Deeds.

State of Minnesota } ss  
County of Carlton }

I hereby certify that the within instrument was filed in this office for record May 25th 1901 at 11:30 A.M. and was duly recorded in Book --- of --- page ---

Geo. Stollberg  
Register of Deeds.

