



**Regular Meeting of the Planning Commission**

Tuesday, May 14, 2024

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 April 10, 2024, Planning Commission meeting

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5. Zoning Case 24-11; TK Diamond, Inc., Minor Subdivision Plat

\_\_\_\_\_

6. Homeless Shelter/Housing Discussion

7. Commissioner's Questions/Comments

8. Adjourn

**NEXT MEETING:**

**Tuesday, June 11<sup>th</sup> @ 7 pm**



**Regular Meeting of the Planning Commission**

Wednesday, April 10, 2024

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, Philip Demers, Michelle Wick and Elizabeth Polling; City: Al Cottingham.

**Absent:** Brittany Kuschel.

**Others Present:** Steven Hagen, John Justad, Deb Kamunen, Kelly Vaineo, Trevor Smith, Nichole Walker and Zachary Wehr.

**AGENDA ITEMS**

**Additions/Changes to the Agenda**

None.

**March 12, 2024, Meeting Minutes**

Chairperson Lyytinen asked for any corrections or additions.

**Motion:** Commissioner Wick made a motion to approve the Planning Commission meeting minutes from March 12, 2024, Commissioner Polling seconded. (Motion was approved 4-0).

**Zoning Case 24-07: Steven Hagen, Easement Vacation**

Chairperson Lyytinen introduced Zoning Case 24-07, Easement Vacation for Steven Hagen, and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Steven Hagen was proposing an easement vacation in order to place an accessory structure closer than 10 feet to the property line. The property is located at 504 Chestnut Street. This is a public hearing, and a legal notice was published in the Pine Knot on March 22, 2024, and effected property owners were notified of the hearing. City Engineer Caleb Peterson has been working with Mr. Hagen on this for quite a while and supports the request. Mr. Hagen was present to answer any questions.

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



**Motion:** Commissioner Demers made a motion recommending approval to the City Council of the Vacation of a Portion of a Utility Easement lying ease of 504 Chestnut Street for Steven Hagen, Commissioner Polling seconded. (Motion passed 4-0)

Mr. Cottingham stated this would go to the City Council at their meeting on April 16<sup>th</sup> at 6:00 pm.

**Zoning Case 24-08: County Seat Theater, Conditional Use Permit**

Chairperson Lyytinen introduced Zoning Case 24-08, Conditional Use Permit for County Seat Theater, and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated County Seat Theater is proposing a conditional use permit to construct an addition onto the west side of their building in the SR – Suburban Residential District. The property is located at 2035 Frontage Road (Hwy 33 S). This is a public hearing, and a legal notice was published in the Pine Knot on March 29, 2024, and property owners within 350 feet were sent notices of the meeting. Staff has had no inquiries about the application. Mr. John Justad was present to answer any questions.

Commissioner Demers inquired as to what the addition would be used for.

Mr. Justad stated that it would be for storage of props and things.

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

**Motion:** Commissioner Wick made a motion recommending the City Council of Cloquet Approve the Conditional Use Permit for County Seat Theater Company for an Addition on the West Side of Their Building in the SR – Suburban Residential District, Commissioner Polling seconded. (Motion passed 4-0)

Mr. Cottingham stated this would go to the City Council at their meeting on April 16<sup>th</sup> at 6:00 pm.

**Zoning Case 24-09: City of Cloquet, Rezoning**

Chairperson Lyytinen introduced Zoning Case 24-09, Rezoning for the City of Cloquet, and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated the City of Cloquet was proposing a rezoning of property southeast of 18<sup>th</sup> Street and Avenue F. The property is guided Low Density Residential and zoned LI – Light Industry. The land use and the zoning need to be the same as required by state statute, so the city is proposing to change the zoning to R2 – One- and Two-Family Residence. This is a public hearing, and a legal notice was published in the Pine Knot on March 29, 2024, and property owners within 350



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feet were sent notices of the meeting. He referenced correspondence that was received from Mr. Mike Koski, TK Diamond and also from Mr. Jesse Fitzimmons.

Ms. Deb Kamunen, 102 18<sup>th</sup> Street, addressed concerns she had with the property to the east and the uses going on there.

Commissioner Polling stated that this had nothing to do with the rezoning of the property and inquired if she was in favor or opposed to the rezoning.

Ms. Kamunen stated that she was in favor of the rezoning.

Ms. Kelly Vaineo, 114 18<sup>th</sup> Street, stated that she was in favor of the rezoning.

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

**Motion:**        **Commissioner Polling made a motion recommending the City Council of Cloquet Approve the Rezoning from LI – Light Industry to R2 – One- and Two-Family Residence for the City of Cloquet, Commissioner Demers seconded. (Motion passed 4-0)**

**Zoning Case 24-10: Zachary Wehr, Variance**

Chairperson Lyytinen introduced Zoning Case 24-10, Variance for Zachary Wehr, and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated that Zachary Wehr was proposing a variance to exceed the maximum height of an accessory structure and for more than one principal structure on a lot in the Historic Commercial District. The property is located at 207 Avenue C. The variance is to allow a second story to be constructed on the existing accessory structure. This is a public hearing, a legal notice was published in the Pine Knot on March 29, 2024, and property owners within 350 were sent notice of the meeting. Mr. Zachary Wehr was present to answer any questions.

TJ Smith, 302 Avenue C, inquired as to the proposed use and possible additional traffic on Avenue C.

Mr. Wehr stated that this would allow him to get equipment inside the building for his business and there shouldn't be any traffic change to the area.

Ms. Nichole Walker, 219 Avenue C, was concerned with the esthetics of the building and didn't want to see a second story that wouldn't match the first floor.

Mr. Wehr stated that he would be looking for brick that would match the existing brick.



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

**Motion: Commissioner Demers made a motion Approving a Maximum Height of an Accessory Structure and More than One Principal Structure on a Lot Variance in the HC – Historic Commercial District for Zachary Wehr, Commissioner Wick seconded. (Motion passed 4-0)**

Mr. Cottingham stated this would go to the City Council at their meeting on April 16<sup>th</sup> at 6:00 pm.

**Homeless Shelter/Housing Discussion**

Chairperson Lyytinen asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated following the last meeting he discussed this with City Administrator Tim Peterson. Mr. Peterson suggested that the commission also discuss what other Zoning Districts this should be allowed in. This would allow changing the Ordinance once and not twice.

The commission discussed allowing the use in the City Center District and the Regional Commercial District along with churches. They suggested Mr. Cottingham check with other communities our size and see how they address this. Mr. Cottingham stated he would work on this and hoped to have this back at the next meeting.

**Commissioner's Questions/Comment**

None.

**Next Meeting**

Tuesday, May 14, 2024

The meeting adjourned 7:50 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: May 8, 2024

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**ITEM DESCRIPTION: ZONING CASE 24-11: MINOR SUBDIVISION PLAT –  
CREATION OF FIVE LOTS FOR TK DIAMOND, INC.**

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**Background**

TK Diamond, Inc. is proposing a minor subdivision plat for the creation of five lots on this approximately 24.4-acre property. The property is located in the southeast corner of Cloquet Avenue and 18<sup>th</sup> Street. The minor subdivision plat will not require the construction of any new roads. One of the lots will contain the old Diamond Brand Match building; the other four would be vacant.

The property is Zoned LI – Light Industry District and has a minimum lot width of 100 feet and a minimum lot area of 20,000 sq. ft. The proposed lots meet or exceed these requirements.

A public hearing will be held on Tuesday, May 14, 2024, to consider the minor subdivision plat. A legal notice was published in the Pine Knot on May 1, 2024, and property owners within 350 feet were sent notices of the public hearing.

**Policy Objectives**

The Subdivision Code states Minor Subdivision plats may be granted when:

1. The subdivision is for residential/commercial/industrial development with a maximum of eight (8) lots.
2. The minimum lot dimensions and area shall be consistent with the requirements of the zoning district in which the lots are located.
3. The proposed lots shall have frontage on an existing public road for the minimum lot width requirements in the Cloquet Zoning Ordinance.
4. There shall be no new road or utility extensions involved in a Minor Subdivision.
5. The subdivision complies with all other requirements of the Cloquet Zoning Ordinance.

**Financial Impacts**

The Minor Subdivision fee is \$300. 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 minor subdivision. Following this testimony, the Planning Commission should review the plat and either recommend approval, denial, or table the request for additional information. The Planning Commission may impose conditions in recommending approval of the request.

### **Staff Recommendation**

Staff has reviewed the minor subdivision plat with regards to the subdivision code and the zoning ordinance. It appears that the minor subdivision plat meets the requirements of both the subdivision code and the zoning ordinance. The Assistant City Engineer noted that 1) Lots 2 and 3 have limited access to sewer and water; 2) Lots 2 and 3 have no existing curb cuts for direct driveway access and may require cross access easements; and 3) the drainage and utility easements appear adequate for the existing drainage systems in place. Staff would recommend approval of the minor subdivision plat.

### **Supporting Documents Attachments**

- Resolution No. 24-11
- Location Map
- Plat Drawing

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

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

**RESOLUTION NO. 24-11**

**A RESOLUTION RECOMMENDING APPROVAL OF A MINOR SUBDIVISION PLAT  
IN THE LI – LIGHT INDUSTRY DISTRICT FOR TK DIAMOND, INC.**

**WHEREAS**, TK Diamond, Inc. is proposing a Minor Subdivision Plat in the LI – Light Industry District; and

**WHEREAS**, As required by ordinance, notification was advertised in the Pine Knot and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 14, 2024, at which time Zoning Case / Development Review No. 24-11 was heard and discussed; and

**WHEREAS**, the property of the proposed Minor Subdivision Plat is located in the southeast corner of Cloquet Avenue and 18<sup>th</sup> Street (PINs 06-230-3020 and 06-050-1380) and is legally described as follows:

That part of the N.E. ¼ of the N.W. ¼ of Section 24, Township 49 North, Range 17 West, Carlton County, MN, AND that part of the Plat of Colburn's Addition to Cloquet, more particularly described as follows: Commencing at the N.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 24; thence running South along the East line of said N.E. 1/4 of N.W. 1/4 distance 33.0 feet; thence going West along a line parallel with the North line of said N.E. 1/4 of N.W. 1/4 distance 30.0 feet to the actual point of beginning of the tract of land; thence running South on a line parallel with the East line of said N. E. 1/4 of N.W. 1/4 distance 529.7 feet, more or less, to the North line of Avenue "F" as the same is shown within the plat of Colburn's Addition to Cloquet; thence continuing South on this same straight line distance 60.00 feet, more or less, to a point on the South line of said Avenue "F", which point is also the Northeast corner of Lot 10, Block 8 within the Plat of Colburn's Addition to Cloquet; thence continuing South along the East lines of Lots 10, 9, 8, 7 and 6 of said Block 8 distance 304.0 feet, more or less, to the Southeast corner of said Lot 6, Block 8; thence running West along the South lines of Lots 6 and 5, Block 8, and Lots 6 and 5, Block 5, Lots 6 and 5, Block 4, and lot 6 of Block 1 within said Plat of Colburn's



Addition to Cloquet, distance of 1,099.84 feet, more or less, to the Southwest corner of said Lot 6, Block 1; thence running North along the West lines of Lots 6, 7, 8, 9 and 10 of said Block 1, a distance of 304.0 feet, more or less, to the Northwest corner of said Lot 10, Block 1, which point is also located upon the South line of Avenue "F"; thence continuing North on a straight line extension of the West line of said Lot 10, Block 1, distance of 60.0 feet, more or less, to a point on the North line of said Avenue "F"; thence running West along the North line of said Avenue "F" distance of 141.0 feet, more or less, to a point 30.0 feet East of the West line of the N.E. 1/4 of the N.W. 1/4 of said Section 24; thence running North on a line parallel with the West line of said N.E. 1/4 of N.W. 1/4 distance of 529.7 feet, more or less, to a point 33.0 feet South of the North line of said N.E. 1/4 of N.W. 1/4; thence running East along a line parallel with the North line of said N.E. 1/4 of N.W. 1/4 distance of 1,240.61 feet, more or less, to the actual point of beginning and there terminating. And,

**WHEREAS**, the Planning Commission reviewed the staff report and recommends approval of the minor subdivision plat to allow the creation of five new lots.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA**, that the Planning Commission recommends approval of Zoning Case 24-11 for a minor subdivision plat for five lots.

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 14<sup>th</sup> day of May 2024.

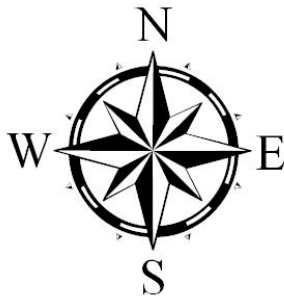
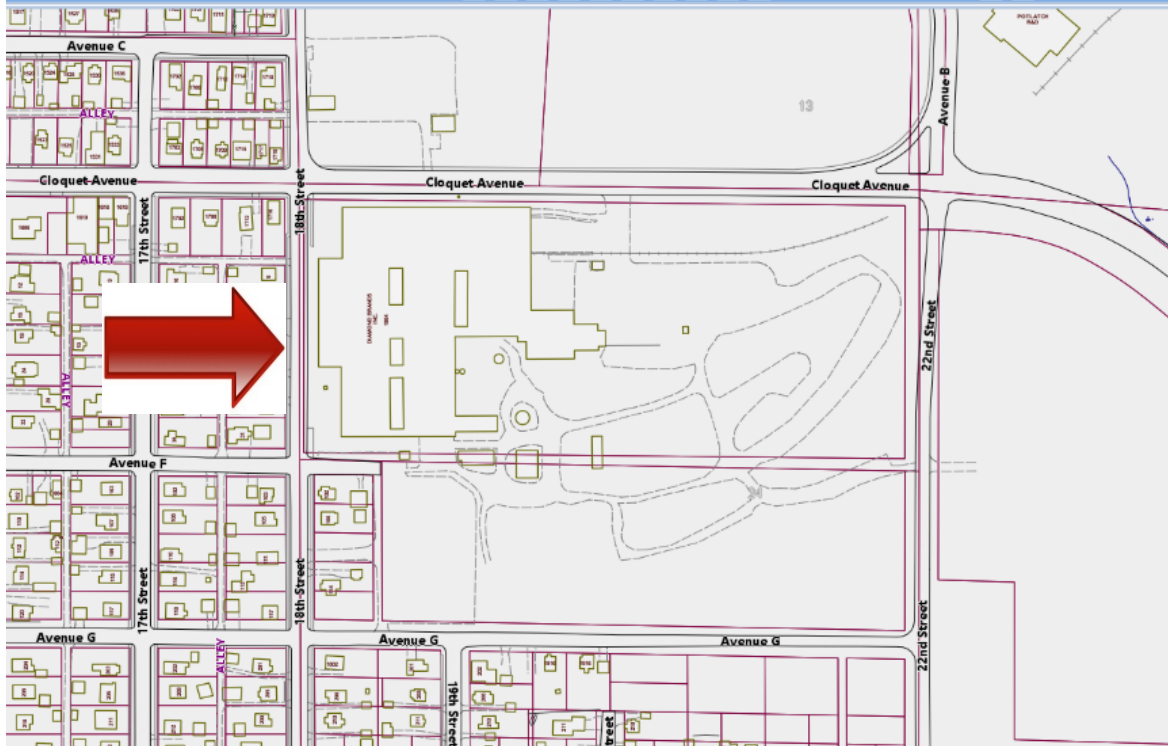
CITY OF CLOQUET

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

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

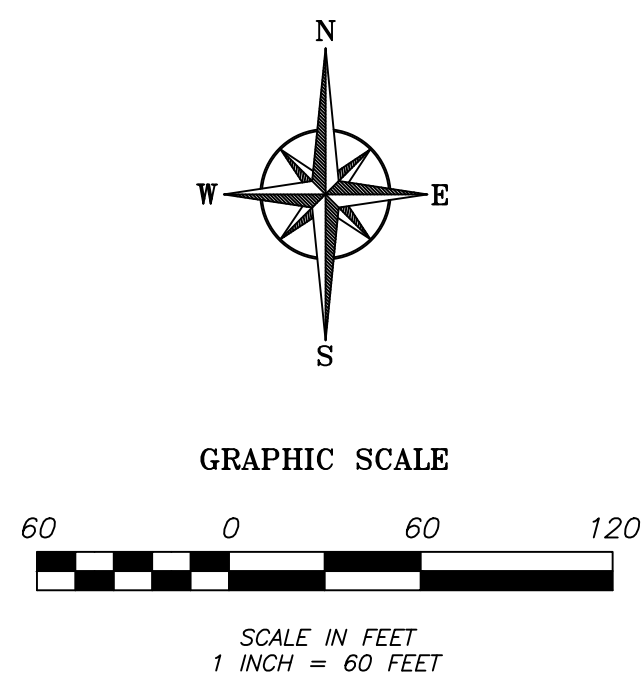
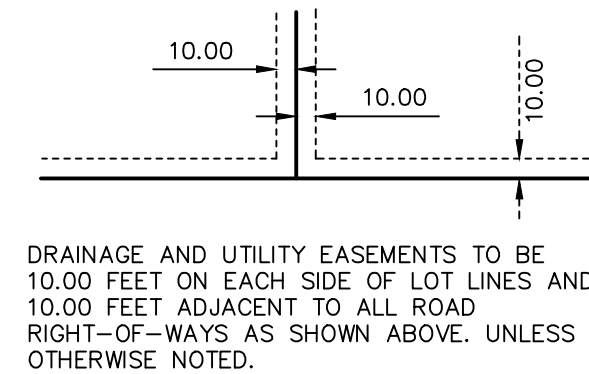
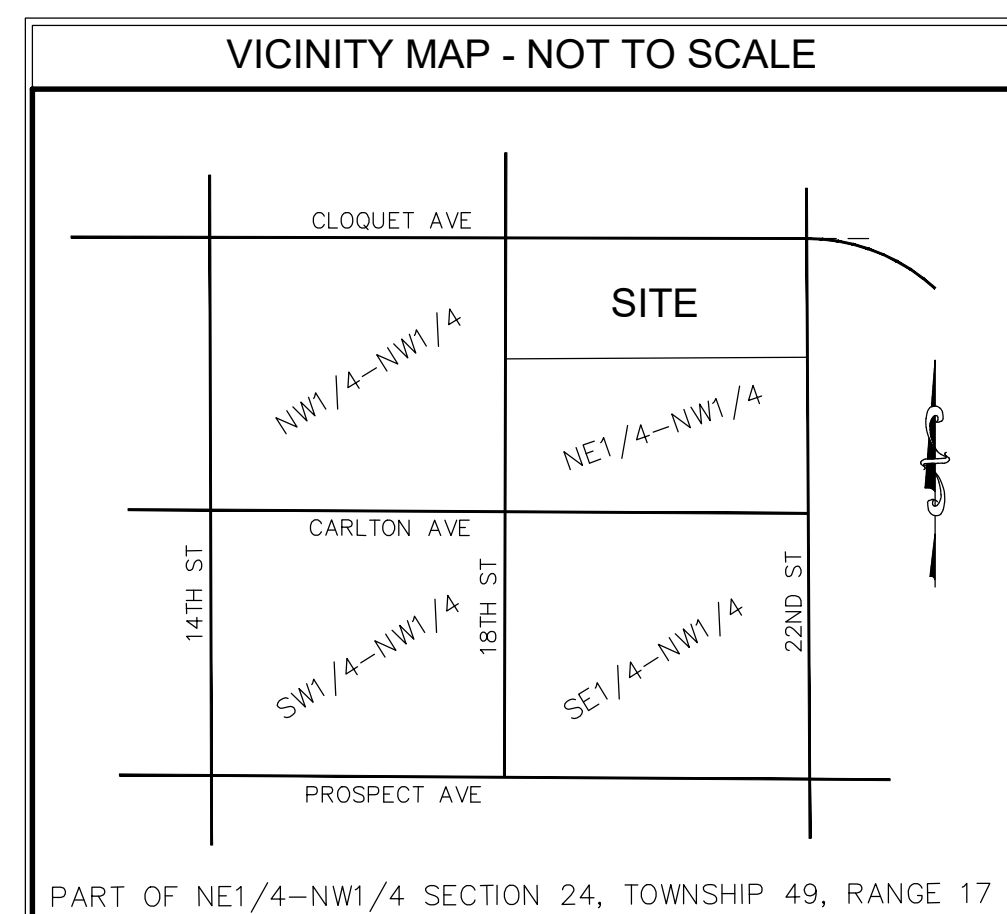
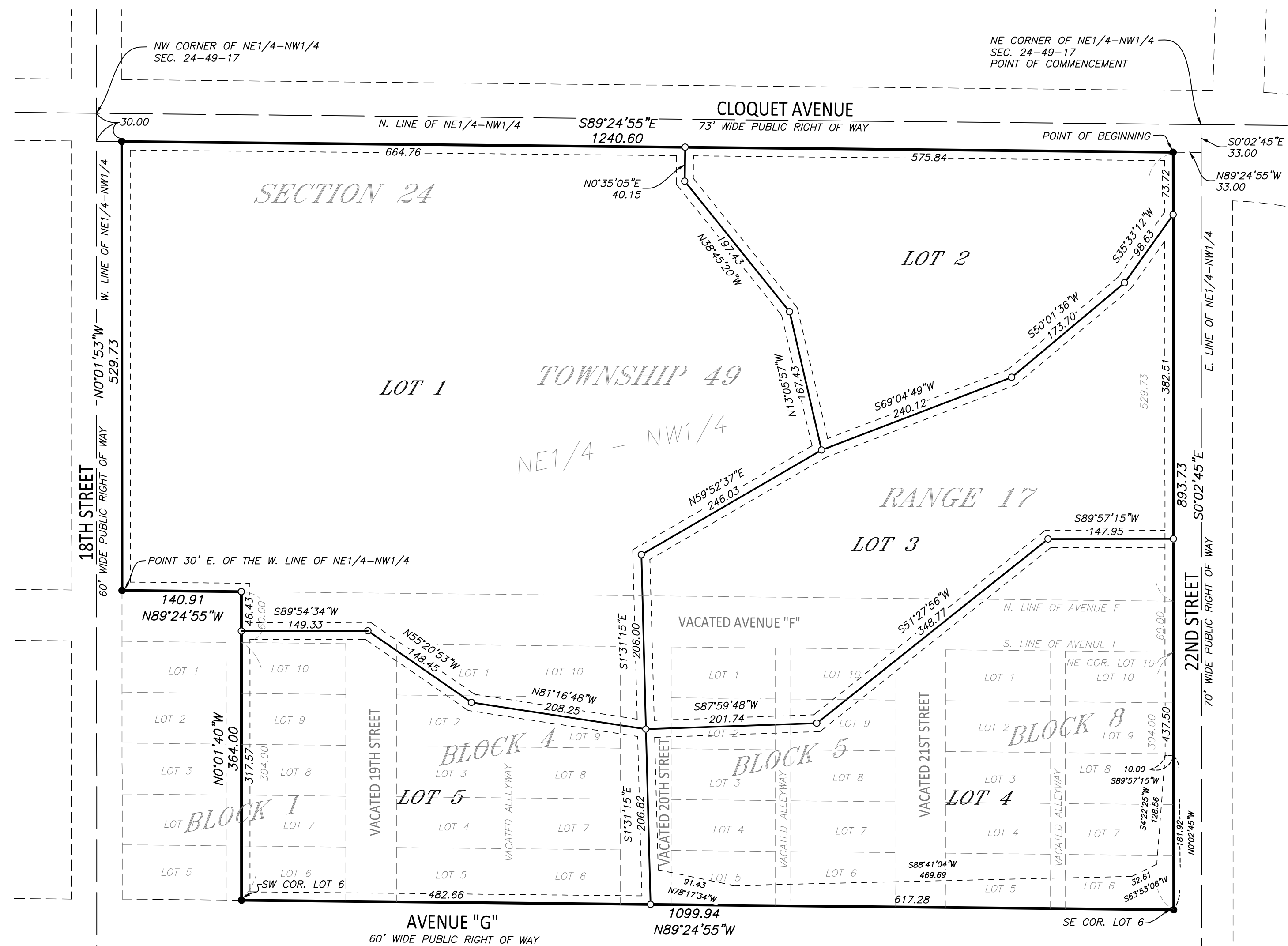
# LOCATION MAP

## TK Diamond, Inc.



**NO SCALE**

# TK DIAMOND ADDITION



- INDICATES FOUND 1/2 INCH OPEN IRON PIPE (UNLESS OTHERWISE NOTED)
- INDICATES SET 1/2 INCH X 15 INCH REBAR WITH CAP (P.L.S. No. 52591)

KNOW ALL PERSONS BY THESE PRESENTS: That LT Diamond Inc., owner of the following described property:

That part of the N.E. 1/4 of the N.W. 1/4 of Section 24, Township 49 North, Range 17 West, Carlton County, MN, AND that part of the Plat of Colburn's Addition to Cloquet, more particularly described as follows:

Commencing at the N.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 24; thence running South along the East line of said N.E. 1/4 of N.W. 1/4 distance 33.0 feet; thence going West along a line parallel with the North line of said N.E. 1/4 of N.W. 1/4 distance 30.0 feet to the actual point of beginning of the tract of land; thence running South on a line parallel with the East line of said N.E. 1/4 of N.W. 1/4 distance 529.7 feet, more or less, to the North line of Avenue "F" as the same is shown within the plat of Colburn's Addition to Cloquet; thence continuing South on this same straight line distance 60.00 feet, more or less, to a point on the South line of said Avenue "F", which point is also the Northeast corner of Lot 10, Block 8 within the Plat of Colburn's Addition to Cloquet; thence continuing South along the East lines of Lots 10, 9, 8, 7 and 6 of said Block 8 distance 304.0 feet, more or less, to the Southeast corner of said Lot 6, Block 8; thence running West along the South lines of Lots 6 and 5, Block 8, and Lots 6 and 5, Block 5, Lots 6 and 5, Block 4, and lot 6 of Block 1 within said Plat of Colburn's Addition to Cloquet, distance of 1,099.84 feet, more or less, to the Southwest corner of said Lot 6, Block 1; thence running North along the West lines of Lots 6, 7, 8, 9 and 10 of said Block 1, a distance of 304.0 feet, more or less, to the Northwest corner of said Lot 10, Block 1, which point is also located upon the South line of Avenue "F"; thence continuing North on a straight line extension of the West line of said Lot 10, Block 1, distance of 60.0 feet, more or less, to a point on the North line of said Avenue "F"; thence running West along the North line of said Avenue "F" distance of 141.0 feet, more or less, to a point 30.0 feet East of the West line of the N.E. 1/4 of the N.W. 1/4 of said Section 24; thence running North on a line parallel with the West line of said N.E. 1/4 of N.W. 1/4 distance of 529.7 feet, more or less, to a point 33.0 feet South of the North line of said N.E. 1/4 of N.W. 1/4; thence running East along a line parallel with the North line of said N.E. 1/4 of N.W. 1/4 distance of 1,240.61 feet, more or less, to the actual point of beginning and there terminating.

has caused the same to be surveyed and platted as TK DIAMOND ADDITION and does hereby donate and dedicate to the public for the public use forever the drainage and utility easement as shown on the plat.

In witness whereof said LT Diamond Inc. has caused these presents to be signed by its proper officer this \_\_\_ day of \_\_\_\_\_, 2024.

Signed: LT diamond Inc.

Michael G Koski, Jr., President

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2024, by Michael G Koski, Jr. President of LT Diamond Inc., on behalf of said Corporation.

Notary Public Signature \_\_\_\_\_

Notary Printed Name \_\_\_\_\_

\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

I hereby certify that this plat of TK DIAMOND ADDITION is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as of the date of the surveyor's certification are shown and labeled on the plat; that all public ways are shown and labeled on the plat. I further certify that this plat 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.

Michael Stang  
Minnesota License No. 52591

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022, by Michael Stang, R.L.S. No. 52591.

Notary Public Signature \_\_\_\_\_

Notary Printed Name \_\_\_\_\_

\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

The Plat of TK DIAMOND ADDITION was accepted and approved by resolution of the City Council of Cloquet, Minnesota at a \_\_\_\_\_ meeting thereof held this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_ Mayor

\_\_\_\_ City Clerk

I hereby certify that the taxes for the year \_\_\_\_\_ and all prior years on the property described herein are paid. 2024.

\_\_\_\_ County Auditor, Carlton County, Minnesota

I hereby certify that the taxes for the year \_\_\_\_\_ on the property described herein are paid.

\_\_\_\_ County Auditor, Carlton County, Minnesota

Document Number \_\_\_\_\_

I hereby certify that the within plat of TK DIAMOND ADDITION was filed in the office of the County Recorder for record on this \_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ o'clock \_\_\_M., and was duly recorded in Carlton County Records.

\_\_\_\_ Carlton County Recorder



**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: May 8, 2024

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**ITEM DESCRIPTION: HOMELESS SHELTER**

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At the last meeting the Commission discussed “Homeless Shelters” in churches, the City Center and Regional Commercial Districts. The consensus of the Commission was to check with other communities our size and see how they are dealing with this topic. I contacted four other communities our size in outstate Minnesota and have heard back from one of them as of this report. Attached is a copy of the email I received from the City of Brainerd and how they handle “Homeless Shelters”. They call them “Warming Shelters” and only allow them in their commercial district as an Interim Use Permit (similar to a CUP).

## Al Cottingham

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**From:** James Kramvik <jkramvik@ci.brainerd.mn.us>  
**Sent:** Tuesday, April 23, 2024 10:43 AM  
**To:** Al Cottingham  
**Subject:** RE: Homeless Shelters

**Caution:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Al,

We did have an organization approach our City a few years ago about an overnight shelter. There was a lot of community support for the shelter, but with concerns. The City ultimately approved overnight shelters as an Interim Use Permit in our General Commercial Zoning District. The first Interim Use Permit was granted for one year in case there were issues. The shelter has been run very well, we do receive a few small complaints from time to time, but the organization always addresses the concerns. The biggest complaint is this is only an overnight shelter so the homeless at times were congregating well ahead of opening for the night around the building and in the neighborhood. We now have a location in Baxter that offers daytime services. The shelter was reissued an IUP for 3 years after expiration of the first. The following are requirements of the IUP. Please let me know if you have any other questions.

515-3-41 Warming Shelters

Any Warming Shelter must comply with the following minimum standards:

1. Operation may not exceed 16 continuous hours.
2. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshall, whichever is less.
3. Facility shall be staffed during all hours of operation.
4. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.
5. Except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.
6. Facility shall meet all applicable building, safety, fire, and health code requirements.

Regards,

*James Kramvik*



**James Kramvik** | Community Development Director  
City of Brainerd | 501 Laurel Street Brainerd MN 56401  
218-454-3408 | [jkramvik@ci.brainerd.mn.us](mailto:jkramvik@ci.brainerd.mn.us)

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**From:** Al Cottingham <ACottingham@cloquetmn.gov>  
**Sent:** Tuesday, April 23, 2024 9:07 AM  
**To:** James Kramvik <jkramvik@ci.brainerd.mn.us>  
**Subject:** Homeless Shelters