

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION
October 20, 2020 Meeting Summary
7:00 PM

1. ROLL CALL

Members Present: Greg Zimmerman; Corey Kolquist; Tracy Lundeen; Samuel Clark; Shannon Sweeney Jorgenson; and Wayne Boucher.

Members Absent: Valerie Ouellette and Joe Peterson.

Others Present: Eric Johnson, Community Development Director; Joe Wicklund, Communications Manager; Mr. and Mrs. Perell, 5338 Roosevelt Dr.; Don Kallos, 4775 Anderson Rd.; Michelle Emme, 5330 Roosevelt Dr.; Mr. Yonkovich, father to son Marko Yonkovich, at 4219 Ugstad Rd.; Libby Vukson, 5324 Roosevelt Dr.; Barb Ahlberg, 3881 Haines Rd.; Paul Johnson, 3884 Okerstrom Rd.; Myrna Johnson, 4774 Anderson Rd.; Kevin Shea, 4777 Anderson Rd.; Michael Koppy, 5124 Beaver Creek Rd., Jared Hinks, 4128 Lavaque Rd.; and JP Brooks, 4194 Lavaque Rd.

2. APPROVAL OF AGENDA

Motion made by Tracy Lundeen to approve the October 20, 2020 agenda as presented. Seconded by Samuel Clark. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Samuel Clark to approve the August 18, 2020 minutes as presented. Seconded by Corey Kolquist. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARINGS

5A. An application by James Rodlund for a Subdivision to create a 100-foot-wide parcel of 0.52 acres and a 3.61 acre lot accessed by way of a flag lot of 40 foot width at 4211 Ugstad Road. The property is located in an R-3 zoning district.

Eric Johnson, Community Development Director, stated that the applicant, James Rodlund, proposes to create a new flag lot along the northern border of the existing property. The applicant is proposing a 40 foot 'pole/driveway' connection to Ugstad Road for a distance of 225 feet with the 'flag' portion of the lot being approximately 140' x 1060'.

The applicant intends to purchase the newly created lot in order to construct a new single-family home on the parcel with the existing property owner keeping the remaining 0.52 acre lot with the existing structures. The existing home utilizes City sewer and water. As part of the flag lot project, the applicant is required to connect to City services and pay the associated City and WLSSD fees.

City wetland inventory maps indicate the potential of a 50,000 square foot wetland area approximately 860' west of Ugstad Road. This potential wetland area is not within the proposed building pad area. There is an existing water line and sanitary sewer within the right of way of Ugstad Road. The property owner will need to submit for the proper required permits and pay any applicable connection fees in order to utilize these existing utility services.

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The Public Hearing held Tuesday, October 20, 2020 regarding the flag lot has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the flag lot. The main issues were wetland impacts, neighboring property values, and additional subdivisions on the flag lot:

Mr. and Mrs. Perell, 5338 Roosevelt Dr.

Don Kallos, 4775 Anderson Rd.

Mr. Yonkovich, father of Marko Yonkovich, 4219 Ugstad Rd.

Libby Vukson, 5324 Roosevelt Dr.

Motion made by Corey Kolquist to approve the application by James Rodlund for a Subdivision to create a 100-foot-wide parcel of 0.52 acres and a 3.61 acre lot accessed by way of a flag lot of 40 foot width at 4211 Ugstad Road. Seconded by Shannon Sweeney Jorgenson. Motion carried.

5B. An application by Sandy Hoff on behalf of Rod Saline of Engwalls for a Special Use Permit in order to grade and fill in a Natural Environment Shoreland Area for the purpose of constructing a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road.

The applicant, Sandy Hoff, on behalf of Rod Saline of Engwalls, proposes to construct 26 single family units/lots on 8.7 acres. The property is located in an R-3 zoning district. 15 of the proposed 26 lots are located within a Natural Environment Shoreland Area which will require filling and grading within an approximately 3.72 acres (161,850 square feet) area.

The Public Hearing held Tuesday, October 20, 2020 regarding the Special Use Permit has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the Special Use Permit. The main issue was wetland impacts:

Barb Ahlberg, 3881 Haines Rd.,

Paul Johnson, 3884 Okerstrom Rd.

Luke Sydow from SAS+ Associates stated that it does vary considerably as it's not a measurable distance between the trail and the wetland. The trail is being used as a boundary for the development.

Motion made by Corey Kolquist to approve the application by Sandy Hoff on behalf of Rod Saline of Engwalls for a Special Use Permit in order to grade and fill in a Natural Environment Shoreland Area for the purpose of constructing a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road. Seconded by Tracy Lundeen. Motion carried.

5C. An application by Sandy Hoff on behalf of Rod Saline of Engwalls for a 50' building setback Variance from the 150 foot building setback associated with Keene Creek for the purpose of constructing a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road.

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The applicant is seeking a variance from Section 555 – SH, Shoreland Overlay Zone of the Hermantown Zoning Regulations. Subsection 555.06.2 Shoreland Standards states that the building setback is 150' from the Ordinary High Water Level (OHWL).

The applicant is proposing that future homes be located to the west of Keene Creek. The home placements are a minimum of 100' from the OHWL and requires a 50' variance from the requirements, however there will not be any impervious surfaces with 50' of the OHWL per Section 555.08.1. By constructing the project within the land area that previously contained the corn maze as well as utilizing land that is currently under construction by the sanitary sewer trunk main, the project will preserve the land to the west of this disturbed area.

The developer is responsible for any cleanup as a result of any catastrophic rain events at the site.

The Public Hearing held Tuesday, October 20, 2020 regarding the variance has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the variance. The issues were impervious effects, wetlands, and the existing trail alignment:

Don Kallos, 4775 Anderson Rd.

Paul Johnson, 3884 Okerstrom Rd.

Luke Sydow, of SAS+Associates, addressed the trail alignment issue and stated the trail was pushed back for the benefit of the people so that adjacent neighbors could get access to the trail along Keene Creek.

Sandy Hoff, 800B W Railroad St., stated that with the cost of construction being extremely high these days, and he has modeled several different configurations for the development, he found that without the 26 lots it is not financially feasible for the development.

Motion made by Tracy Lundeen to approve the application by Sandy Hoff on behalf of Rod Saline of Engwalls for a 50' building setback Variance from the 150 foot building setback associated with Keene Creek for the purpose of constructing a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road. Seconded by Cory Kolquist. Motion carried.

5D. An application by Sandy Hoff on behalf of Rod Saline of Engwalls for a Final Planned Unit Development for a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road.

On April 23, 2019 and May 21, 2019, public hearings were held for the Preliminary PUD. Between the two meetings there were approximately 50 residents present who lived in the vicinity of the project. There was general concern as to the density of the project, it's location adjacent to single family housing, concerns about the traffic conditions along Anderson Road and that the project differed greatly from the standard ½ acre minimum lot size in Hermantown. The Preliminary PUD was approved unanimously by the City Council in May 2019.

The proposed homes in the PUD will be one and a half to two story structures with detached one or two stall garages. The envisioned style is represented in the attachments with units having a minimum of 1,500 square feet of living space. The homes will front onto common green space

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with landscaping and sidewalks. Each common green is proposed to be 50 feet in width and varying in length from 170 to 220 feet in length. In addition, the Munger Trail Spur connection is currently under construction along the eastern portion of the property with a sidewalk connection from the common green area. The developer is proposing that there be design covenants associated with the development.

The rear yard garages will front onto a private 24 foot wide alley. The applicant is proposing a 2 foot minimum setback from the paved surface as a driveway apron into each garage. In addition to the garages, the applicant is proposing 12 off street parking spaces within the development.

The developer will be able to connect into the future city sewer and water mains are currently under construction. These mains run within the 60' permanent easement that lies beneath the proposed road right of way. Lateral lines will be extended down each alley to provide connections into each individual home. The City will require that these lateral lines are owned and maintained by the City and will have an overlying easement associated with them.

The development will require a 50' building setback variance from the adjacent Natural Environment Shoreland Overlay associated with Keene Creek. In addition, there will be wetland impacts associated with Lots 1-4. These wetland impacts have been reviewed and approved by the Hermantown Technical Evaluation panel.

The project infrastructure would commence in 2021 and will utilize the new infrastructure associated with the City's trunkline sanitary sewer project which is currently under construction. The sale timeframe as well will depend on market demand. The applicant is currently in discussion with potential builders for the project.

Corey Kolquist asked how many parking spots will the development have.

According to Eric, 12 off street parking space and each home will the ability to have one to two cars spaces available.

The Public Hearing held Tuesday, October 20, 2020 regarding the Planned Unit Development has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the variance. The issues were wetland runoff protection, ordinance change, affordable housing, Land Use Management Regulation 51510R3, road traffic concerns, weather road conditions, and road safety.

Paul Johnson, 3884 Okerstrom Rd.

Don and Olivia Kallos, 4775 Anderson Rd.

Myrna Johnson, 4774 Anderson Rd.

Kevin Shea, 4777 Anderson Rd.

Motion made by Tracey Lundeen to approve the application by Sandy Hoff on behalf of Rod Saline of Engwalls for a Final Planned Unit Development for a phased mixed use residential development consisting of 26 lots/units on an 8.7 acre site located at 4747 Hermantown Road. Seconded by Corey Kolquist. Motion carried.

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- 5E. An application by JP Holding Company, LLC for a Preliminary and Final Planned Unit Development for 18 townhome units and a 72 unit apartment building for a total of 90 units on a 10-acre site located at 50xx Maple Grove Road. The property is located in an R-3 zoning district.

The applicant, JP Holding Company, LLC, is requesting approval of a Preliminary and Final Planned Unit Development (PUD) Plan, to construct a 72-unit, three story apartment building and 18 townhome style units on 10 acres in the R-3 Zoning District at 50xx Maple Grove Road. The proposed development will contain 90 units total.

The property owner is proposing the Maple Grove Townhomes project which integrates a 72-unit, three story apartment building with underground parking and 18 townhomes. The site is currently undeveloped with topography rising from the south to the north and contains a mixture of trees and open grassland area. The City's trunkline sanitary sewer runs along the western boundary of the property. The site has access from Maple Grove Road to the south and is providing a future road connection to the north. There are wetlands present on the property which have been delineated and have received TEP approval for impacts associated with the road construction.

Tracy Lundeen asked if this was market rate housing, and what is the target market.

The applicant, James Talago, stated that it is market rate housing. James also stated, and presented, that a very extensive market study was performed and what was found in the study was that there is a shortage of 995 units in the Hermantown and Duluth market.

The Public Hearing held Tuesday, October 20, 2020 regarding the Planned Unit Development has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the Planned Unit Development. The issues were the project does not fit the community, terrain analysis, and rent or purchase of units.

Michael Koppy, 5124 Beaver Creek Rd.

Jared Hinks, 4128 Lavaque Rd.

JP Brooks, 4194 Lavaque Rd.

Motion made by Samuel Clark to deny the application by JP Holding Company, LLC for a Preliminary and Final Planned Unit Development for 18 townhome units and a 72 unit apartment building for a total of 90 units on a 10-acre site located at 50xx Maple Grove Road. Seconded by Shannon Sweeney Jorgenson. Motion carried.

6. CONTINUING BUSINESS

Eric gave an update to the Commission regarding the airport zoning and JAZB.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – Absent.
Greg Zimmerman – None.
Corey Kolquist – None.
Tracy Lundeen – None.
Valerie Ouellette – Absent.
Samuel Clark – None.
Shannon Sweeney Jorgenson – None.
Wayne Boucher – None.

ADJOURN

Motion made by Tracy Lundeen to adjourn the meeting. Seconded by Corey Kolquist. Meeting adjourned at 10:05 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant