



Hermantown Planning & Zoning Meeting – July 19, 2022

Because of attendance limitations at the regular meeting location due to the health pandemic, Hermantown's July 19, 2022, Planning & Zoning Meeting will be conducted both remotely and with limited access to Council Chambers.

The meeting will utilize the platform "Zoom," which allows the public to view and/or hear the meeting from their phone or computer.

The 7:00 pm Planning & Zoning Meeting will be available at:

<https://us02web.zoom.us/j/89710487385?pwd=RFZYekswalBBNEluUjZXTXVQUEYydz09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 897-1048-7385 and the passcode of 122771.

A few important tips regarding the Zoom platform:

- If your computer does not support audio, you can still watch the meeting on your computer and call in on your phone to hear the meeting
- It is a challenging situation for all of us, so grace and understanding are appreciated.

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION

Agenda
July 19, 2022
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - 3A. June 21, 2022 regular meeting.
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
 - 5A. An application by Primus Companies for a Commercial Industrial Development Permit for the construction of a 2,750 square foot dental clinic with 22 parking spaces. The property is located at 48xx W. Arrowhead Road and is located in a C, Commercial zoning district.
6. **CONTINUING BUSINESS**
7. **NEW BUSINESS**
8. **COMMUNICATIONS**
9. **COMMISSION MEMBER REPORTS**

Joe Peterson
Corey Kolquist
Valerie Ouellette
Samuel Clark
Beth Wentzlaff
Buckley Simmons
Dante Tomassoni
John Geissler

ADJOURN

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION
June 21, 2022 Meeting Summary
7:00 PM

1. ROLL CALL

Members Present: Corey Kolquist; Valerie Ouellette; Samuel Clark; Buckley Simmons; Dante Tomassoni; and John Geissler

Members Absent: Joe Peterson and Beth Wentzlaff

Others Present: Eric Johnson, Community Development Director;

2. APPROVAL OF AGENDA

Motion made by Dante Tomassoni to approve the June 21, 2022 agenda as presented. Seconded by Buckley Simmons. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Samuel Clark to approve the May 17, 2022 minutes as presented. Seconded by Dante Tomassoni. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application by Paul Fitzgerald for a Special Use Permit for the construction of 2,400 sq. ft. storage garage to be located at 5243 Hermantown Road. The property is located in a R-3 Residential zoning district.

Eric Johnson, Community Development Director, introduced to the Commission the Special Use Permit and Variance request by Paul Fitzgerald to allow construction of an accessory structure over 1,200 square feet in size per Section 515.03.1 of the Zoning Ordinance.

The applicant is requesting approval for construction of a 2,400 square foot accessory structure. The structure would be 40 feet by 60 feet in size, with 14-foot sidewalls. The overall height would be approximately 24 feet. The construction type would be slab-on-grade, with steel siding and roof. The structure will be used to house the applicant's vehicles and personal belongings. No business activity is proposed as part of this use.

The applicant owns two parcels with frontage along Hermantown Road with the lot dimensions being approximately 730' x 930' for a total of +/-16.5 acres. The proposed accessory structure is approximately 300 feet from the nearest neighboring structure and approximately 93 feet from Hermantown Road and 450 feet from Reinke Road. The applicant is in the process of combining the two parcels into one.

Section 515.06.5 of the Zoning Ordinance lists the dimensional requirements for accessory structures in excess of 1,200 square feet. The front yard setback is required to be equal to or greater than the building line of the primary structure. The existing home on the property is located approximately 225 feet from the pavement surface of Hermantown Road.

The proposed accessory structure is approximately 93 feet from the pavement surface of Hermantown Road. The applicant is proposing that the driveway surface associated with the proposed structure is located on the north side of the building and takes access from the existing driveway to the house. The National Wetland Inventory shows the presence of wetlands approximately 170 from the pavement surface of Hermantown Road.

The applicant is proposing to keep much of the existing vegetation on the south side of the proposed structure which will provide screening from Hermantown Road. By locating the proposed structure in this upland area, the applicant is able to preserve the existing wetlands to the north.

Motion made by Samuel Clark to approve the application by Paul Fitzgerald for a Special Use Permit and Variance for the construction of 2,400 sq. ft. storage garage to be located at 5243 Hermantown Road. Seconded Valerie Ouellette. Motion carried 5 to 0.

5B. An application by JLG Enterprises for a rezoning of a 40-acre parcel located in the rear of the formerly addressed 3956 Stebner Road and is associated with the Peyton Acres development. The parcel is currently zoned HM, Hermantown Marketplace with a proposed rezoning to R-3, Residential.

Eric presented the request of Applicant, JLG Enterprises, to change the Hermantown Zoning Map by rezoning the eastern 40 acres of Parcel 395-0158-00080 from HM, Hermantown Marketplace to R-3, Residential. The purpose of the rezoning is to facilitate the development and construction of single- family homes, which is not a permitted use in the HM zoning district.

The applicant has proposed a multi-phase residential development of approximately 65 acres. To date, the applicant has constructed the infrastructure (road base, watermain and sewermain for Phase 1A and has received approval for Phase 1B infrastructure. Future additions to the subdivision will require an additional road connection on the eastern portion of the property connecting to Oak Ridge Drive for public safety, road maintenance, and traffic improvements. In addition, the City will be requiring a right of way access to the adjoining +/- 100 acres to the east.

The property is bordered by R-3, Residential, P, Public and HM, Hermantown Marketplace zoning districts. Existing uses of the neighboring properties to the northwest, south and west are single family homes. The +/-100 acres of land to east are undeveloped.

The proposed Phase 1C of the Peyton Acres development is split between the HM, Hermantown Marketplace and R-3, Residential district. The Applicant has requested for a rezoning of the HM zoned property to R-3 in order to keep with the ability to construct single family homes.

The site is in Area 1 on the Hermantown Comprehensive Plan Concepts Map. The goal for Area 1 is to maintain suburban character, preserve critical natural features, phase residential development, and develop existing and new park areas. Suburban character includes residential development and is compatible with the uses of the adjacent properties.

Valerie Ouellette asked what the lot sizes were.

According to Eric, they are approximately one-half to three-quarter acres.

Samuel Clark asked if the 40 acres to the east of the project could also be added to R3 zoning.

Eric stated that since that acreage is not owned by JLG, zoning would stay as it currently is – Hermantown Marketplace - until such a time that a request was to be made by the owners for any such change.

Motion made by Buckley Simmons to approve the application by JLG Enterprises for a rezoning of a 40-acre parcel located in the rear of the formerly addressed 3956 Stebner Road and is associated with the Peyton Acres development. The parcel is currently zoned HM, Hermantown Marketplace with a proposed rezoning to R-3, Residential. Seconded Dante Tomassoni. Motion carried 5 to 0.

5C. An application by JLG Enterprises for a Preliminary and Final Plat for an 8 lot and 2 outlot subdivision located at the formerly addressed 3956 Stebner Road. The property is located in an R-3 zoning district.

Eric instructed the Commission that the applicant, JLG Enterprises, is requesting approval of a Preliminary and Final Plat for construction of a six lot, 2 outlot residential development at 3956 Stebner Road. The property is located in an R-3, Residential zoning district.

JLG Enterprises is proposing to construct eight residential lots and 2 outlots over a portion of the overall plat known as Peyton Acres.

Corey Kolquist asked what happens with Outlot (A) with reference to the stormwater pond.

Eric stated that the stormwater pond will be turned over to the City for ownership.

Motion made by Valerie Ouellette to approve the application by JLG Enterprises for a Preliminary and Final Plat for an 8 lot and 2 outlot subdivision located at the formerly addressed 3956 Stebner Road. Seconded Samuel Clark. Motion carried 5 to 0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

Eric updated the Commission of the outcome from the June 20, 2022 City Council meeting regarding approval of HKGI for the Comprehensive Master Plan.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – Absent

Corey Kolquist – None

Valerie Ouellette – None

Samuel Clark – Looking for clarification of the Zierden project once City Council approves the project.

Beth Wentzlaff – Absent

Buckley Simmons – None

Dante Tomassoni – None

John Geissler – updated the members (mumbled on the Zierden project – public benefit)

ADJOURN

Motion made by Buckley Simmons to adjourn the meeting. Seconded by Dante Tomassoni.
Meeting adjourned at 7:37 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. 48xx W. Arrowhead Road – Commercial Industrial Development Permit (CIDP)

- Applicant:** Primus Companies
- Case No.:** 2022-32-CIDP
- Staff Contact:** Eric Johnson, Community Development Director
- Request:** Approve a Commercial Industrial Development Permit with conditions for a 2,750 square foot dental office.

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to develop an existing 1.0 acre site located at 48xx W. Arrowhead Road. The applicant is proposing to develop the property for a 2,750 square foot dental office.

DESCRIPTION OF REQUEST:

The applicant is proposing to develop the property in order to construct a 2,750 square foot dental office with 22 parking spaces. The project involves the construction of the building along with a shared driveway onto W. Arrowhead Road; a paved bituminous parking lot with 22 spaces with room for future expansion of an additional 12 spaces; new landscaping and stormwater facilities.

SITE INFORMATION:

- Parcel Size:** 1.0 acres
- Legal Access:** 48xx W. Arrowhead Road
- Wetlands:** N/A
- Existing Zoning:** C, Commercial
- Airport Overlay:** Zone 3, height restrictions only
- Shoreland Overlay:** N/A
- Comprehensive Plan:** Commercial

ZONING ANALYSIS:

Zoning District: C, Commercial		
Type	Required	Proposed
Min Lot Area	None	1.0 acres
Lot Width	None	208 feet along W. Arrowhead Road
Front Yard	35 feet ROW	90 feet from W. Arrowhead Road right of way
Rear Yard	40 feet	80 feet
Side Yard	10 feet	15 feet minimum

Lot coverage	50%	6.3%
Maximum Building Height	65 feet	20 feet
Parking	14 spaces (1 per 200 sq. ft.)	22 with future expansion of 12 spaces
Airport Safety Zone: 3		
Maximum Building Elevation	1580'	< 1420'

Stormwater Management

The property is 1.0 acres in size. The proposed impervious surface consists of the 2,750 square foot building with future expansion of 750 square feet, 11,076 square feet of bituminous parking lot (with expansion), 1,251 square feet of concrete sidewalk for a total of 15,827 square feet of impervious area (36.3%).

The plan proposes a detention basin on site for the treatment of stormwater. The applicant has submitted preliminary engineering plans locating the basin and it’s proposed size. The applicant will need to submit final engineering plans and stormwater calculations in order to receive a MS4 Statement of Compliance Erosion Control Permit from the City Engineer before issuance of the Commercial Industrial Development Permit.

Access

The property is accessed from W. Arrowhead Road by way of a shared access with the adjoining property to the west. This location was discussed with the City Engineer and Public Works Director with the determination that a shared access should be utilized in order to reduce the number of driveways connecting to W. Arrowhead Road.

The applicant anticipates that there will be approximately 8 passenger vehicles per hour at peak operating times.

Utilities

The project will access the existing water and sewer mains in the W. Arrowhead Road right of way. The applicant will need to coordinate with the City in order to connect into the lines and will have to pay the sewer and water connection and availability fees. The applicant will need to submit final engineering plans to the City Engineer before issuance of the Commercial Industrial Development Permit.

Building Architecture

The proposed building is 2,750 square feet in size and approximately 18 feet in height. The façade is comprised of E.I.F.S., masonry veneer, wood effect cement panels and aluminum storefront windows. The applicant is also proposing aluminum sunshades which will project out from the building façade.

Sign permit will need to be applied for under a separate application with the City Building Official.

There will be a dumpster enclosure located within the parking lot area. The enclosure will be constructed of AZEK boards to match the wood effect siding on the building. The enclosure is approximately 6’-4” in height.

Park Dedication Fees

The property owner has already paid the park dedication fees for this property at the time of its subdivision.

SUMMARY AND RECOMMENDATION:

Staff recommends approval of the Commercial Industrial Development Permit based on the findings set forth in the Staff report, subject to the following conditions:

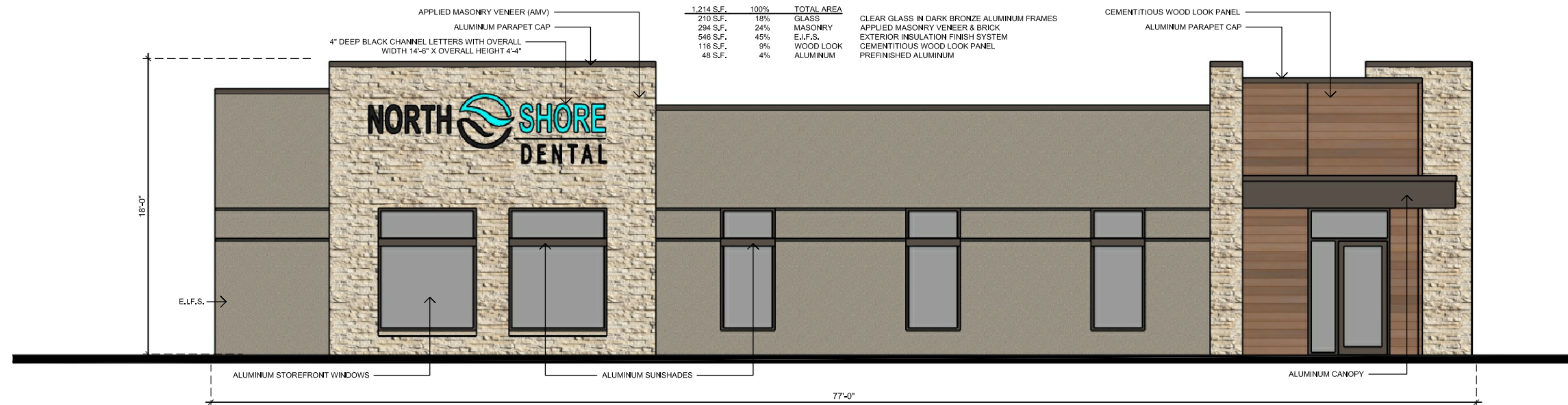
1. The applicant is seeking to construct a 2,750 square foot, one-story building with a 750 square foot expansion for a dental office. The applicant will need to supply final site engineering and architectural plans prior to the issuance of the Commercial Industrial Development Permit (CIDP).
2. The proposal meets the requirements of Section 520, "C, Commercial" of the Hermantown Zoning Ordinance.
3. The proposal meets the requirements of Chapter 8, "Commercial-Industrial Development Permits" of the Hermantown Zoning Ordinance.
4. There are no wetlands located on the site.
5. Prior to issuance of the CIDP, the applicant shall submit final Stormwater and Erosion and Sediment Control Plans and computations as well as receive a MS4 Statement of Compliance from the City Engineer.
6. Applicant shall pay City water availability and sewer and water connection fees.
7. The applicant shall sign a consent form assenting to all conditions of this approval.
8. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Site Location Map
- Proposed Site Plan
- Proposed Grading Plan
- Proposed Utility Plan
- Proposed Building Elevations

Location Map



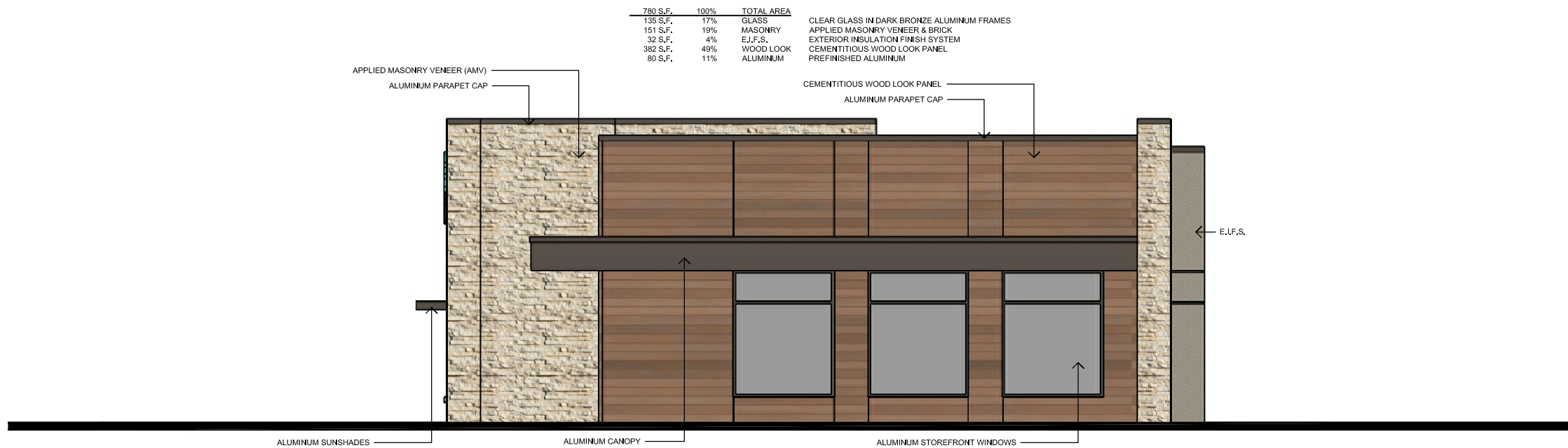


	1,214 S.F.	100%	TOTAL AREA
210 S.F.	18%	GLASS	
294 S.F.	24%	MASONRY	
546 S.F.	45%	E.I.F.S.	
116 S.F.	9%	WOOD LOOK	
48 S.F.	4%	ALUMINUM	

CLEAR GLASS IN DARK BRONZE ALUMINUM FRAMES
 APPLIED MASONRY VENEER & BRICK
 EXTERIOR INSULATION FINISH SYSTEM
 CEMENTITIOUS WOOD LOOK PANEL
 PREFINISHED ALUMINUM

1 NORTH ELEVATION
 1/8" = 1'-0"

NOTE:
 THESE ELEVATIONS HAVE BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF DULUTH'S ARCHITECTURAL DESIGN STANDARDS AND THE APPROVAL OF THE PLANNING COMMISSION / CITY OF DULUTH. CHANGES SHALL NOT BE MADE TO THE APPROVED ELEVATIONS UNLESS APPROVED BY THE LOCAL JURISDICTION.

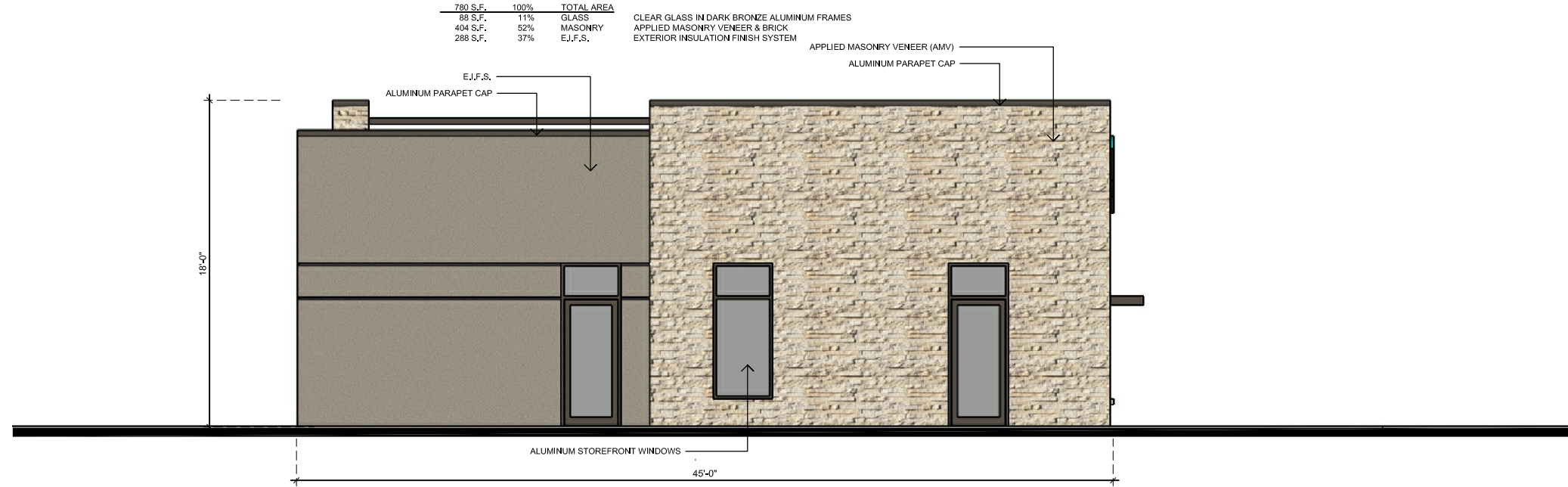


	780 S.F.	100%	TOTAL AREA
135 S.F.	17%	GLASS	
151 S.F.	19%	MASONRY	
32 S.F.	4%	E.I.F.S.	
382 S.F.	49%	WOOD LOOK	
80 S.F.	11%	ALUMINUM	

CLEAR GLASS IN DARK BRONZE ALUMINUM FRAMES
 APPLIED MASONRY VENEER & BRICK
 EXTERIOR INSULATION FINISH SYSTEM
 CEMENTITIOUS WOOD LOOK PANEL
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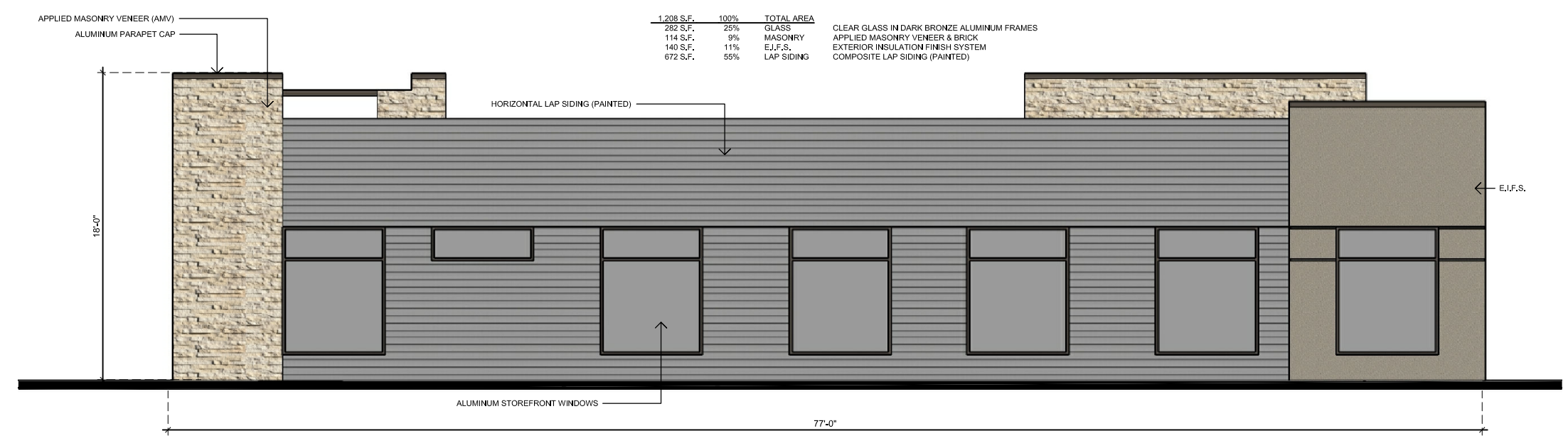
2 WEST ELEVATION
 1/8" = 1'-0"

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1 EAST ELEVATION
1/8" = 1'-0"

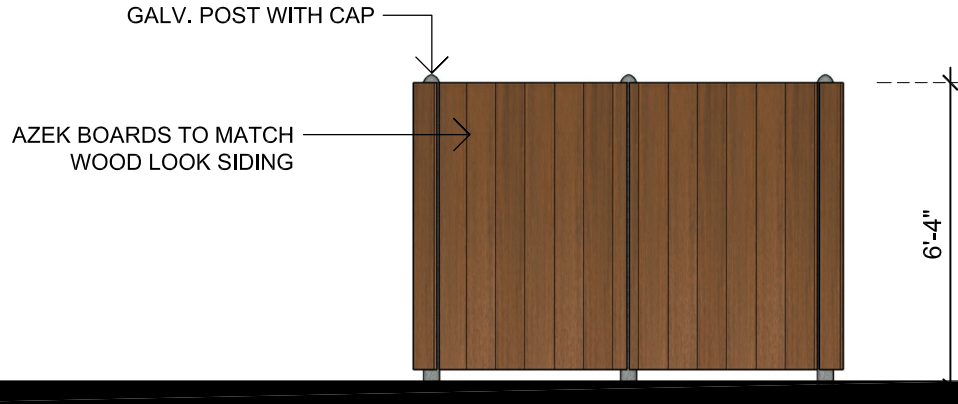


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2 SOUTH ELEVATION
1/8" = 1'-0"

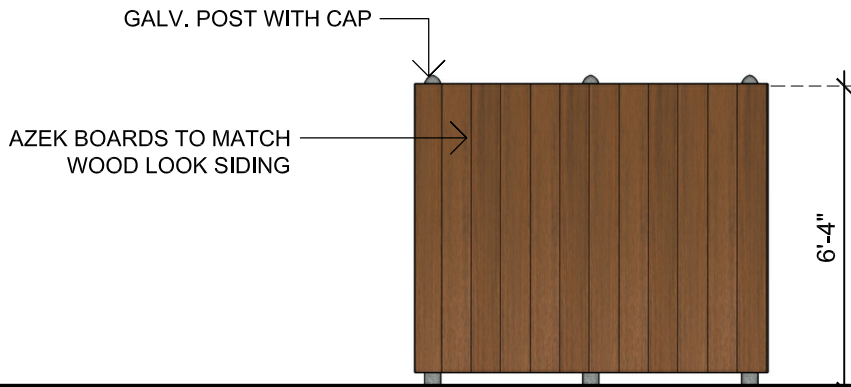


① PERSPECTIVE FROM NW
NO SCALE



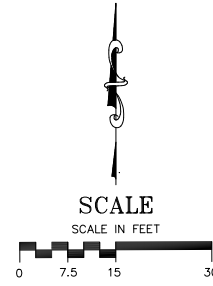
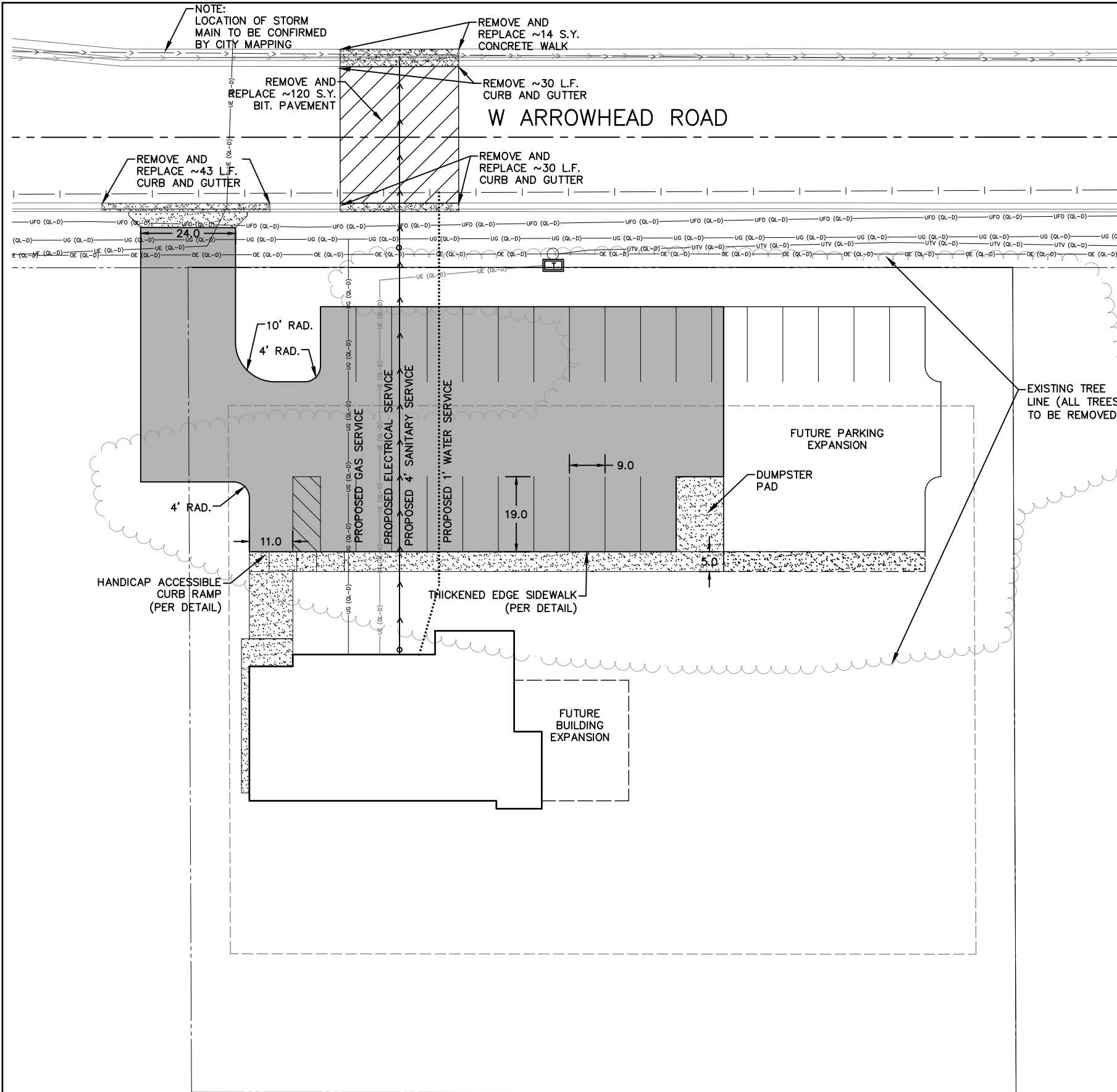
DUMPSTER ENCLOSURE - FRONT

1/4"=1'-0"



DUMPSTER ENCLOSURE - BACK & SIDES

1/4"=1'-0"



SEEDING NOTES	
SEED MIXTURE 25-151	100 POUNDS PER ACRE
COMMERCIAL FERTILIZER, ANALYSIS 20-0-10	500 POUNDS PER ACRE

REVISIONS:			
NO.	BY	DATE	DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

MARK J. FULLER REG. NO. 59392



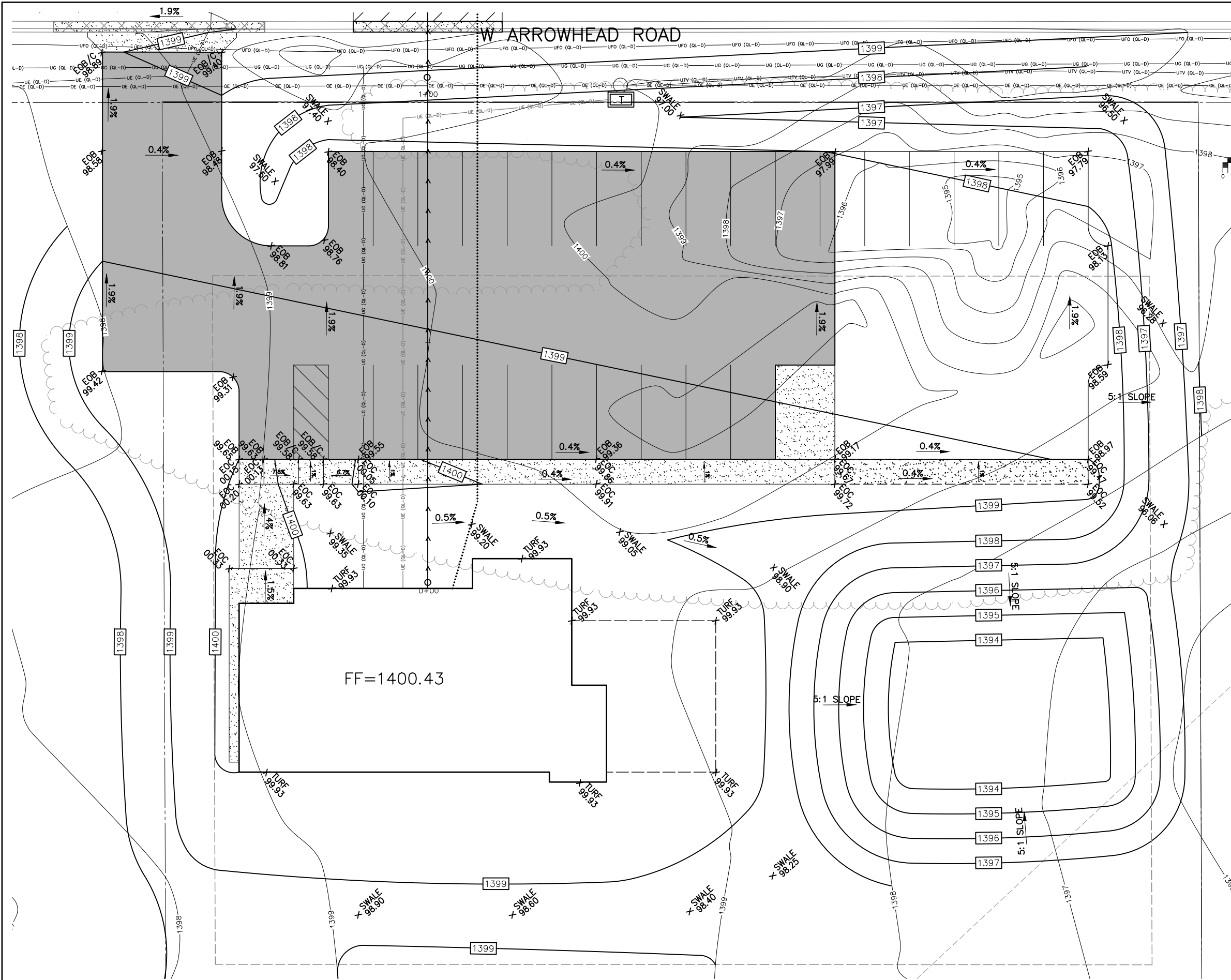
DESIGNED	MJF	6/11/22
DRAWN	WAM	6/11/22
CHECKED	MJF	6/11/22
APPROVED		
BY		DATE

NORTH SHORE DENTAL
HERMANTOWN, MINNESOTA

SITE PLAN

PROJECT NO.
22025

C - 2



NOTE:
ADD 1300.00/1400.00 TO
PROPOSED ELEVATIONS

STANDARD PLATES	
THE FOLLOWING STANDARD PLATES SHALL APPLY ON THIS PROJECT	
PLATE NO.	DESCRIPTION
7100 H	CONCRETE CURB & GUTTER (DESIGN B AND DESIGN V)
9000 E	APPROACHES AND ENTRANCES

REVISIONS:	
NO.	DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

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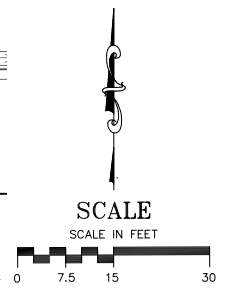
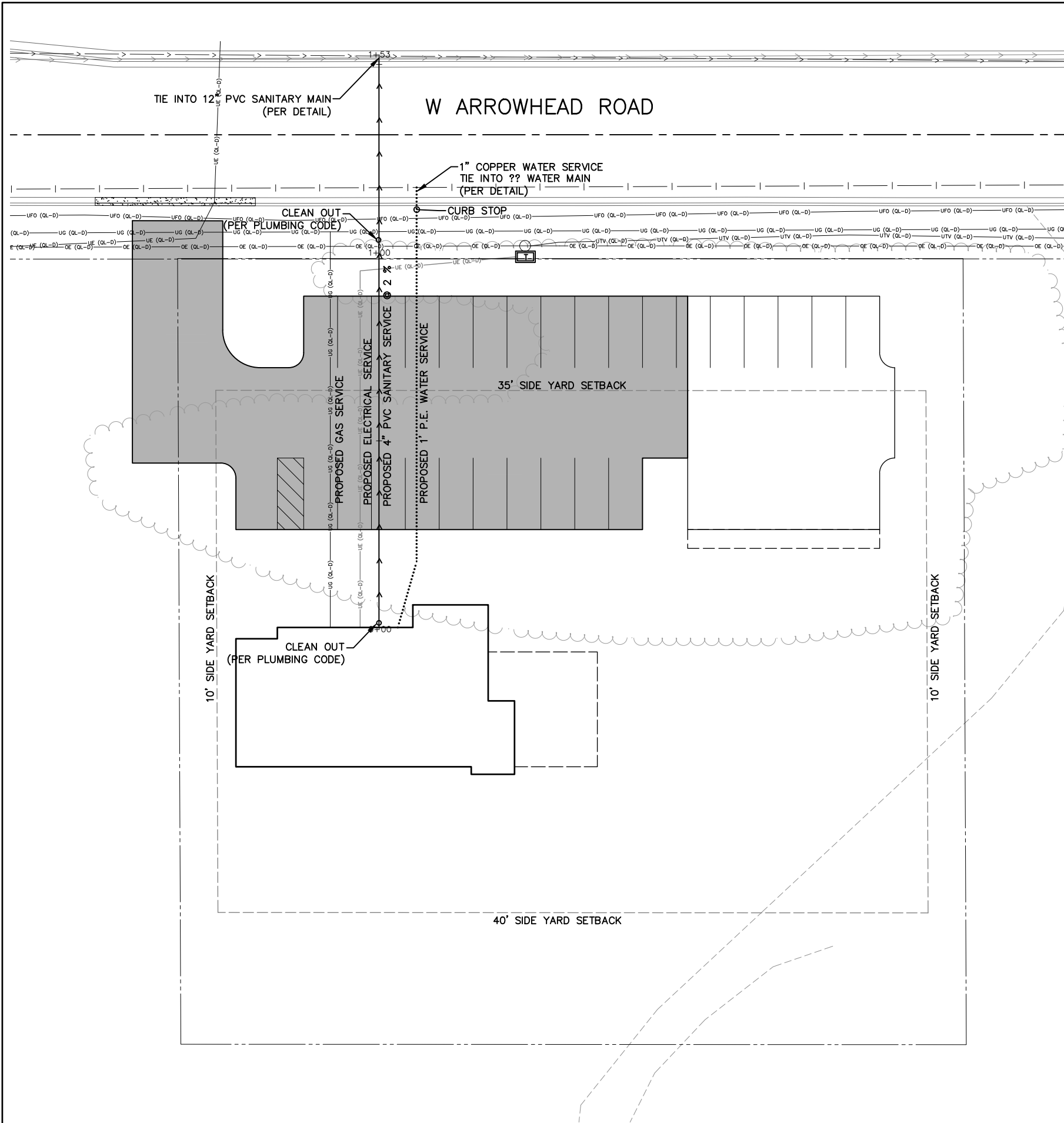
DESIGNED	MJF	6/11/22
DRAWN	WAM	6/11/22
CHECKED	MJF	6/11/22
APPROVED		
	BY	DATE

NORTH SHORE DENTAL
HERMANTOWN, MINNESOTA

GRADING PLAN

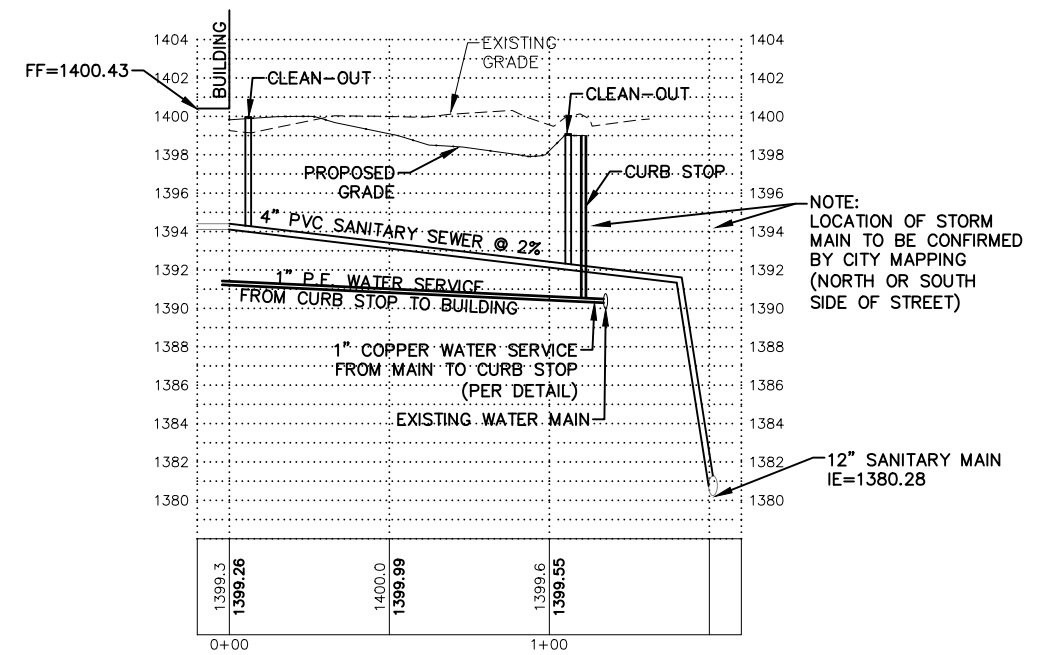
PROJECT NO.
22025

C - 3



- PUBLIC UTILITY CONSTRUCTION NOTES**
- A. CONNECTIONS TO CITY WATER AND CITY SANITARY STORM MUST BE INSPECTED PRIOR TO BACKFILLING. CONTRACTOR SHALL CONTACT CITY AND CONSULTING ENGINEER AT LEAST 48 HOURS PRIOR TO MAKING CONNECTIONS. SHOULD CONTRACTOR ELECT TO DIRECTLY CONNECT TO THE WATER MAIN, CONTRACTOR SHALL SUBMIT, AND HAVE APPROVED BY THE CITY, A SHUTDOWN PLAN
 - B. ALL UTILITY WORK, PUBLIC AND PRIVATE, SHALL CONFORM TO CEAM STANDARDS
 - C. ALL WATER MAIN AND SERVICE SHALL BE MINIMUM 9' BURY DEPTH. CONTRACTOR SHALL NOTE THAT THIS WILL REQUIRE CURB STOP BOXES THAT ARE ADJUSTABLE FROM 8'6" THROUGH 9'6" AS OPPOSED TO 9' MAX. LENGTH
 - D. ALL WATER MAIN SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MOST RECENT EDITION OF THE CEAM SPECIFICATIONS
 - E. TRACER WIRE SHALL BE REQUIRED ON ALL PLASTIC SERVICES AND MAINS, PUBLIC OR PRIVATE

- GENERAL CONSTRUCTION NOTES**
- A. THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" 2020 EDITION ALONG WITH THE SUPPLEMENTAL SPECIFICATIONS SHALL APPLY TO ALL WORK WITHIN THE LIMITS OF THIS PROJECT.
 - B. ACCESS TO PRIVATE AND BUSINESS PROPERTIES SHALL BE MAINTAINED AT ALL TIMES. THE COST OF THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION SHALL BE ALLOWED.
 - C. ALL DISTURBED AREAS, NOT OTHERWISE SURFACED, SHALL BE SEEDED AND MULCHED.
 - D. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SILT, SOIL AND OTHER SUSPENDED PARTICLES FROM BEING DISCHARGED TO THE BODIES OF WATER OR DRAINAGE STRUCTURES IN THE CONSTRUCTION VICINITY. THE COST OF THIS WORK SHALL BE CONSIDERED INCIDENTAL, UNLESS PAID FOR SPECIFICALLY IN THE PLANS.
 - E. ALL BACKFILL CONSTRUCTION FOR WATER, SANITARY AND STORM SHALL BE IN ACCORDANCE WITH MN/DOT 2451 AND COMPACTION SHALL BE IN ACCORDANCE WITH 2105.3 SECTION F.2, QUALITY COMPACTION METHOD
 - F. EXISTING WATER & SEWER SERVICES SHALL BE MAINTAINED DURING CONSTRUCTION
 - G. ALL JOINTS BETWEEN NEW AND OLD PAVEMENT SHALL BE SAW CUT AND TACKED
 - H. THE CONTRACTOR SHALL CONTACT GOPHER ONE CALL BEFORE COMMENCING EXCAVATION
 - I. 4" SANITARY SEWER SERVICES TO BE PLACED AT 1.00% MIN. GRADE
 - J. A 10' HORIZONTAL SEPARATION BETWEEN WATER AND SEWER MAINS MUST BE MAINTAINED. AN 18" VERTICAL SEPARATION SHALL BE MAINTAINED AT ALL CROSSINGS



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NO.	BY	DATE	DESCRIPTION
	MARK J. FULLER	REG. NO. 59392	



DESIGNED	MJF	6/11/22
DRAWN	WAM	6/11/22
CHECKED	MJF	6/11/22
APPROVED		
BY		DATE

NORTH SHORE DENTAL
HERMANTOWN, MINNESOTA

UTILITY PLAN

PROJECT NO.
22025

C - 4