

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION
September 20, 2022 Meeting Summary
7:00 PM

1. ROLL CALL

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

Members Absent:

Others Present: Eric Johnson, Community Development Director; Robb Stauber, 4860 Breezy Point Rd.; Kurt Johnson, 1515 Woodland Ave.; Michael Jordan, 3731 Stebner Rd.; Penny Johnson, 1515 Woodland Ave.; Carol & John Muehlbauer, 3785 Stebner Rd.; Barbars Olson Vogler, 2541 Providence Rd.; Brian Olson, 5280 Midway Rd.; and Mike Vogler, 3765 Stebner Rd.

2. APPROVAL OF AGENDA

Motion made by Buckley Simmons to approve the September 20, 2022 agenda as presented. Seconded by Dante Tomassoni. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Valerie Ouellette to approve the August 16, 2022 minutes as presented. Seconded by Corey Kolquist. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application by Bluemoon Properties/Robb Stauber for a Subdivision to create a 135-foot-wide parcel of 1.0 acres and a 3.89-acre lot accessed by way of a flag lot of 31.75-foot width at 5140 Morris Thomas Road. The property is located in an R-3 zoning district.

Eric Johnson, Community Development Director gave notice to the members that the applicant, Blulemoon Properties/Robb Stauber, owns a five acre property at 5140 Morris Thomas Road, one-quarter mile west of Lavaque Road with a lot frontage of 166'. A single family house and three accessory buildings are located on the property.

The applicant proposes to create a new flag lot along the western border of the existing property. The applicant is proposing a 31.75 foot 'pole/driveway' connection to Morris Thomas Road for a distance of 375 feet with the 'flag' portion of the lot being approxmiately 166' x 945'. The proposed lot sizes for the two total parcels are: Parcel A: 135' x 375' / 50,625 sf. or 1.16 acres and Parcel B: 31.75 x 375' and 166' x 945' / 185,454 or 3.89 acres.

The applicant intends to construct a new single-family home on the new parcel and then sell or rent the existing home upon completion of the new residence. This parcel had been previously approved for a flag lot subdivision in 2020, however the property owner at that time did not fianlize the split. The property has since been sold with the new owner seeking a flag lot subdivision.

Valerie Ouellette was not clear of the address associated with this project.

Eric clarified that the address was 5140 Morris Thomas Road and provided a map for the Commission's review.

Robb Stauber, 4860 Breezy Point Rd., Island Lake. Robb introduced himself and said what a great job Eric had done on his presentation this evening and that the property is set up perfectly for what would be a beautiful home.

Motion made by Corey Kolquist to approve the application by Bluemoon Properties/Robb Stauber for a Subdivision to create a 135-foot-wide parcel of 1.0 acres and a 3.89-acre lot accessed by way of a flag lot of 31.75-foot width at 5140 Morris Thomas Road. Seconded by Buckley Simmons. Motion carried 7 to 0.

5B. An application by Soumis Construction Inc. for a Special Use Permit for the construction of a twinhome/duplex at 373x Stebner Road. The property is located in a R-3 Residential zoning district.

Eric advised the commission that the applicant, Soumis Construction, is requesting a special use permit to construct a two-family dwelling unit in an R-3 Residential zone.

Soumis Construction purchased the property located at 373x Stebner Road along with abutting land to the north for the purpose of reconfiguring the property lines in order to create a 0.6 acre single family home lot and a 1.5 acre two family home lot. The property, consisting of the proposed two family structure, is 1.5 acres in size with a wetland located along the front 150 feet abutting Stebner Road.

Motion made by Valerie Ouellette to approve the application by Soumis Construction Inc. for a Special Use Permit for the construction of a twinhome/duplex at 373x Stebner Road. Seconded by Samuel Clark. Motion carried 7 to 0.

5C. An application by Titan Premier, LLC for a preliminary and final plat for the subdivision of 25 acres into 4 lots. The property is located at 5639 Maple Grove Road and is located in a S-1 Residential zoning district.

Eric presented that the applicant, Titan Premier, LLC is requesting approval of a Preliminary and Final Plat for the subdivision of a 25.0 acre parcel into 4 residential lots. The property is located at 5639 Maple Grove Road and is in a S-1 zoning district.

Titan Premier, LLC is proposing to subdivide the two existing parcels totaling 25.0 acres located at 5639 Maple Grove Road into 4 residential lots, each being a minimum of 5.0 acres in size with one of the lots being a flag lot and meeting the dimensional requirements. The proposed lots directly abut Maple Grove Road and will take access from the existing right of way/road. There is an existing garage located on the property from the previous residence which will be incorporated into one of the lots.

Buckley Simmons asked if the pole portion of the lot, associated with the flag lot, could not exceed 500 feet.

Eric confirmed that it does come in right at 500 feet.

Valerie Ouellette did not see the maps split into the separate lots. Joe Peterson shared his screen with Valerie.

Motion made by Corey Kolquist to approve the application by Titan Premier LLC for a preliminary and final plat for the subdivision of 25 acres into 4 lots. Seconded by Buckley Simmons. Motion carried 7 to 0.

5D. An application by Bethany Cemetery Association for a rezoning of an 8.1-acre parcel located at 4938 Hermantown Road. The parcel is currently zoned P, Public with a proposed rezoning to R-3, Residential.

Eric advised the commission that the applicant, Bethany Cemetery Association, owns two parcels associated with the Bethany Cemetery; 395-0010-07740 and 395-0010-07720.

Parcel 395-0010-07740 and the western portion of 395-0010-07720 contain the cemetery with the eastern 8.1 acres of 395-0010-07720 being vacant. The Applicant does not foresee the need for this eastern portion of land and is seeking rezoning of this portion of property in order to be marketed for residential development.

City Staff is requesting that the Planning Commission recommend approval of the proposed change to the Hermantown Zoning Map by rezoning the eastern 8.1 acres of Parcel 395-0010-07720 from P, Public to R-3, Residential. The purpose of the rezoning is to facilitate the sale of the property for future residential development.

Joe Peterson asked about utilities on this property.

Eric stated that the sanitary sewer is on the west side of the property, and that water is located on the east side.

Corey asked if the property surrounding the public land is zoned R3.

According to Eric, that is correct.

John Geissler asked, with utilities, what are the lots sizes

Eric noted they are one-half an acre, with a minimum of 100 feet road frontage.

Samuel Clark asked in terms of rezoning versus just selling the property, could a future buyer propose a PUD or something along those lines.

Eric stated that could happen, and that they would be buying it at their own risk.

Sam asked in terms of rezoning, historically, how often does this happen in the City of Hermantown.

Eric stated that in his almost 7 years with the City, prior to 2022, there had been only one. He went on to say that from then, three that have come forward in 2022, two were from cemeteries, looking to divest themselves of the land.

The following residents spoke about their concerns regarding this project. The main issues were previous City administration who advised the property would always be zoned P – Public; concerns for the existing cemetery; donated land to the cemetery being used for uses other than what it was initially intended for – a cemetery; loss of green space; possible loss of peaceful setting at the cemetery; any profits be put back into the cemetery only; and concerns about multi-family or apartment building being built on the land.

Carol Muehlbauer, 3785 Stebner Rd.
Jason Bright, 4962 Hermantown Rd.
John Muehlbauer, 3785 Stebner Rd.
Brian Olson, 5280 Midway Rd.
Peter Miller, 4905 Hermantown Rd. (via Zoom)

Dennis Velander, 3315 Hutchinson Rd., President of the Bethany Cemetery Association indicated that the most recent conveyance of the land, states that a single man, a widow, gave the land to the Bethany Cemetery Association June 5, 1939, and recorded August 9, 1939. According to his knowledge, that would not be part of Peter Olson's bequest to Bethany Cemetery.

He noted that the cemetery currently has another approximately 15 to 20 acres of useable lot land. It is anticipated that another mausoleum will be built at the cemetery as they are filling up quite rapidly with cremations.

Valerie asked about the timeframe when Mr. Elliott gave the land to the Bethany Cemetery Association and when Carol Muehlbauer's relative donated land to the cemetery.

Eric clarified that the current landowner is Bethany Cemetery Association and that any issues related to donated land from years past would have to be settled between those parties and that the City, nor the Planning Commission, would be involved in those issues/discussions.

Eric also noted that any person or entity of owned property, whether residentially or commercially zoned within the City, can apply for a Planned Unit Development.

Sam Clarke stated that this item should be tabled until the Comprehensive Business Plan is reviewed.

Eric clarified that the nature of the Comprehensive Business Plan is not to look at small individual lots on a case by case bases. Rather, it looks at big picture, large acreage lots, and corridors, etc. The plan is not looking at 3 or 4 acre sites.

Motion made by Dante Tomassoni to approve the application by Titan Premier LLC for a preliminary and final plat for the subdivision of 25 acres into 4 lots. Seconded by Corey Kolquist. Motion carried 5 to 2.

6. CONTINUING BUSINESS

The Comprehensive Plan Steering Committee will be having their first meeting on September 27, 2022 and Eric should have an update for the Planning & Zoning Commission at the October 18, 2022 meeting.

7. NEW BUSINESS

Councilor Geissler informed the Planning Commission that the City Council voted to approve the rezoning of the Engwall’s property from R-3, Residential to C, Commercial. It was a good discussion at the Council level with the decision being made based upon prior use of the property, and its proximity to other commercial zoned property.

8. COMMUNICATIONS

22-94 Logged Correspondence

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Corey Kolquist – Good cooperative conversation tonight

Valerie Ouellette – None

Samuel Clark – None

Beth Wentzlaff – None

Buckley Simmons – None

Dante Tomassoni – None

John Geissler – CRI update

ADJOURN

Motion made by Buckley Simmons to adjourn the meeting. Seconded by Corey Kolquist. Meeting adjourned at 8:13 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant