



Hermantown Planning & Zoning Meeting – February 15 2023

Because of attendance limitations at the regular meeting location due to the health pandemic, Hermantown’s February 15, 2023, 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.



PLANNING & ZONING COMMISSION

Agenda
February 15, 2023
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - 3A. January 18, 2023 regular meeting.
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
 - 5A. An application by Titan Premier LLC for a Preliminary and Final Plat of 8 lots on an 8.1-acre site located at 38xx Stebner Road. The property is located in a R-3 zoning district.
6. **CONTINUING BUSINESS**
7. **NEW BUSINESS**
 - 7A. Comprehensive Plan discussion by HKGI for the City of Hermantown.
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
January 18, 2023 Meeting Summary
7:00 PM

1. ROLL CALL

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

Members Absent: Buckley Simmons and John Geissler

Others Present: Eric Johnson, Community Development Director;

2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the January 18, 2023 agenda as presented. Seconded by Valerie Ouellette. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Dante Tomassoni to approve the December 20, 2022 minutes as presented. Seconded by Corey Kolquist. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 14 – Signs and Ground Signs.

Eric Johnson, Community Development Director, advised the members that the Hermantown sign code is largely from Ordinance 76-01, which was passed in December of 1975. The sign code was updated in 2008. In the 47 years since the sign code was adopted and the 14 years since the chapter was updated, the City has made changes to its zoning code that impact the sign code.

Namely, the City has added two new zone districts, the Hermantown Market Place (HM) and the Business/Light Manufacturing (BLM). There are also fees sprinkled throughout the sign code. The City now puts those fees in the fee resolution rather than embedding them in the code. This allows for an annual review of the fees and a more consistent fee scheme.

Finally, the legal landscape for sign ordinances has changed. In 2015, the United States Supreme Court issued a decision in *Reed v. Town of Gilbert*, in which the standard of review for sign ordinances was heightened. The City wants to make sure that its sign code can withstand legal scrutiny. Ultimately, the purpose of this ordinance is to update and modernize the language of Chapter 14.

Joe Peterson asked how will the changes affect building signage that faces multiple streets.

Eric stated that Staff is adhering to the longest frontage for the measurement. Example given is if your building is 100' x 60', and the frontage is the longest (100 feet), you would get 200 sq. ft.

Joe believes that there should be better discussions to allow better signage rules for buildings with multiple tenants whose space faces multiple streets.

Eric suggested two separate categories be given within the sign ordinance to reflect single tenant and multi-tenant use, with two signs on the major roadway, one on the secondary roadway, and one on the back and side.

Samuel Clark asked if there could be a minimum sign size in a multi-tenant building.

Joe suggested that more guidance should be considered on multi-story and multi-sided buildings.

Eric's takeaways are: single story/multi-tenant buildings; and multiple story/multiple tenant buildings.

Motion made by Corey Kolquist to continue the Zoning Ordinance text amendments by the City of Hermantown amending Chapter 14 – Signs and Ground Signs. Seconded by Dante Tomassoni. Motion carried 6 to 0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

Eric discussed tentative dates for the February meeting as he will not be available Tuesday, February 21, 2023. The commission voted for Wednesday, February 15, 2023 at 7:00 pm.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Corey Kolquist – None

Valerie Ouellette – None

Samuel Clark – None

Beth Wentzlaff – None

Buckley Simmons – Absent

Dante Tomassoni – None

John Geissler – Absent

ADJOURN

Motion made by Samuel Clark to adjourn the meeting. Seconded by Valerie Ouellette. Meeting adjourned at 8:19 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. Stebner Woods Subdivision – Preliminary and Final Plat

Applicant: Titan Premier, LLC
Case No.: 2023-02 SUB-P
Staff Contact: Eric Johnson, Community Development Director
Request: Approval of a Preliminary and Final Plat

DESCRIPTION OF REQUEST:

Applicant is requesting approval of a Preliminary and Final Plat for the subdivision of a 8.1 acre parcel into 8 residential lots. The property is located at 383x Stebner Road and is in a R-3 zoning district.

SITE INFORMATION:

Parcel Size: 8.1 acres
Legal Access: 383x Stebner Road
Wetlands: Yes, per NWI – Needs to be delineated
Existing Zoning: R-3, Residential
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Suburban

Development Details

The applicant is proposing to subdivide the existing 8.1 acre parcel located at 383x Stebner Road into 8 residential lots, each being a minimum of 0.5 acres in size. Lot 1 fronts Hermantown Road and Stebner Road with lots 2-8 fronting Stebner Road.

Zoning Analysis:

The property is zoned R-3, Residential which requires a minimum of 0.5 acre lots and 100 feet of road frontage. The proposed land subdivision meets both of these requirements.

This property was split from the existing Bethany Cemetery property located at 4938 Hermantown Road. The lot has been administratively subdivided and this portion of the property was rezoned from P, Public to R-3, Residential in October 2022.

Plat

The applicant is proposing to divide the 8.1 acre property into 8 lots. A preliminary plat has been provided as part of the application. A final plat prepared by a registered land surveyor will be required for the project.

Utilities

City water and sanitary sewer are located within the Stebner Road right of way. Sanitary sewer is located on the east side of Stebner and water is located on the west side. The applicant and their contractor are required to meet with the City to discuss how these utilities will be connected to each lot in an effort to in to minimize disruption to Stebner Road.

Stormwater

These are single family lots and as such are not required to have an additional stormwater requirements. Each lot will incur a monthly stormwater utility fee once they are developed.

Access

Lot 1 fronts Hermantown Road and Stebner Road with lots 2-8 fronting Stebner Road with access being provided from the existing right of way/road.

Wetlands

The wetland shown on the preliminary plat is from the National Wetland Inventory (NWI). The applicant has discussed this wetland location with a local wetland delineator, who generally concurs with the location. A wetland delineation will be performed in May 2023 with subsequent review and approval by the Hermantown Technical Evaluation Panel. The City will not issue building permits for lots 7 and 8 until the wetland delineation is conducted, reviewed and approved.

Park Dedication Fees

The applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of final PUD/Plat approval. Bedroom fees at the rate of \$150/bedroom will be paid at the time of building permit.

Summary

Staff recommends approval of the Preliminary and Final Plat based on the following findings and conditions:

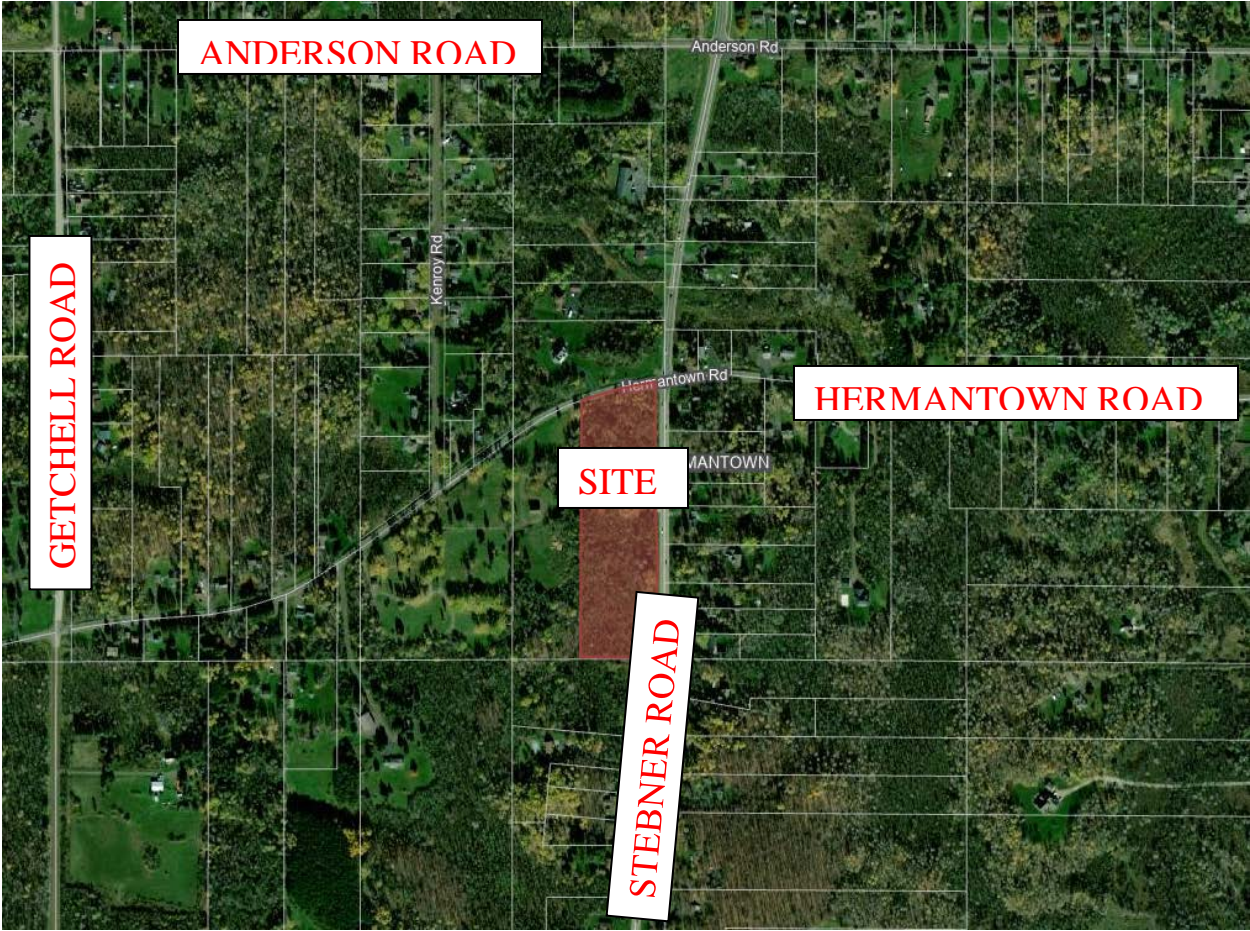
1. The proposed preliminary plat meets the intent of the R-3, Residential Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The preliminary plat is in accordance with and conformity to the Hermantown Comprehensive Plan and Hermantown Zoning Ordinance.
3. The lots will be served by public water and sewer which will be constructed by the applicant. The applicant/builder will be responsible for the construction costs and any connection of availability fees.
4. The applicant and their contractor are required to meet with the City to discuss how these utilities will be connected to each lot in an effort to minimize disruption to Stebner Road.
5. The preliminary and final Plat hereby approved is hereby expressly subject to the following conditions:
 - a. Property Owner is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown.

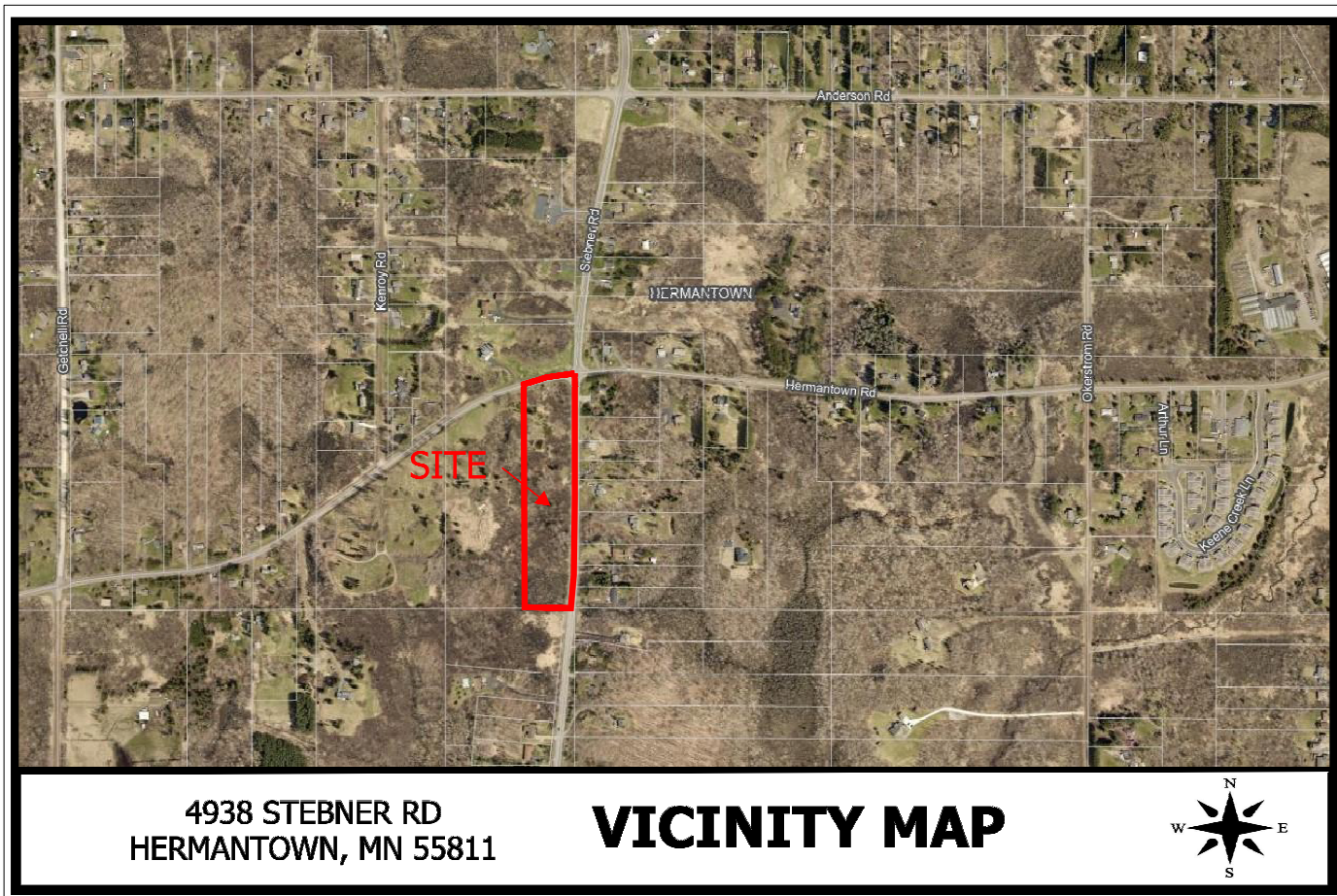
- b. Trees and brush cannot be burned on the Land, but may be chipped and shredded.
 - c. Erosion control measures must be in place prior to any construction on the Final Plat.
 - d. The Property Owner shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.
 - e. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
6. The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of final Plat approval. The applicant/builder will be responsible for the \$150/bedroom park dedication at the time of building permit.
 7. A wetland delineation still needs to be performed on the property. The City will not issue building permits for lots 7 and 8 until the wetland delineation is conducted, reviewed and approved by the Hermantown Technical Evaluation Panel.
 8. Final plat approval will be void if: (1) a final plat is not recorded with St. Louis County within one calendar year of preliminary plat approval; and (2) the City has not received and approved a written request for a time extension within one calendar year of final plat approval.
 9. The title of the land underlying the plat shall be approved by the City Attorney.
 10. Regardless of the impact on the number of approved lots, all lots will meet the minimum standards for lot area (1/2 acre) and width (100'), all other design standards of the Hermantown Zoning Ordinance, including but not limited to:
 - a) Section 1020.02.2. Frontage. The entire required frontage of each lot must abut on a street that has been officially accepted by the City of Hermantown or other governmental body with jurisdiction over such street, except as provided for flag lots and cul-de-sacs
 11. The Applicant shall sign a consent form assenting to all conditions of this approval.
 12. The Applicant is responsible for payment of all City Engineer and City Attorney fees incurred by the City in the review and approval of the plat/project.
 13. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Location Map
- Preliminary Plat

Location Map





LEGAL DESCRIPTION

The East 300 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 26, Township 50 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, lying South of the Centerline of Hermantown Road.

Said parcel contains 352,887 Sq. Feet or 8.10 Acres.

LEGEND

	CONCRETE SURFACE		OHU OVERHEAD UTILITIES		HYDRANT
	BITUMINOUS SURFACE		SECTION SUBDIVISION LINE		WATER VALVE
	GRAVEL SURFACE		CENTER LINE		SIGN
	EXISTING BUILDINGS		RIGHT OF WAY LINE		MAIL BOX
	WETLANDS PER NATIONAL WETLAND INVENTORY MAP		BOUNDARY LINE AS SURVEYED		POST/BOLLARD
			EXISTING PLAT LINE		REFER TO SURVEYOR'S NOTES
			PROPOSED LOT LINE		CAPPED REBAR RLS. NO. 49505
			CONCRETE CURB & GUTTER		GUY ANCHOR
			FOUND CAPPED REBAR RLS. NO. 49505		UTILITY POLE
					STORM MANHOLE
					CATCH BASIN
					CULVERT

SURVEYOR'S NOTES

- SOUTHERLY RIGHT OF WAY OF HERMANTOWN ROAD AS SHOWN ON THE RECORDED PLAT OF MORSE ADDITION.
- CENTERLINE OF HERMANTOWN ROAD AS SHOWN ON THE RECORDED PLAT OF MORSE ADDITION.
- CENTERLINE OF STEBNER ROAD AS TRAVELED.
- WESTERLY RIGHT OF WAY LINE OF STEBNER ROAD AS TRAVELED.
- EASEMENT FOR STEBNER ROAD PER DOC. 739701.
- LOT AREAS SHOWN HEREON ARE CALCULATED TO THE RIGHT OF WAY OF STEBNER ROAD AND HERMANTOWN ROAD.
- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)

I hereby certify that this survey, plan, or report 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. David R. Evanson MN License #49505 DATE:01-16-2023	CONCEPT SUBDIVISION EXHIBIT		 ALTA LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW.ALTLANDSURVEYDULUTH.COM
	CLIENT:TITAN PREMIER	REVISIONS:	
	DATE:01-16-2023	JOB NO:23-007	SHEET 1 OF 2

SEC. 26

MORSE ADDITION

HERMANTOWN ROAD

STEBNER ROAD

N00°03'24"W 1200.85

E LINE OF SEC. 26

TWP. 50N, RGE. 15W

DOC. NO. 1202116

L=201.62 R=1273.24 S81°27'37"W
Δ=9°04'22" CB=N76°55'26"E
C=201.41 104.92

LOT 1
34,821 Sq. Feet
0.80 Acres

LOT 2
26,862 Sq. Feet
0.62 Acres

LOT 3
26,846 Sq. Feet
0.62 Acres

LOT 4
26,843 Sq. Feet
0.62 Acres

LOT 5
26,841 Sq. Feet
0.62 Acres

LOT 6
26,838 Sq. Feet
0.62 Acres

LOT 7
26,835 Sq. Feet
0.62 Acres

LOT 8*
108,240 Sq. Feet
2.48 Acres

BETHANY CEMETERY
FIRST ADDITION

APPROXIMATE SEELY LINE
OF BETHANY CEMETERY
FIRST ADDITION

EXISTING
CHAPEL

BETHANY CEMETERY
PID NO. 395-0010-07720

BLOCK

RGE. 15W

S LINE OF E 1/2 OF
SE 1/4 OF NE 1/4

NE 1/4 OF SW 1/4

CONCEPT SUBDIVISION EXHIBIT

CLIENT:TITAN PREMIER

REVISIONS:

ADDRESS:STEBNER AND HERMANTOWN
ROAD, HERMANTOWN, MN 55811

DATE:01-16-2023

JOB NO:23-007

SHEET 2 OF 2

ALTA
LAND SURVEY COMPANY

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LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM

