

PLANNING & ZONING COMMISSION

April 18, 2023 Meeting Summary

7:00 PM

# 1. ROLL CALL

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

Members Absent: Dante Tomassoni

Others Present: Eric Johnson, Community Development Director; Jon Fahning, 2485 Acorn Run, Victoria, MN; Stephanie & Bryan Gray, 4071 W Pioneer Rd., Duluth; Gary & Jeff Gilbert, 3850 Old Midway Rd.; and David Hokanson, 5057 W Arrowhead Rd.

**2. APPROVAL OF AGENDA**

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

# 3. APPROVAL OF MINUTES

# Motion made by Valerie Ouellette to approve the March 21, 2023 minutes as presented. Seconded by Buckley Simmons. Motion carried.

# 4. PUBLIC DISCUSSION

None.

**5. PUBLIC HEARING**

5A. An application by JLG Enterprises for a Preliminary Plat for a 13 lot and 2 outlot subdivision located at the formerly addressed 3956 Stebner Road. The property is located in an R-3 zoning district.

Applicant, JLG Enterprises, is proposing to construct the fourth phase of the Peyton Acres development. In 2020, JLG proposed a preliminary plat of phase 1A and 1B for a total of 19 lots and 2 outlots. In June 2020, JLG submitted for a final plat for phase 1A which included six residential lots and 2 outlots over five existing parcels totaling 65.0 acres. The initial preliminary plat and final plat were both recommended for approval by the Planning Commission and were ultimately approved by the City Council.

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 1B has received approval for Phase 1C 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 Applicant is now bringing forward Phase 2A of the project consisting of 13 lots and two outlots. Outlot A contains the stormwater pond for this phase with Outlot B containing the remaining +/-21 acres.

Motion made by Corey Kolquist to approve the application JLG Enterprises for a Preliminary Plat for a 13 lot and 2 outlot subdivision located at the formerly addressed 3956 Stebner Road. Seconded by ­­­­­­­­­­­­­­­­­­­­­­­­­­Buckley Simmons. Motion carried 6 to 0.

5B. An application by Pete Stauber for a Special Use Permit for the construction of a two-family home located at 5068 W Arrowhead Road. The property is located in an R-3 zoning district.

The applicant, Pete Stauber, owns adjacent properties of 5068 and 5078 W Arrowhead Road. The two parcels share a common driveway which has an existing easement which has been in place for many years. The purpose of the shared driveway was to avoid the existing drainage conveyance which runs across the NE corner of the 5078 parcel.

There is an existing single family home located on the 5068 parcel which will be removed prior to the construction of the proposed two-family home.

David Hokanson, 5057 W Arrowhead Rd., was concerned about the impact of any drainage.

Eric stated that there would not be any impact.

Motion made by Corey Kolquist to approve the application by Pete Stauber for a Special Use Permit for the construction of a two-family home located at 5068 W Arrowhead Road. Seconded by Buckley Simmons. Motion carried 6 to 0.

5C. An application by Pete Stauber for a Special Use Permit for grading and filling in a Recreational Shoreland District for the purpose of building a two-family home at 5068 W Arrowhead Road. The property is located in an R-3 zoning district.

The applicant, Pete Stauber, owns adjacent properties of 5068 and 5078 W Arrowhead Road. The two parcels share a common driveway which has an existing easement which has been in place for many years. The purpose of the shared driveway was to avoid the existing drainage conveyance which runs across the NE corner of the 5078 parcel.

There is an existing single family home located on the 5068 parcel which will be removed prior to the construction of the proposed two-family home.

Motion made by Samuel Clark to approve the application by Pete Stauber for a Special Use Permit for grading and filling in a Recreational Shoreland District for the purpose of building a two-family home at 5068 W Arrowhead Road. Seconded by Valerie Ouellette. Motion carried 6 to 0.

5D. An application by Pete Stauber for a Subdivision to create a 150-foot-wide parcel of 1.72 acres and a 6.29-acre lot accessed by way of a flag lot of 50-foot width at 5078 W Arrowhead Road. The property is located in an R-3 zoning district.

The property owner, Pete Stauber, owns three parcels of land; a 1.58 acre property with an existing single family home at 5058 W Arrowhead Road a 1.52 acre property associated with 5078 W Arrowhead Road and a 5.0 acre property which contains the single family home at 5078 W. Arrowhead Road.

The property owner proposes to reconfigure the three lots into two lots. The reconfiguration will create a 150 foot wide lot of 1.72 acres (5068 W. Arrowhead Road) and a flag lot with a frontage of 58 feet and 6.29 acres (5078 W. Arrowhead Road). The purpose of the flag lot is to create a 150 foot wide parcel that meets the requirements of a two-family home on the 5068 W Arrowhead Road property.

 Parcel A: 150’ x 500’= 23,000/43,560 or 1.72 acres

 Parcel B: 58’ x 500’, 208’ x 124’ and 333’ x 657’= 273,573/ 43,560 sf. or 6.28 acres

The property owner intends to remove the existing single family home from the 5068 property and replace it with a two-family home. There is a shared driveway that accesses both the 5068 and 5078 with an existing easement which has been in place for a number of years. There is an existing water conveyance east of the existing driveway which was the rationale for the shared driveway. The existing home at 5078 and proposed two-family home at 5068 would continue to use the shared driveway.

Motion made by Corey Kolquist to approve the application by Pete Stauber for a Subdivision to create a 150-foot-wide parcel of 1.72 acres and a 6.29-acre lot accessed by way of a flag lot of 50-foot width at 5078 W Arrowhead Road. Seconded by Valerie Ouellette. Motion carried 6 to 0.

5E. An application by Five Star Storage for a Commercial Industrial Development Permit for the construction of a 24,000 square foot storage building (12,000 SF footprint x 2 stories) with associated stormwater improvements. The property is located at 4771 W Arrowhead Road and is located in a C, Commercial zoning district.

The applicant, Five Star Storage, is proposing to demolish an existing storage building on the property and replace it with the proposed 2 story, 24,000 square foot total climate controlled, storage building. The existing building is located in the middle of the property adjacent to the site’s stormwater area. The existing building is 1 story and approximately 4,500 square feet in size.

The proposed storage building is located in the same location as the existing one, however the new building footprints expands in all 4 directions on the property. The existing stormwater area will be reduced in land area size but reconfigured and deepened in order to accommodate the stormwater requirements associated with this new building.

As part of the proposed site work, additional designated parking spaces and covered loading/drop-off area are associated with this work. The existing pavement adjacent to the proposed building will be regraded and repaved.

Motion made by Valerie Ouellette to approve the application by Five Star Storage for a Commercial Industrial Development Permit for the construction of a 24,000 square foot storage building (12,000 SF footprint x 2 stories) with associated stormwater improvements. The property is located at 4771 W Arrowhead Road. Seconded by Buckley Simmons. Motion carried 6 to 0.

5F. An application by Coffee Holdings, LLC (Jon Fahning) for a Commercial Industrial Development Permit for the construction of a 625 square foot drive-thru coffee shop with 12 parking spaces and 10 vehicle stacking. The property is located at 5106 Miller Trunk Highway and is located in a C, Commercial zoning district.

The applicant, Coffee Holdings, LLC (Jon Fahning) is proposing to subdivide the property into 2 lots; the existing golf cart sales and service facility on the eastern 1.1 acres and the proposed Caribou Coffee Cabin on the western 1.2 acres.

The property at 5106 Miller Trunk Highway is an existing golf cart sales and service facility. The property has access to Miller Trunk Highway and Lavaque Road.

The proposed Caribou Coffee Cabin site consists of a 625 square foot drive-thru only structure with a front patio for walk-up service. The building is located in order to maximize ovehicle and to avoid off site stacking along the southern public easement drive. The design provides for 10 vehicle stacking as well as a 12 space parking lot located south of the building. There is a large green space located in the SW corner of the site which may be used for stormwater treatment, should it be required.

The site is accessed from Miller Trunk Highway via a shared driveway entrance and from Lavaque Road via a public easement. The pavement surface along the shared driveway and public easement are in poor condition. The applicant has indicated that they will be contacting the adjoining property owners (Do North Pizza, Centricity Bank, Midwest Golf Cars) to discuss the pavement condition and possible remedies.

Motion made by Samuel Clark to approve the application by Coffee Holdings, LLC (Jon Fahning) for a Commercial Industrial Development Permit for the construction of a 625 square foot drive-thru coffee shop with 12 parking spaces and 10 vehicle stacking. The property is located at 5106 Miller Trunk Highway. Seconded by Beth Wentzlaff. Buckley Simmons abstained. Motion carried 5 to 0.

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

This ordinance was initially discussed at the January 2023 Planning and Zoning meeting. Commission members had questions regarding multi-tenant and multi-story buildings and how those would be permitted. At the March 2023 meeting staff discussed buildings (single tenant and multi-tenant) having the ability to have signage on all four sides of the building. Discussion involved around utilizing a building linear footage as the basis for measurement or a square footage of wall surface.

Staff has looked at additional City ordinances as well as reviewed buildings within the City to ascertain their signage use. Based upon this information, staff is recommending the following:

* Road frontage building sides: 2 square feet/1 linear foot of building
* Secondary sides (not abutting a road): 1.25 square feet/1 linear foot of building

Multi-story buildings were also briefly discussed at the March 2023 meeting with staff being directed to review other City ordinances. In an effort to not over complicate the Hermantown ordinance, staff recommends the following for buildings greater than 1 story in height:

* Road frontage building sides, the least restrictive of the following:

1) 2 square feet/1 linear foot of building

OR

2) 6% of wall area

* Secondary sides (not abutting a road), the least restrictive of the following:

1) 1.25 square feet/1 linear foot of building

OR

2) 4% of wall area

This method allows for easy calculation of allowable sign area and does not get into a story by story allowance/calculation.

It was agreed upon by the commission members that staff and the City Attorney will continue to look at window signage and will approach it again at a later time.

 **6. CONTINUING BUSINESS**

Eric introduced to the members that HKGI will be working with staff related to the Hermantown Comprehensive Plan. Additional information along with an interactive map is currently on the City of Hermantown’s webpage.

**7. NEW BUSINESS**

None.

**8. COMMUNICATIONS**

None.

**9. COMMISSION MEMBER REPORTS**

Joe Peterson – None

Corey Kolquist – None

Valerie Ouellette – None

Samuel Clark – None

 Beth Wentzlaff – None

 Buckley Simmons – None

 Dante Tomassoni – Absent

 John Geissler – Asked Eric Johnson to check on Accurate Auto regarding issues of garbage and tires on their site. John advised the members of the new THC City Ordinance, and the licensing for the product.

**ADJOURN**

Motion made by Samuel Clark to adjourn the meeting. Seconded by Corey Kolquist. Meeting adjourned at 8:31pm.

|  |  |  |
| --- | --- | --- |
| Officiated by: |  | Transcribed by: |
|  |  |  |
| Joe Peterson, Chairman |  | Mary Melde, Administrative Assistant |