



Hermantown Planning & Zoning Meeting – June 21, 2023

Because of attendance limitations at the regular meeting location due to the health pandemic, Hermantown's June 21, 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
June 21, 2023
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - 3A. May 16, 2023 regular meeting.
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
 - 5A. An application for a Special Use Permit by Jay Zierden for grading and filling in a Recreational Shoreland Area for the purpose of constructing a garage. The property is located at 5179 W Arrowhead Road and is located in a R-3, Residential zoning district.
 - 5B. An application for a Planned Unit Development (PUD) Amendment by Jay Zierden for grading and filling in order to amend the Red Tail Hawk PUD for the purpose of constructing a garage. The property is located at 5179 W Arrowhead Road and is located in a R-3, Residential zoning district.
 - 5C. An application by JLG Enterprises for a Final 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.
 - 5D. An application for a Special Use Permit by the Hermantown Area Hockey Association for grading and filling in a Recreational Shoreland Area for the purpose of constructing two outdoor skating rinks. The property is located at 4307 Ugstad Road and is located in a P, Public zoning district.
 - 5E. An application by Hermantown Community Schools for a Commercial Industrial Development Permit for the construction of a 5,600 square foot district office building with associated site and stormwater improvements. The property is located at 5328 W Arrowhead Road and is located in a P, Public zoning district.
 - 5F. An application by Dirt, Inc. (Rob Irving) for a Commercial Industrial Development Permit for the construction of a 6,720 square foot building with associated site and stormwater improvements. The property is located at 3750 Midway Road and is located in a BLM, Business and Light Manufacturing zoning district.

PLANNING & ZONING COMMISSION

June 21, 2023

5G. An application by Russ Bradley for a Special Use Permit for the construction of a twinhome/duplex at 5106 Hermantown Road. The property is located in a R-3 Residential 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



PLANNING & ZONING COMMISSION

May 16, 2023 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Valerie Ouellette; Samuel Clark; Buckley Simmons; Beth Wentzlaff; and Councilor John Geissler

Members Absent: Joe Peterson; Corey Kolquist; and Dante Tomassoni

Others Present: Eric Johnson, Community Development Director

2. APPROVAL OF AGENDA

Motion made by Beth Wentzlaff to approve the May 16, 2023 agenda as presented. Seconded by Buckley Simmons. Motion carried 4 to 0.

3. APPROVAL OF MINUTES

Motion made by Valerie Ouellette to approve the April 18, 2023 minutes as presented. Seconded by Buckley Simmons. Motion carried 4 to 0.

4. PUBLIC DISCUSSION

None

5. PUBLIC HEARING

5A. An application for a Commercial Industrial Development Permit by Liechty International, LLC for the construction of a 6,000 square foot building used for assembly purposes. The property is located at 4861 Miller Trunk Highway and is located in a C, Commercial zoning district.

Eric Johnson, Community Development Director, presented the Commercial Industrial Development Permit (CIDP) application of Liechty International, LLC to construct a 6,000 sq. ft. assembly building.

The applicant is proposing to utilize an existing vacant property along the western property line, located at 4861 Miller Trunk Highway in order to construct the proposed building and paved driving surface. There will also be stormwater improvements to the property for the new building.

The applicant has submitted preliminary engineering plans locating the proposed stormwater treatment system and its 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.

Motion made by Valerie Ouellette to approve the application by Liechty International, LLC for the construction of a 6,000 square foot building used for assembly purposes. Seconded by Buckley Simmons. Motion carried 4 to 0.

5B. An application for a Special Use Permit by Russ Bradley for the construction of a 672 square foot garage addition which would bring his accessory structure to 1512 square feet. The property is located at 3990 Ugstad Road and is located in a R-3, Residential zoning district.

Eric advised the members of the requested Special Use Permit of applicant Russ Bradley to allow construction of a 672 square foot addition to an existing 840 square foot accessory structure bringing the structure to 1,512 square feet total. Since the accessory structure will be greater than 1,200 square feet in size, a Special Use Permit per Section 515.03.1 of the Zoning Ordinance is required.

The proposed accessory building would be 24 feet by 28 feet in size, with 8-foot sidewalls. The overall height of the proposed building is approximately 13 feet. The construction type would be slab-on-grade, with steel siding and roof. The building will be used to house the applicant's personal belongings. No business activity or residential living is proposed/allowed as part of this use.

The proposed accessory structure is approximately 80 feet from the nearest neighboring structure and approximately 268 feet from Ugstad Road.

Motion made by Buckley Simmons to approve the application by Russ Bradley for the construction of a 672 square foot garage addition which would bring his accessory structure to 1512 square feet. Seconded by Beth Wentzlaff. Motion carried 4 to 0.

5C. 5C. An application for a Special Use Permit by Trisha Crace for the construction of an 896 square foot single family home in a Natural Environment Shoreland Area. The property is located at 428x Birch Valley Road and is located in a R-1, Residential zoning district.

Eric informed the members that the applicant, Trisha Crace, desires to build a single family residence on a property at 428x Birch Valley Road. The proposed single family home and driveway are within a Natural Environment Shoreland Area and will require filling and grading within an approximately 1,200 square feet area of disturbance.

People that were attending the meeting via Zoom spoke to the following:

Will the applicant be living in the home? Can a clause be put in to not allow a shining light that would be restricted to the property line?

Motion made by Beth Wentzlaff to approve the application by Trisha Crace for the construction of a 2,944 square foot single family home in a Natural Environment Shoreland Area. Seconded by Valerie Ouellette. Motion carried 4 to 0.

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

Motion made by Valerie Ouellette to approve Zoning Ordinance text amendments by the City of Hermantown amending Chapter 14 – Signs and Ground Signs. Seconded by Beth Wentzlaff. Motion carried 4 to 0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – Absent

Corey Kolquist – Absent

Valerie Ouellette – None

Samuel Clark – None

Beth Wentzlaff – None

Buckley Simmons – None

Dante Tomassoni – Absent

John Geissler – THC update

ADJOURN

Motion made by Buckley Simmons to adjourn the meeting. Seconded by Beth Wentzlaff. Meeting adjourned at 7:42 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. 5179 W. Arrowhead Road – Special Use Permit

Applicant: Zierden Builders (Jay Zierden)
Case No.: 2023-28-SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Approve a Special Use Permit for filling and grading within a Recreation Environment Shoreland Overlay for construction of an oversized accessory structure

REQUESTED ACTION

Applicant is requesting approval of a Special Use Permit for grading and filling in a recreation environment shoreland area associated with an unnamed tributary to Rocky Run Creek for the purpose of an oversized accessory structure of 32' x 56' (1,792 square feet) on CIC #150 Red Tail Hawk Town Homes plat. The property is approximately 5.8 acres in size and is located at 5179 W. Arrowhead Road. The property is located in an R-3 zoning district.

BACKGROUND

Jay Zierden of Zierden Builders (Applicant) is proposing to construct an oversized accessory structure of 32' x 56' (1,792 square feet) on CIC #150 Red Tail Hawk Town Homes plat. The property is approximately 5.8 acres site and is located at 5179 W. Arrowhead Road. The property is located in an R-3 zoning district. There will be grading and filling associated with the oversized accessory structure within the Recreational Environment Shoreland Area.

SITE DATA

Parcel Size: 5.8 acres
Legal Access: 5179 W Arrowhead Road
Wetlands: Yes, delineation conducted in 2021
Existing Zoning: R-3, Residential
Airport Overlay: None
Shoreland Overlay: Recreation Environment
Comprehensive Plan: Suburban

Previous Development

In 2021, the Applicant was approved for a Planned Unit Development for the construction of two – twinhomes on the subject property. The structures were built in 2022/2023 and are now occupied. A

Common Interest Community (CIC) plat was formed where the owners of each twinhome unit own the land underneath the structure, with the rest of the property being held in common interest. The owners of the twinhomes have contacted the Applicant asking about additional storage space for their personal items. The Applicant is proposing an oversized accessory structure (1,792 square feet) which will contain a unit for each twinhome owner. This accessory structure is proposed to be built within the common interest portion of the property, which falls within the Recreational Environment Shoreland Area.

Section 515.06.5 of the Zoning Ordinance lists the dimensional requirements for accessory structures in excess of 1,200 square feet. They are:

Table 1. Dimensional requirements for accessory structures in excess of 1,200 square feet	R-3 Requirement	Provided
Minimum depth of front yard from R.O.W.	Equal to or greater than the building line of the primary structure	50 feet – W. Arrowhead Road
Minimum side yard setback	Equal to the height of the accessory structure	15 feet (mid point of roof line)
Minimum rear yard setback	40 feet	665 feet
Minimum setback from primary structure	10 feet	35 feet
Maximum building height	35 feet	21 feet
Maximum sidewall height	14 feet	9 feet

The accessory structure as proposed either meets or exceeds these requirements.

Wetlands

A wetland delineation was performed in the fall of 2021. The proposed accessory structure does not impact any wetlands.

Special Use Permit

The Special Use Permit is for filling and grading within a Shoreland zone for the purpose of constructing an oversized accessory structure. There are general conditions for all SUPs. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The construction of an accessory structure in excess of 1,200 square feet is allowed within the R-3 zoning district with an approved Special Use Permit. Single family homes are the primary use of all surrounding developed land. Conditions placed on the SUP and wetland approvals will restrict wetland impacts.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

Conditions placed on the SUP restricting wetland impacts and clearing and grading within 50 feet of the unnamed tributary meet the intent of the zoning ordinance to protect natural resources.

The proposed accessory structure will not impact adjacent properties or the community in general. The accessory structure will allow the owners of the twinhome units to store personal property.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is within an area marked for residential development in the Hermantown Comprehensive Plan. The purpose of the Shoreland Overlay Zone is to protect public waterways. Impervious surface caps are included to prevent excessive runoff from constructed surfaces. The proposed impervious surface is below maximum limits and the required 50 feet buffer zone will protect the unnamed tributary.

The proposed accessory structure is consistent with Comprehensive Plan recommendations for residential areas of the City. The Zoning Ordinance allows for up to 35% lot coverage for structures with the proposed property being at 3.1% coverage after the construction of the proposed accessory structure addition. The proposed use meets the performance standards set in Section 515.06.5 regulating accessory structures in excess of 1,200 square feet.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The existing development surrounding this site is single family residential; the proposed use continues this character. The proposed impervious surface is below maximum limits and the required 50 feet buffer zone will protect the unnamed tributary.

This area of the City is characterized by single family homes, the proposed accessory structure is located approximately 275 feet from W. Arrowhead Road. The Zoning Ordinance allows for 35% lot coverage for structures on a property. With the 1,792 square foot addition to the property, the property would be at approximately 3.1%.

- 5. Other criteria required to be considered under the provisions of this code for any special use permit.**

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2. Additional details of note include:

- A. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of the unnamed tributary.
- B. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of the unnamed tributary.

RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit based on the findings set forth in the Staff report, subject to the following conditions:

1. The approval is for a Special Use Permit for filling and grading in a Recreation Environment Shoreland of a tributary to the Rocky Run Creek to construct an oversized accessory structure of 32' x 56' (1,792 square feet) on CIC #150 Red Tail Hawk Town Homes plat. The Community Development Director may approve minor variations to structures and filling and grading indicated on the attached preliminary site plan as long as the variations do not result in greater wetland impacts.
2. The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
 - a. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of the unnamed tributary.
 - b. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of the unnamed tributary.
 - c. The smallest amount of bare ground is exposed for as short a time as feasible;
 - d. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
 - e. Adequate methods to prevent erosion and trap sediment are employed;
 - f. Fill is stabilized to accepted engineering standards;
 - g. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
 - h. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
 - i. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
 - j. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The proposed accessory structure shall meet all setback requirements for Accessory Structures in the R-3 Zoning District.

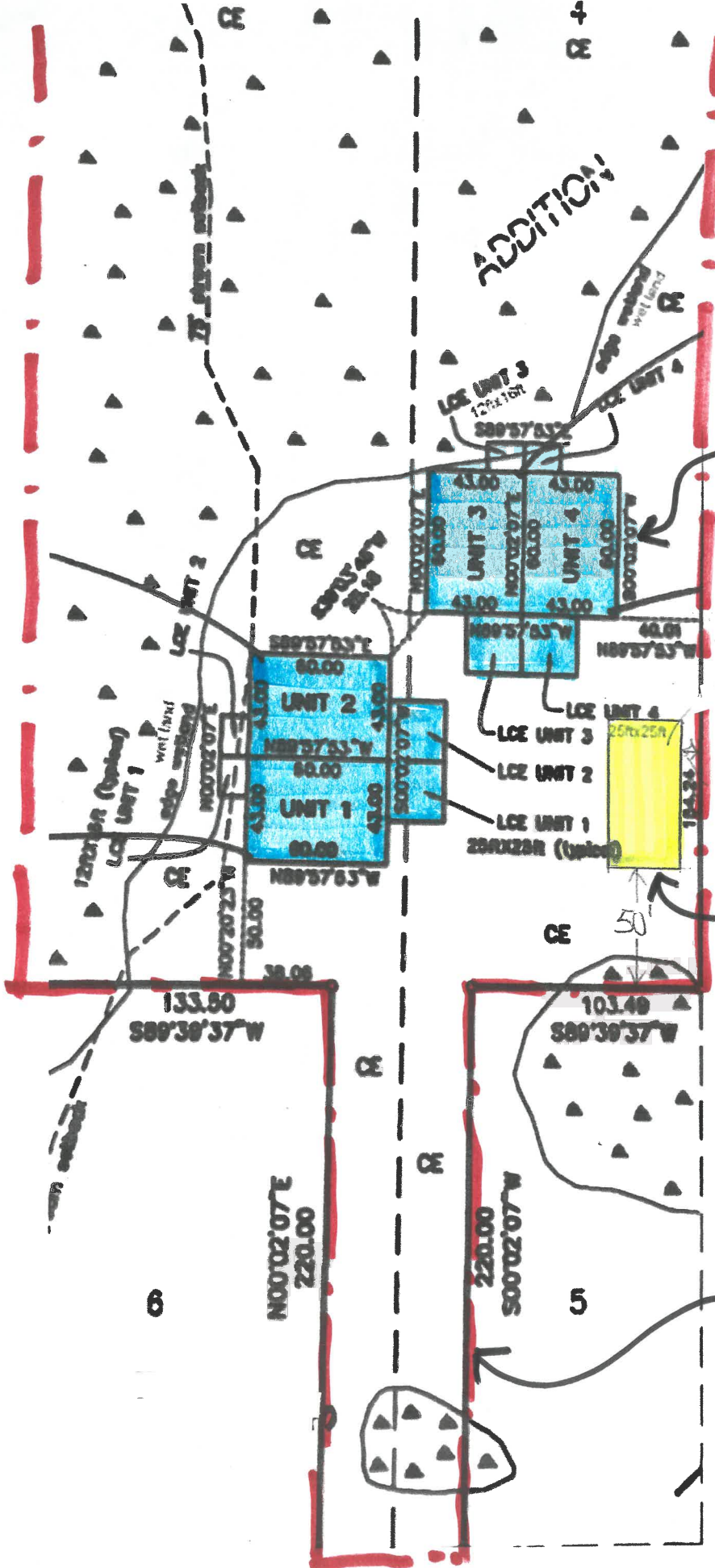
5. The proposed accessory structure location is depicted on the approved site plan. If approved by the Community Development Director, the accessory structure may be placed in other locations on the site.
 6. No business activity/residential living is allowed/permitted in association with the accessory structure approval.
 7. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.
-

ATTACHMENTS:

- Site Location Map
- Proposed Site plan
- Garage Elevation
- Shoreland Area Map

Location Map





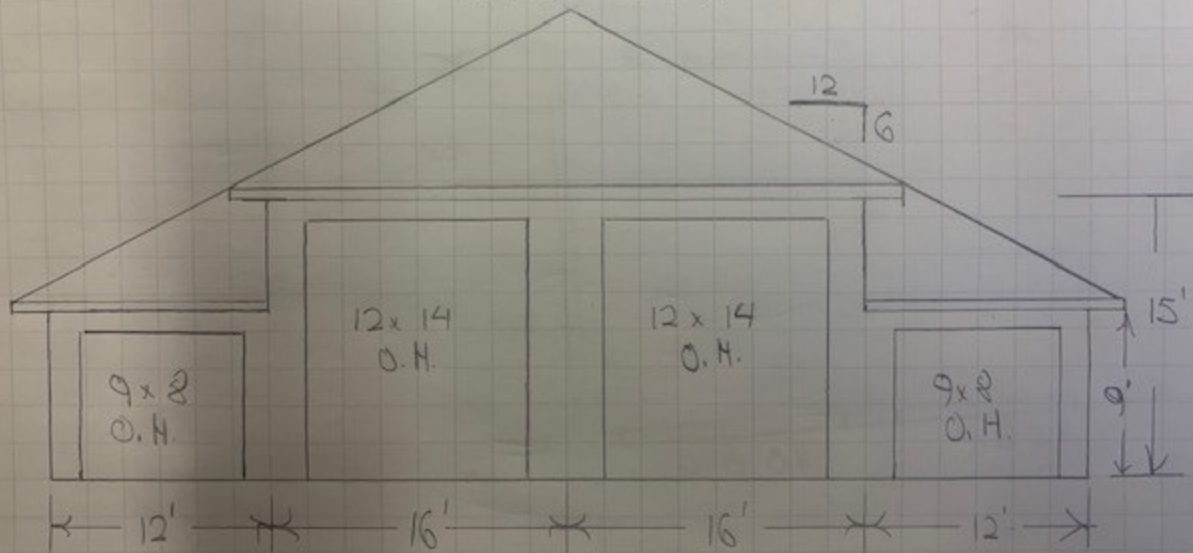
EXISTING TWINHOME (TYPICAL)

PROPOSED GARAGE LOCATION

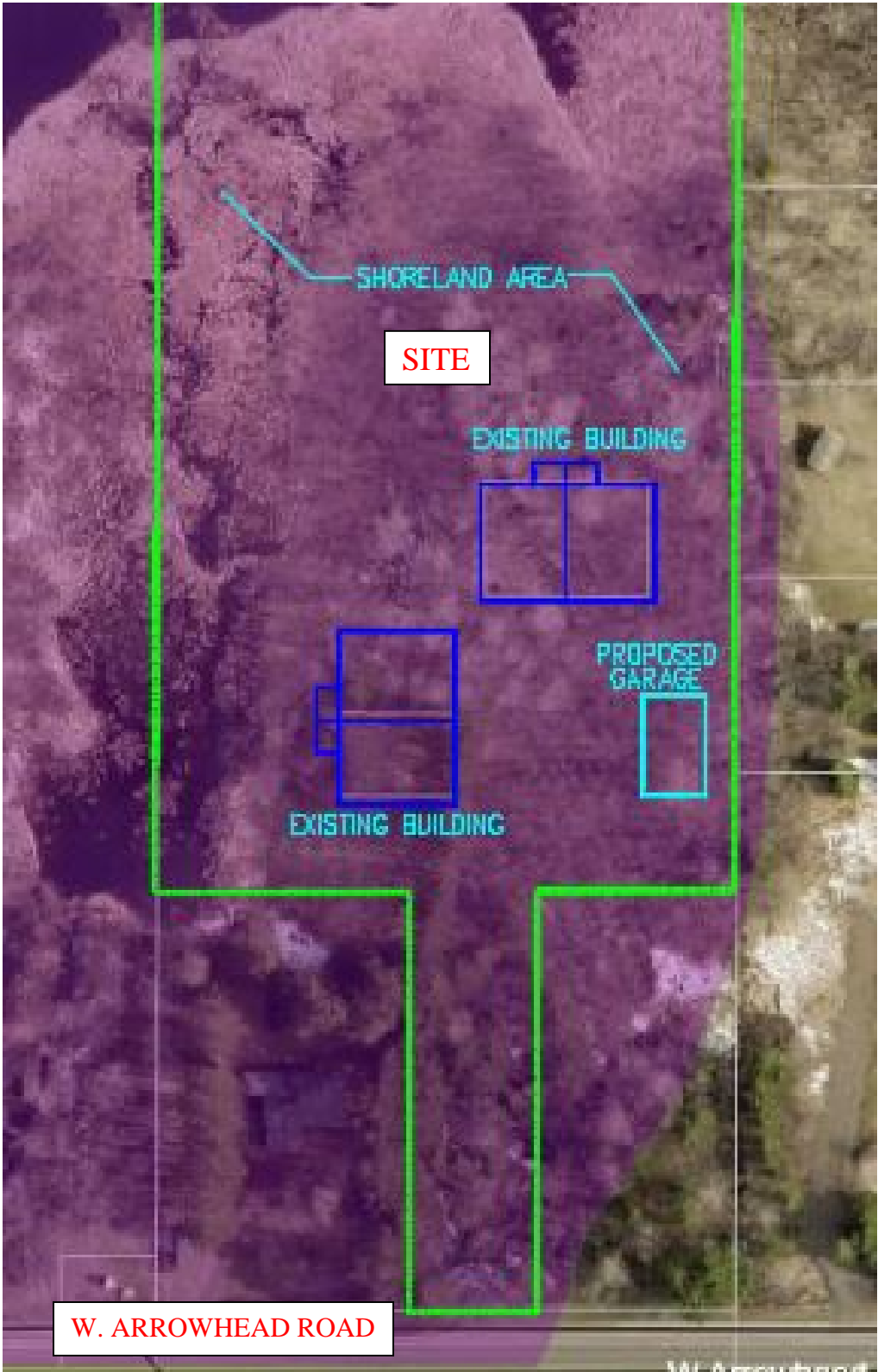
PROPERTY LINE (TYPICAL)

W. ARROWHEAD ROAD

32' x 56'
SIMPLE ENERGY HAUL
6/12 HIP ROOF



Shoreland Map





5B. Amendment to the Planned Unit Development – Red Tail Hawk

Applicant: Zierden Builders/Jay Zierden
Case No.: 2023-28 PUD
Staff Contact: Eric Johnson, Community Development Director
Request: Amend the Development Plan to allow for the construction of an oversized accessory structure

RECOMMENDED ACTION:

Staff recommends approval of the amendment to the Development Plan to allow for the construction of an oversized accessory structure.

DESCRIPTION OF REQUEST:

Requested is an amendment to the Development Plan to allow for the construction of an oversized accessory structure.

BACKGROUND:

In 2021, the Applicant (Zierden Builders/Jay Zierden) was approved for a Planned Unit Development (PUD) for the construction of two – twinhomes on the subject property. The structures were built in 2022/2023 and are now occupied. A Common Interest Community (CIC) plat was formed where the owners of each twinhome unit own the land underneath the structure, with the rest of the property being held in common interest. The owners of the twinhomes have contacted the Applicant asking about additional storage space for their personal items.

The Applicant is proposing an oversized accessory structure (1,792 square feet) which will contain a unit for each twinhome owner. This accessory structure was not part of the original development plan associated with the Red Tail Hawk PUD.

SUMMARY:

The proposed amendment to the Development Plan is consistent with the City’s development goals for residential housing in the affected area of the City. By amending the 2021 Development Plan to now allow for the construction of an oversized accessory structure, it allows for owners of each twinhome unit to have addition storage space for their personal items.

RECOMMENDATION:

Staff recommends approval of the amendment to the PUD Development Plan, subject to the following:

1. Prior to building permit issuance:
 - a. All professional fees incurred by the City in connection with the Amendment must be paid.
 - b. All necessary permits, including but not limited to stormwater, erosion control, and driveways, shall be issued.
2. The proposed accessory structure location is depicted on the approved site plan. If approved by the Community Development Director, the accessory structure may be placed in other locations on the site.
3. No business activity/residential living is allowed/permitted in association with the accessory structure approval.
4. The applicant shall sign a consent form assenting to all conditions of this approval.
5. The applicant shall pay all City incurred engineering and attorney fees associated with this amendment.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

- Location Map
- 2022 Site Plan
- Proposed Site Plan

Location Map





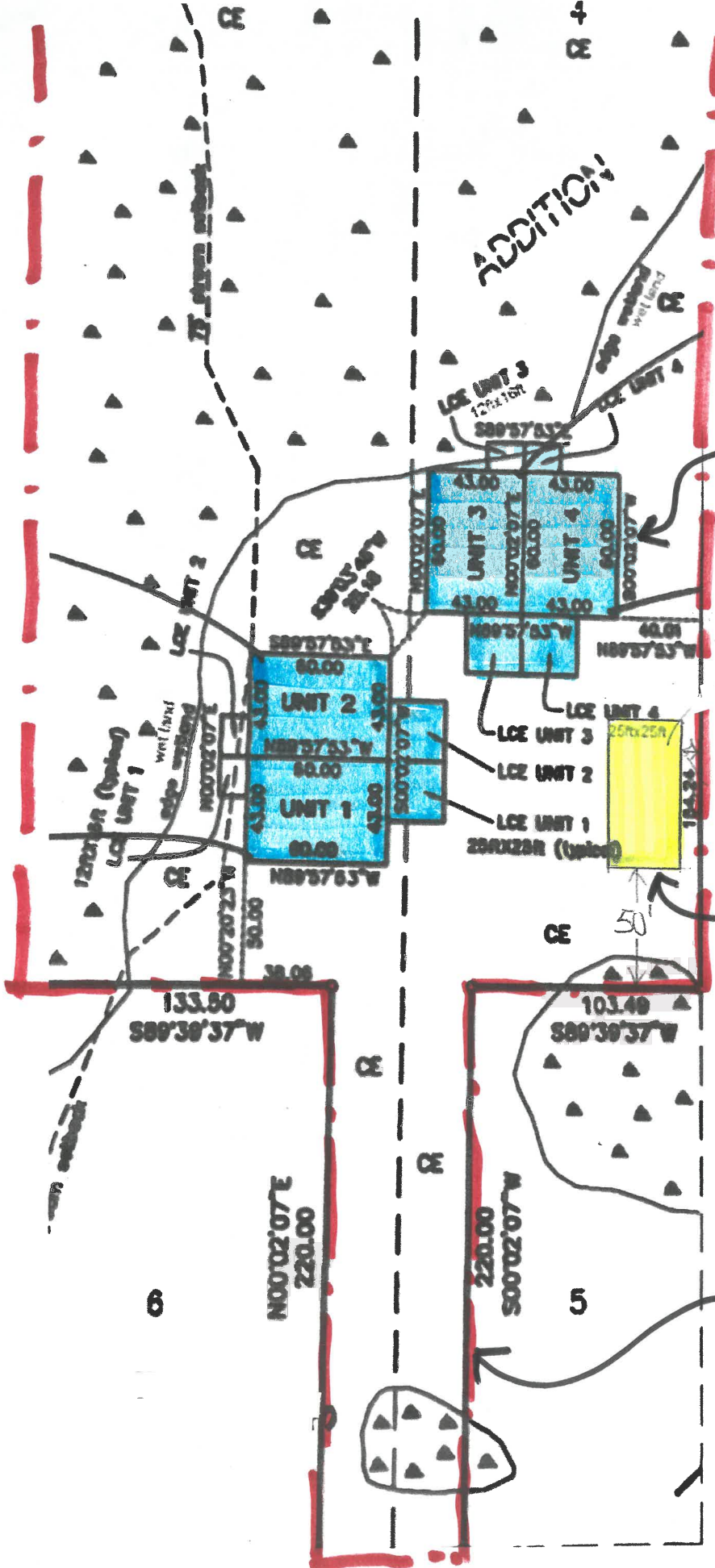
PROJECT DATE:	NO.	DATE	REVISION	BY
DRAWN BY: Init	-	-	-	-
DESIGNED BY: Init	-	-	-	-
CHECKED BY: Init	-	-	-	-

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

DATE _____ REGNO _____
Date License No.

NAME _____

ARROWHEAD & GROUSE RIDGE TOWNHOUSES ZIERDEN BUILDERS HERMANTOWN, MN	PRELIMINARY SITE LAYOUT	PROJECT NO. 21096003
	SHEET ----	SHEET ----



EXISTING TWINHOME (TYPICAL)

PROPOSED GARAGE LOCATION

PROPERTY LINE (TYPICAL)

W. ARROWHEAD ROAD

5C. 3956 Stebner Road - Peyton Acres Final Plat Phase 2A

<u>Applicant:</u>	JLG Enterprises of Hermantown, LLP
<u>Case No.:</u>	2020-08-SUB-P
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approval of a Preliminary and Final Plat Phase 2A

DESCRIPTION OF REQUEST:

Applicant is requesting approval of a Final Plat for construction of a 13 lot, 2 outlot residential development at 3956 Stebner Road. The property has a zoning of R-3, Residential.

SITE INFORMATION:

Parcel Size:	+/-35 acres
Legal Access:	3956 Stebner Road
Wetlands:	Yes, delineation approved in 2019; Impacts approved in 2020
Existing Zoning:	R-3, Residential (1/2 acre minimum)
Airport Overlay:	None
Shoreland Overlay:	None
Comprehensive Plan:	Suburban

Development Details

JLG Enterprises (Applicant) 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.

Phase 1B consisted of 10 single family residential lots and one outlot which contained the remainder of the overall property. Phase 1B was consistent with the previously approved preliminary plat and met the requirements associated with the R-3, Residential zoning district. Phase 1B was approved in August 2, 2021 with an amendment to the plat occurring in May 16, 2022.

Phase 1C, consisted of 8 lots and 2 outlots. Outlot A contains the stormwater pond for the phase and Outlot B contained the remaining +/- 35 acres of the overall property. Phase 1C was approved in July 2022.

The preliminary plat for Phase 2A was brought to the April 2023 Planning and Zoning Commission and was approved by the City Council at the May 2023 meeting. The Applicant is now bringing forward the final plat for 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.

Peyton Acres Master Plan

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.

Zoning Analysis

The entirety of the Peyton Acres development is zoned R-3, Residential.

Should the Applicant wish to construct another housing product, other than single family housing, within the development, they would be required to pursue a Planned Unit Development for the work.

Lot Size

The proposed preliminary and final plat meets the R-3, Residential dimensional standards for single-family homes connected to City water and sanitary sewer of ½ acre in area with 100 feet wide frontage at lot line and at the 50' building setback line of lots on cul-de-sacs.

Setbacks

The proposed site plan shows the building setbacks associated with the R-3, Residential dimensional standards for single-family homes.

Utilities

The project will connect to City water lines located within the right-of-way of Peyton Drive. New sewer and water lines will be via City mains constructed to City standards. The Applicant will provide engineered plans to the City Engineer for utility connections prior to beginning such work on this phase. Preliminary engineering plans are in the process of being developed by the Applicants engineer.

Stormwater

The applicant is proposing to treat stormwater in a separate retention treatment pond on Outlot A. Final location, sizing, and design of permanent stormwater control will be subject to approval of final stormwater plans and MS4 Letter of Compliance by the City Engineer.

Roadway

The applicant will construct a +/-1675', 28' wide curb face to curb face bituminous roadway with curb and gutter with a sidewalk on one side with a cul-de-sac in accordance with the City of Hermantown Urban Section design standards and City design speed standards as approved by the City Engineer. This new road will connect the previous built Peyton Drive section with Oak Ridge Drive.

Wetlands

There are 13.5 acres of wetlands on the overall property. The final plat for this phase impacts approximately 4,383 square feet of wetland. The previous three phases impacted approximately 5,776 square feet. The combined wetland impacts are approximately 9,801 square feet, which is under the TEP

and City Staff supported de minimis exemption of 10,000 square feet of wetland impacts over the whole 65 acres of the property for a 1.6% permanent wetland impact. If the impacted wetlands exceed 10,000 square feet, the Applicant will need to purchase wetland replacement credits for all of the project wetland impacts.

Park Dedication Fees

The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. Park dedication fees will be paid according to the Hermantown Fee Schedule. Those fees currently are:

Development Type	Recommended
Single Family, Two Family, Three Family Residential Parcel/CIC Unit	\$1,100/lot
Per bedroom fee	\$150

Summary:

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

1. The proposed final plat meets the intent of the R-3, Residential Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed final plat meets the Comprehensive Plan criteria for residential development.
3. The lots will be served by public water and sewer which will be constructed by the applicant. The new water and sewer main will be constructed by the applicant, reviewed and approved by the City Engineer then turned over to the City.
4. The development agreement shall prescribe either a:
 - a. Letter of Credit or other financial surety acceptable to the City Attorney for 125% of the construction value of the road and infrastructure improvements to be made at the time of approval of the Final Plat, or
 - b. Installation of road and infrastructure facilities prior to obtaining the Final Plat for the development.
 - c. Letter of Credit or other financial surety acceptable to the City Attorney for 125% of the construction value of the stormwater facilities to be made at the time of approval of the Final Plat.
5. Prior to starting any site work, the Applicant shall hold a preconstruction meeting with the appropriate development, construction, and City representatives.
6. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained.
7. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.

8. 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.
9. The Applicant shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. No burning or burying of trees, stumps or brush is allowed on site.
 - g. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
10. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
 - a. All exterior building improvements shall be completed.
 - b. All disturbed areas on the site shall be seeded or sodded.
11. The Applicant shall pay a park dedication fee of \$14,300 (\$1,100/lot for 13 lots). This fee will be paid at the time of plat approval. The applicant/builder will be responsible for the \$150/bedroom park dedication at the time of building permit.
12. The Applicant shall sign a consent form assenting to all conditions of this approval.
13. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Location Map
- Final Plat
- Overall Project Master Plan

Location Map

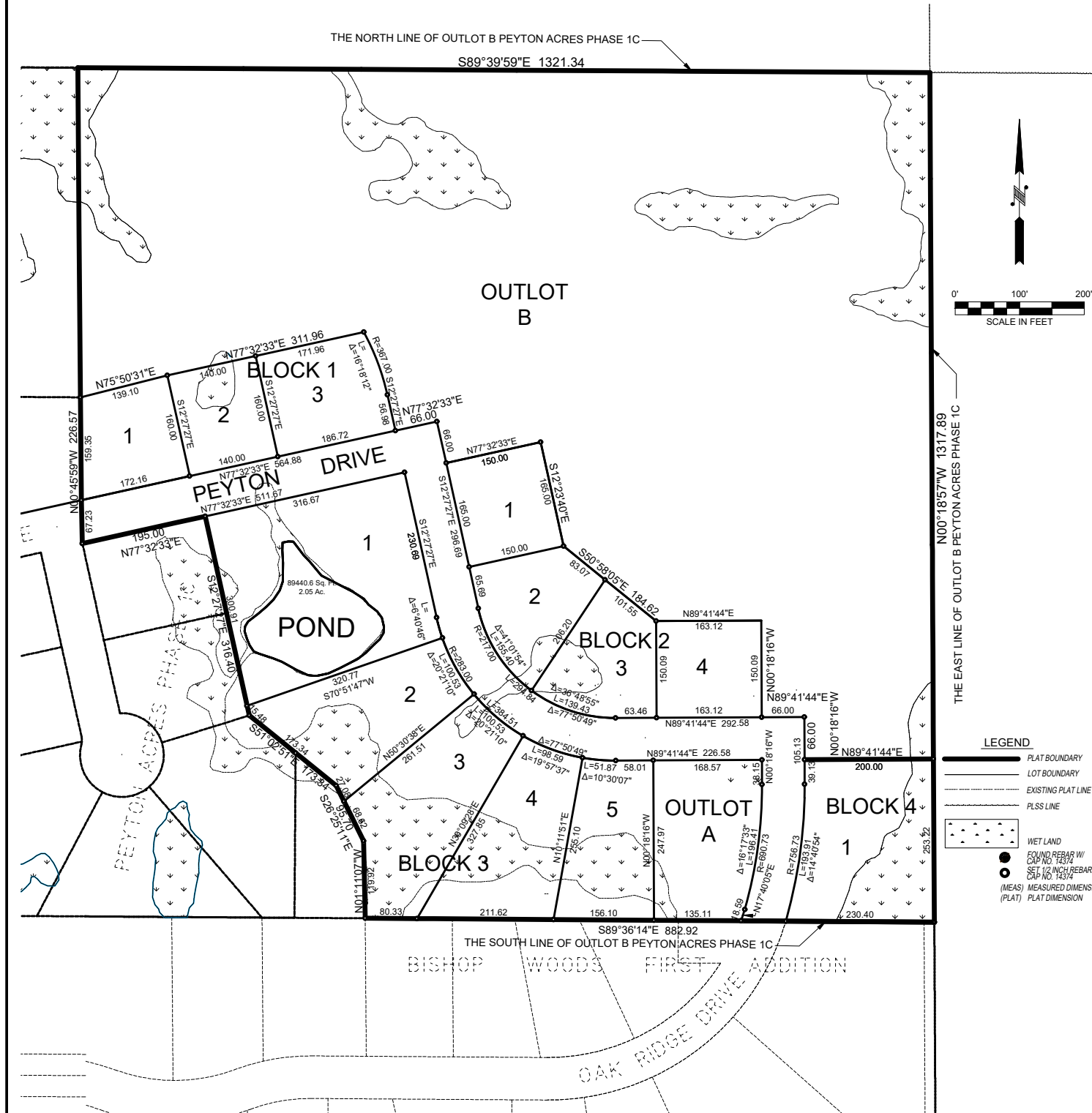


PRELIMINARY
SUBJECT TO REVISIONS

OFFICIAL PLAT

PEYTON ACRES PHASE 2

LOCATED IN PART OF THE NE 1/4 OF THE SE 1/4
SEC. 24, TWP. 50, RGE. 15
ST. LOUIS COUNTY MINNESOTA



KNOWALL PERSONS BY THESE PRESENTS:

That J.G. Enterprises of Hermantown, LLP, a Minnesota Limited liability Partnership, is the owner and Park State Bank, a Minnesota Corporation, Mortgagee of the following described property situated in the City of Hermantown, County of St. Louis, State of Minnesota to wit:

Outlot B, PEYTON ACRES Phase 1-C

Has caused the same to be surveyed and platted as PEYTON ACRES PHASE 2 and does hereby dedicate to the public for public use the public ways as created by this plat. In witness whereof said J.G. Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership has caused these presents to be signed by its proper officers this _____ Day of _____, 20____ J.G. Enterprises of Hermantown, LLP

By: Gary M. Gilbert, Partner
By: Jeffrey L. Gilbert, Partner

STATE OF MINNESOTA
COUNTY OF ST. LOUIS

The following instrument was acknowledged before me this _____ day of _____, 20____, by Gary M. Gilbert, Partner of J.G. Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership, on behalf of the partnership.

Notary Public, St. Louis County, Minnesota
My Commission Expires _____

The following instrument was acknowledged before me this _____ day of _____, 20____, by Jeffrey L. Gilbert, Partner of J.G. Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership, on behalf of the partnership.

Notary Public, St. Louis County, Minnesota
My Commission Expires _____

In witness whereof, Park State Bank a Minnesota Corporation has caused these presents to be signed by its proper officer this _____ day of _____, 20____

PARK STATE BANK
By: _____ its _____

STATE OF MINNESOTA
COUNTY OF _____

The following instrument was acknowledged before me this _____ day of _____, 20____, by _____ of Park State Bank, a Minnesota Corporation

Notary Public, St. Louis County, Minnesota
My Commission Expires _____

I, Ronald L. Krueger do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey, that all mathematical data, dimensions, labels and symbols are correctly designated on this plat, that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wetlands as defined in Minnesota Statutes, Section 505.021, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____

Ronald L. Krueger, Licensed Land Surveyor
Minnesota License No. 14374

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Ronald L. Krueger, MN License No. 14374

Notary Public, St. Louis County, MN
My Commission Expires _____

CITY OF HERMANTOWN CITY COUNCIL

Approved by the City Council of the City of Hermantown, St. Louis County, Minnesota at a regular meeting thereof, on the _____ day of _____, 20____

Mayor _____ Clerk _____

ST. LOUIS COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____

By Nick C. Stewart, County Surveyor
Deputy

ST. LOUIS COUNTY AUDITOR

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and to Minnesota Statutes, Section 272.12, taxes payable in the year 20____ on the land hereinbefore described have been paid; there are no delinquent taxes and transfer entered this _____ day of _____, 20____

Nancy Nilsen, County Auditor
Deputy

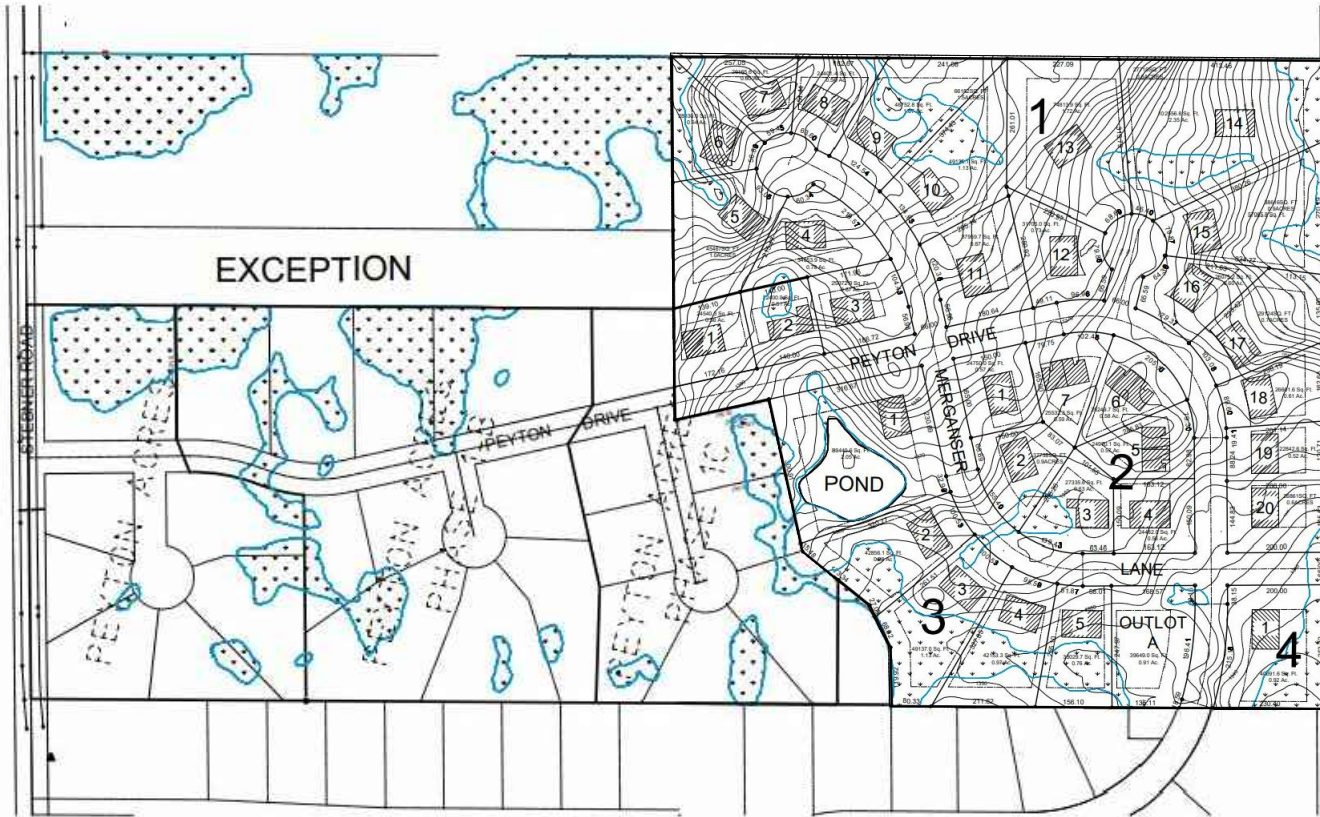
ST. LOUIS COUNTY RECORDER

I hereby certify that this plat of PEYTON ACRES PHASE 2 was filed in this office of the County Recorder for public record on this _____ day of _____, 20____, at _____ o'clock _____ M., as Document No. _____

Wendy Levitt, County Recorder
Deputy

RON KRUEGER
Land Surveyor
7066 HIGHWAY 8
SAGINAW, MN 55779
Phone: 218-396-4030

**PEYTON ACRES
PHASING PLAN**



DATE: 2/10/23
SCALE: 1 IN = 100 FEET
PROJ. ADD:
PROJECT NO: 23-002

RON KRUEGER
Land Surveyor
1005 HIGHWAY 5
SAGINAW, MN 55775
Phone: 218.250.4030

5D. 4307 Ugstad Road– Special Use Permit - Filling and grading within a Recreational Environment Shoreland Overlay Zone

Applicant: Hermantown Area Hockey Association
Case No.: 2023-27 SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Issue a special use permit for filling and grading within a Recreational Environment Shoreland Overlay for construction of two outdoor skating rinks

RECOMMENDED ACTION:

Approve a Special Use Permit for filling and grading within a Recreational Environment Shoreland Overlay Zone.

DESCRIPTION OF REQUEST:

Hermantown Area Hockey Association (Applicant) desires to build two new outdoor skating rinks at 4307 Ugstad Road. The proposed rinks are within a Recreational Environment Shoreland Area and will require filling and grading within an approximately 16,000 square feet area of disturbance.

SITE INFORMATION:

Parcel Size: +/-11 acres
Legal Access: 4307 Ugstad Road
Wetlands: Yes per the National Wetland Inventory – currently being delineated
Existing Zoning: P, Public
Airport Overlay: N/A
Shoreland Overlay: Yes – Recreational Environment Development Shoreland
Comprehensive Plan: Suburban

BACKGROUND

As part of the Hermantown Community Recreation Initiative, an addition to the Hermantown Arena was approved by the City residents. The preferred location of this addition is on the west side of the existing building where there are currently two outdoor skating rinks.

In an effort to utilize fill material from the adjacent Ugstad Road project, the fill would be placed to the north of the building towards Hawk Circle Drive, where the two new proposed rinks would be constructed. This area of the property is currently wooded and has approximately 4 feet of elevation change from north to south. The fill material would be used to level this area in order to provide a pad for the two relocated outdoor rinks. It is anticipated that these relocated rinks would come into use in

the winter season of 2024, which allows for the settling of the fill material in order to create a compact base for the relocated outdoor rinks.

Wetlands

Per the National Wetland Inventory (NWI) there is a wetland located in the northeast portion of the property. A wetland delineation is currently being conducted with the delineation and any impacts being reviewed by the Hermantown Technical Evaluation Panel.

Shoreland Area

The eastern portion of the property is located within a Recreational Shoreland Area and is subject to the requirements of the City's Shoreland Ordinance as it pertains to grading a filling within a shoreland area.

Special Use Permit

The Special Use Permit is for filling and grading within a Shoreland zone. There are general conditions for all SUPs. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The proposed use is similar to the uses on the rest of the property and in keeping with the public nature of the property.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

Conditions placed on the SUP to minimize the clearing and grading within the shoreland area meet the intent of the zoning ordinance to protect natural resources.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

Per the 2001 Hermantown Comprehensive Plan, this area of the City is guided to 'Maintain Suburban Character, Preserve Critical Natural Features, Phase Residential Development, Develop Existing and New Park Areas'.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The proposed use is similar to the uses on the rest of the property and in keeping with the public nature of the property.

5. Other criteria required to be considered under the provisions of this code for any special use permit.

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2.

Findings of Fact and Recommendations

Staff recommends approval of the special use application to construct a two-family dwelling in a Recreational Shoreland Area, subject to the following:

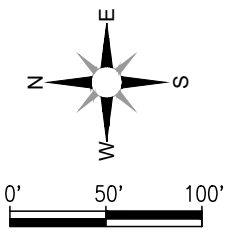
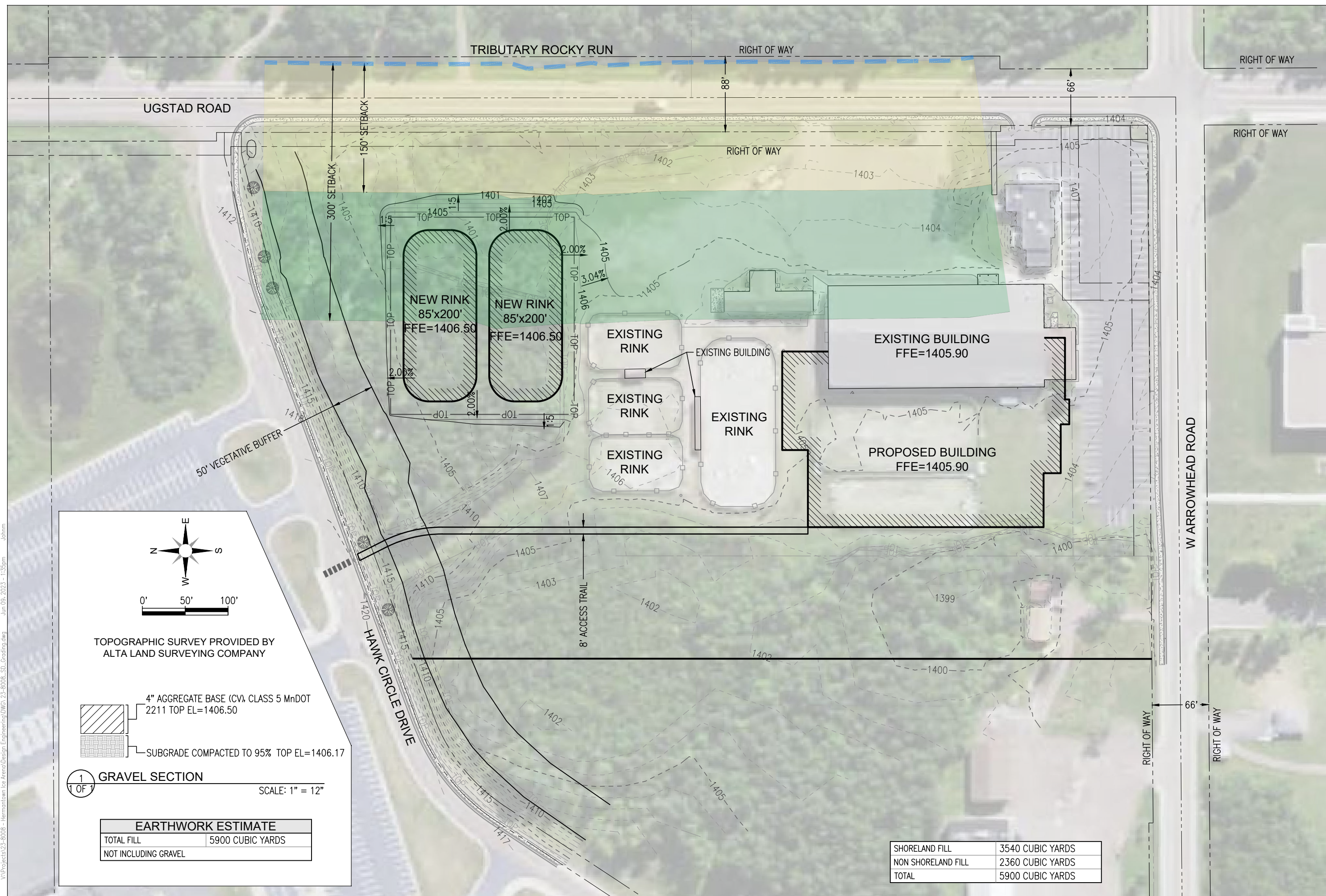
1. The approval is for a Special Use Permit for filling and grading in a Recreational Environment Shoreland area for the purpose of constructing two outdoor skating rinks. The Community Development Director may approve minor variations to filling and grading as long as the variations do not result in any wetland impacts.
2. The City will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
 - a. The smallest amount of bare ground is exposed for as short a time as feasible;
 - b. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
 - c. Adequate methods to prevent erosion and trap sediment are employed;
 - d. Fill is stabilized to accepted engineering standards;
 - e. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
 - f. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
 - g. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
 - h. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

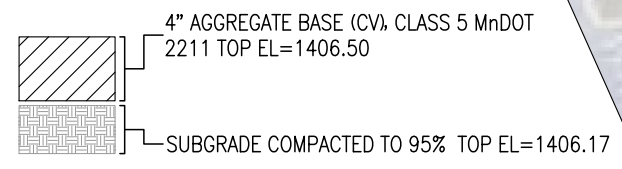
- Location Map
- Proposed Grading Plan

Location Map





TOPOGRAPHIC SURVEY PROVIDED BY
ALTA LAND SURVEYING COMPANY



1
OF 1
GRAVEL SECTION
SCALE: 1" = 12"

EARTHWORK ESTIMATE	
TOTAL FILL	5900 CUBIC YARDS
NOT INCLUDING GRAVEL	

SHORELAND FILL	3540 CUBIC YARDS
NON SHORELAND FILL	2360 CUBIC YARDS
TOTAL	5900 CUBIC YARDS

HERMANTOWN ICE ARENA
SITE IMPROVEMENTS
UGSTAD RD, HERMANTOWN, MN 55811



5E. 5328 W. Arrowhead Road – Commercial Industrial Development Permit (CIDP)

- Applicant:** Hermantown Community Schools
Case No.: 2023-26-CIDP
Staff Contact: Eric Johnson, Community Development Director
Request: Approve a Commercial Industrial Development Permit with conditions for a 5,600 square foot district office building with associated site improvements.

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to construct a 5,600 square foot district office building with associated site improvements for the Hermantown Community Schools (Applicant). The property is located at 5328 W. Arrowhead Road and is located in a P, Public zoning district.

DESCRIPTION OF REQUEST:

The property at 5328 W. Arrowhead Road is owned by the City of Hermantown and contains a portion of the Essentia Wellness Center building and parking lot as well as two existing garages that were once part of a former residential structure located on the property.

As part of the Community Recreation Initiative, it is envisioned that the existing Hermantown Community Schools district office located at 4307 Ugstad Road would be relocated to the subject property. The City of Hermantown and the School District are currently in discussions for a land swap arrangement that would subdivide the subject property into it's own parcel for the proposed district office.

The proposed district office site consists of a 5,600 square foot building. The design provides for a 25 space parking lot located on the north and west sides of the building. A stormwater area is proposed on the southwest portion of the property.

The site is accessed from West Arrowhead Road with an addition egress drive being located on the south of the property which connects to the Essentia Wellness Center property.

SITE INFORMATION:

Parcel Size: +/-4.0 acres (entire property)
Legal Access: 5328 W. Arrowhead Road
Wetlands: Yes, currently being delineated
Existing Zoning: P, Public
Airport Overlay: N/A
Shoreland Overlay: N/A
Comprehensive Plan: Residential

ZONING ANALYSIS:

Zoning District: P, Public		
Type	Required	Proposed
Min Lot Area	None	+/-4.0 acres
Lot Width	None	690 feet along West Arrowhead Road ROW (for proposed lot)
Front Yard	35 feet ROW	70 feet
Rear Yard	25 feet	70 feet
Side Yard	15 feet	25 feet minimum
Lot coverage	35%	3.2%
Maximum Building Height	50 feet	22 feet
Parking	22 spaces	25 spaces

Stormwater Management

The applicant has submitted final engineering plans and stormwater calculations for the proposed project. The stormwater pond is located in the southwest corner of the property. The City Engineer will review these plans and upon his concurrence, City staff will issue a Stormwater Certificate.

Access

The site is accessed from West Arrowhead Road. In addition, there is a proposed driveway connection on the south side of the proposed parcel to the Essentia Wellness Center (EWC) parking lot. The City will require a cross access agreement for this driveway.

Utilities

The project will access the existing watermain that is in the eastern portion of the EWC site. The sanitary sewer service will come from West Arrowhead Road. The applicant will need to coordinate with the City in order to connect into the lines. The applicant has submitted final engineering plans for this design which the City Engineer will review and upon his concurrence, City staff will issue a Final CIDP.

Building Architecture

The proposed building is 5,600 square feet in size and approximately 22 feet in height. The façade is comprised of masonry veneer, wood effect cement panels and aluminum storefront windows. The roof is comprised of asphalt shingles.

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

The trash/service area is in the southeast rear of the building. This area is screened with a decorative fence.

Parcel Split

The applicant has applied for an administrative parcel split in order to subdivide the property. There is no Planning and Zoning Commission action or review required for this application.

Wetlands

Per the National Wetland Inventory, there is wetland along the western portion of the property. The property is currently being delineated and will be submitted to the Hermantown Technical Evaluation Panel for its review and approval.

SUMMARY AND RECOMMENDATION:

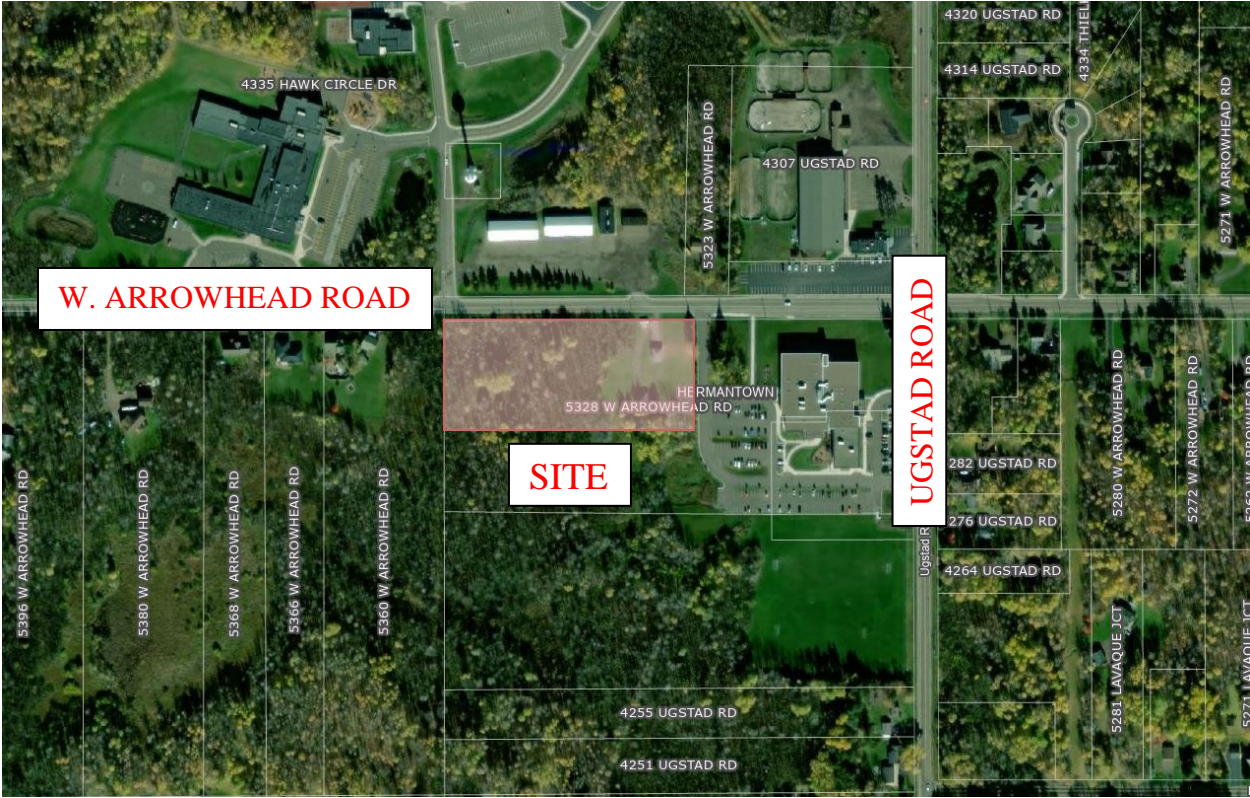
Staff recommends approval of the Commercial Industrial Development Permit based on the findings set forth in the Staff report, subject to the following conditions:

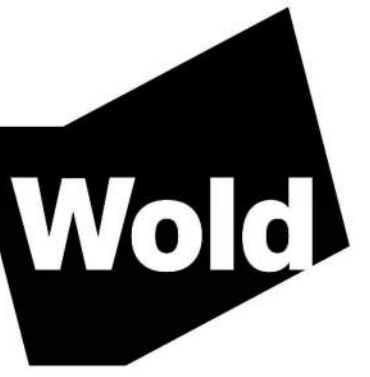
1. The applicant is seeking to construct a 625 square foot, drive-thru only coffee shop with associated site improvements. Upon City staff approval of the final site engineering and architectural plans, staff will then issue a final Commercial Industrial Development Permit (CIDP).
2. The proposal meets 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





SYMBOL LEGEND

- NEW BITUMINOUS PAVEMENT
SEE DETAIL, 1/C500
- NEW LIGHT-DUTY CONCRETE PAVEMENT
SEE DETAIL, 2/C500
- NEW STOOP, SEE ARCH/STR
- NEW ORNAMENTAL PLANT, FEATHERED REED GRASS
SEE DETAIL, 4/C501
- NEW ORNAMENTAL PLANT, STELLA DE ORO DAYLILY
SEE DETAIL, 4/C501
- HACKBERRY TREE (3" B&B)
SEE DETAIL, 5/C501

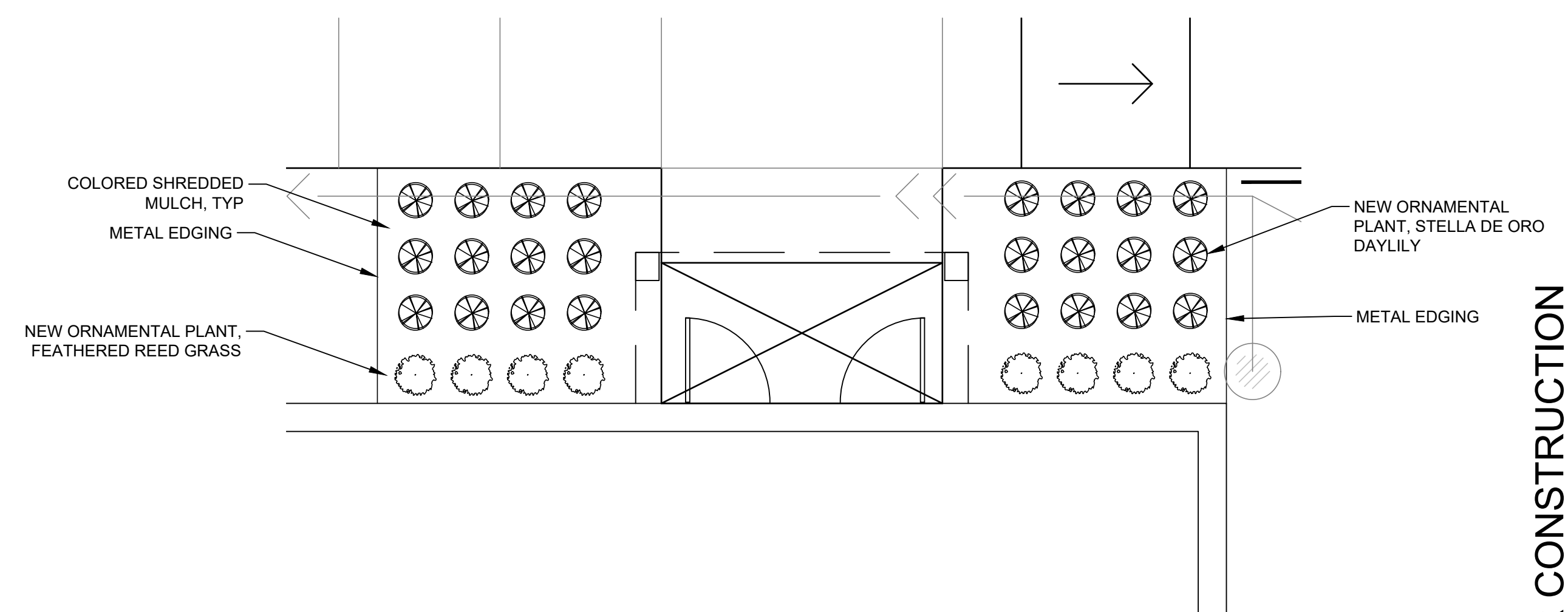
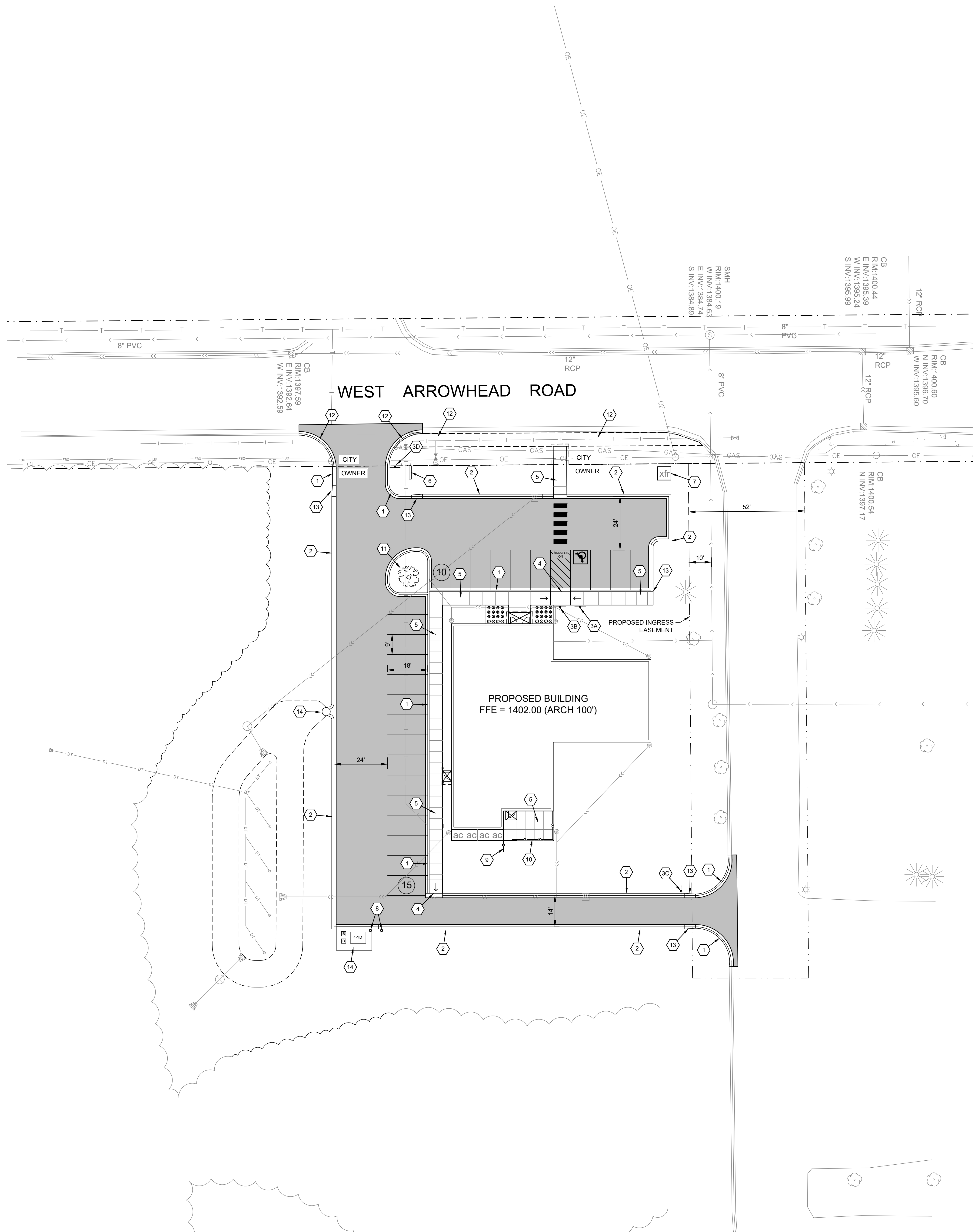
NOTE: THE CONCRETE JOINTS ARE SHOWN ONLY FOR GENERAL REFERENCE TO SIGNIFY LIGHT-DUTY CONCRETE PAVEMENT. ACTUAL JOINTS SHALL BE CONSTRUCTED PER PROJECT SPECIFICATIONS.

GENERAL

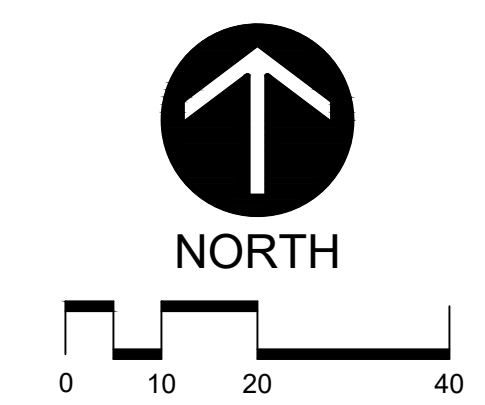
- PROPERTY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- SETBACK LINE

KEY NOTES

- 1 NEW B612 CONCRETE CURB AND GUTTER, SEE DETAIL 4/C500
- 2 NEW SURMOUNTABLE CURB AND GUTTER, SEE DETAIL 5/C500
- 3 NEW PARKING SIGN AND POST, SEE DETAIL 7/C500
A: ADA PARKING
B: ADA ACCESS AISLE
C: DO NOT ENTER
D: STOP
- 4 NEW ACCESSIBLE CURB RAMP, SEE DETAIL 6/C500
- 5 NEW CONCRETE SIDEWALK
- 6 NEW MONUMENT SIGN, SEE ARCH
- 7 SEE ELECTRICAL
- 8 NEW BOLLARD, SEE DETAIL 8/C500
- 9 NEW 6' SCREEN FENCE, SEE DETAIL 1/C502
- 10 NEW 4' DECORATIVE FENCE, SEE DETAIL 2/C501
- 11 NEW DECIDUOUS TREE PLANTING, SEE DETAIL 6/C501
- 12 NEW CURB/WALK BY CITY
- 13 TRANSITION CURB
- 14 NEW RAIN GUARDIAN TURRET, SEE DETAIL 3/C502
- 14 NEW HEAVY-DUTY CONCRETE, SEE DETAIL 3/C500



1 PLANTING ENLARGEMENT
C200 NOT TO SCALE



CITY SUBMITTAL - NOT FOR CONSTRUCTION

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

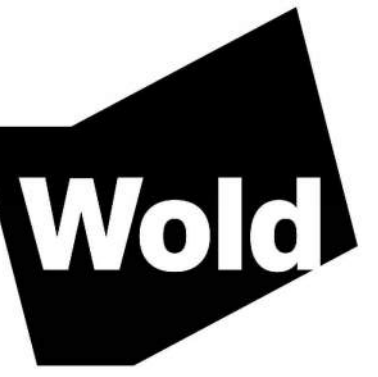
Eric G. Meyer
Eric G. Meyer, P.E.
Date: 05.17.2023 Lic. No.: 44592

Description	Revisions	
	Date	Num

Project: 12236007
Date: 05/17/2023
Drawn: JTM
Check: EGM

PAVING AND DIMENSION PLAN

C200



KEY NOTES

- 1 NEW ROCK CONSTRUCTION ENTRANCE, SEE DETAIL 13/C500
- 2 NEW RIP RAP WEIR OVERFLOW, SEE DETAIL 14/C500
- 3 RIP RAP AT OUTLET, SEE DETAIL 15/C500
- 4 RAIN GUARDIAN WITH RIP RAP, SEE DETAIL 1/C501
- 5 EROSION CONTROL BLANKET, SEE DETAIL 3/C501
- 6 INLET PROTECTION DEVICE, SEE DETAIL 4/C501
- 7 SILT FENCE, SEE DETAIL 2/C501
- 8 FILTRATION BASIN, SEE DETAIL 4/C502

SYMBOL LEGEND

- 950 EXISTING CONTOURS
- 950 PROPOSED CONTOURS - MAJOR INTERVAL
- 949 PROPOSED CONTOURS - MINOR INTERVAL
- GRADE BREAK LINE
- GRADE SLOPE
- 2.0%
- CONCRETE WASHOUT STATION (CONTRACTOR LOCATE)
- SPOT ABBREVIATIONS:
TC - TOP OF CURB
GL - GUTTER LINE
GO - GUTTER OUT
B - BITUMINOUS
C - CONCRETE
EO - EMERGENCY OVERFLOW
TW - TOP OF WALL
BW - BOTTOM OF WALL (FIG)
(*) - EXISTING TO BE VERIFIED

GRADING NOTES

- 1. Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
- 2. All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
- 3. Grades shown in paved areas represent finish elevation.
- 4. All disturbed areas to receive 4" of good quality topsoil and seed.
- 5. All construction shall be performed in accordance with state and local standard specifications for construction.

EROSION CONTROL NOTES

- 1. Owner and Contractor shall obtain MPCA-NPDES permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- 2. Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- 3. Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- 4. All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- 5. The toe of the silt fence shall be trenched in a minimum of 6". The trench backfill shall be compacted with a vibratory plate compactor.
- 6. All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- 7. All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- 8. The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 14 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- 9. Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- 10. All riprap shall be installed with a filter material or soil separation fabric and comply with the Minnesota Department of Transportation Standard Specifications.
- 11. All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the receptor wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- 12. All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- 13. In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- 14. Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- 15. All BMPs must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the capacity of the BMP. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- 16. If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- 17. All soils tracked onto pavement shall be removed daily.
- 18. All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- 19. Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.
- 20. Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- 21. Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- 22. External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- 23. All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- 24. Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- 25. All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- 26. Contractor shall submit Notice of Termination for MPCA-NPDES permit within 30 days after Final Stabilization.

CITY SUBMITTAL - NOT FOR CONSTRUCTION

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

Eric G. Meyer
Eric G. Meyer, P.E.
Date: 05.17.2023 Lic. No.: 44592

Description	Revisions	
	Date	Num

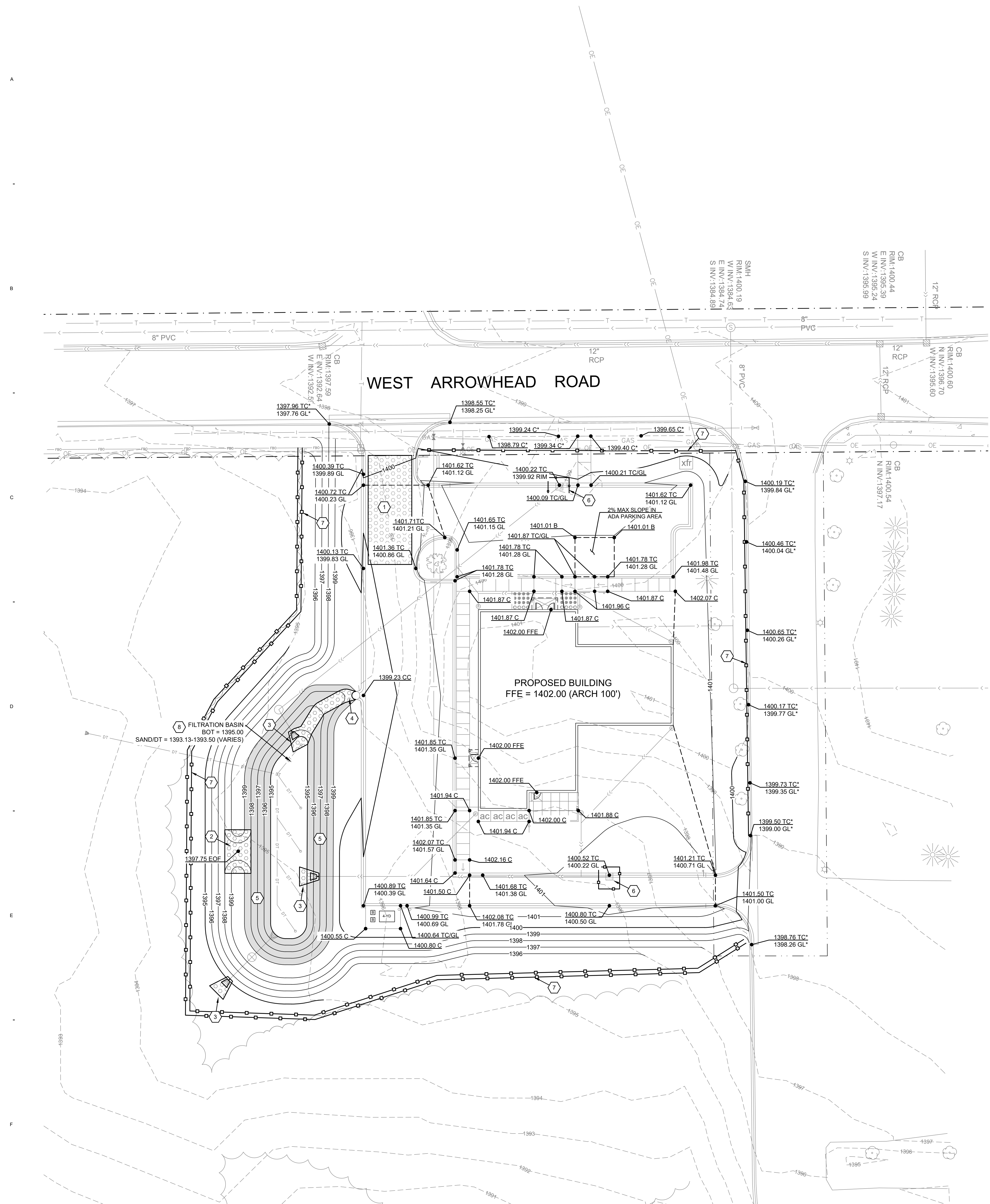
Project: 12236007
Date: 05/17/2023
Drawn: JTM
Check: EGM
North

GRADING AND EROSION CONTROL PLAN

C300

MN

A





WOLD ARCHITECTS AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651.227.7773

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651.481.9120 (f) 651.481.9201
www.larsonengr.com

© 2023 Larson Engineering, Inc. All rights reserved.

SYMBOL LEGEND

- | | | | | | |
|---|------------------|-----|-----|---|------------------------------|
| ○ | STORM MANHOLE | —○— | CTV | — | CABLE UNDERGROUND LINE |
| ○ | CATCH BASIN | —○— | OE | — | ELECTRIC OVERHEAD LINE |
| □ | CURB INLET | —○— | UE | — | ELECTRIC UNDERGROUND LINE |
| △ | FLARED END | —○— | FO | — | FIBER OPTIC UNDERGROUND LINE |
| ○ | SANITARY MANHOLE | —○— | GAS | — | NATURAL GAS UNDERGROUND LINE |
| ○ | HYDRANT | —○— | → | — | SANITARY SEWER PIPE |
| ⊕ | GATE VALVE & BOX | —○— | → | — | STORM SEWER PIPE |
| ⊗ | WATER SHUTOFF | —○— | → | — | TELEPHONE UNDERGROUND LINE |
| ⊙ | LIGHT POLE | —○— | → | — | WATERMAIN PIPE |
| | | —○— | → | — | DRAINTILE PIPE |

KEY NOTES

- 1 CATCH BASIN MANHOLE, SEE DETAIL 9/C500
- 2 ROOF DRAIN CONNECTION DETAIL, (TURF), SEE DETAIL 10/C500
- 3 OUTLET CONTROL STRUCTURE MANHOLE, SEE DETAIL 11/C500
- 4 FLARED END SECTION, SEE DETAIL 12/C500
- 5 TYPICAL SEWER SERVICE CONNECTION, SEE DETAIL 7/C501
- 6 SANITARY MANHOLE, SEE DETAIL 8/C501
- 7 MITERED END GRATE, SEE DETAIL 5/C502
- 8 FILTRATION BASIN CLEANOUT, SEE DETAIL 6/C502

UTILITY NOTES

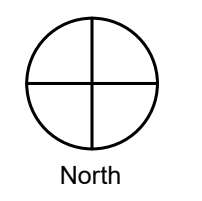
1. It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
2. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
3. The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
4. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
5. Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located within 10 feet of waterlines or the building.
6. HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
7. All RCP pipe shown on the plans shall be MNDOT class 3.
8. Maintain a minimum of 7 1/2' of cover over all water lines and sanitary sewer lines. Where 7 1/2' of cover is not provided, install 2" rigid polystyrene insulation (MNDOT 3760) with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8" wide, centered over pipe with 6" sand cushion between pipe and insulation. Where depth is less than 5', use 4" of insulation.
9. Install water lines 12" above sewers. Where the sewer is less than 12" below the water line (or above), install sewer piping of materials approved for inside building use for 10 feet on each side of the crossing.
10. All watermain piping shall be class 52 ductile iron pipe unless noted otherwise.
11. See Project Specifications for bedding requirements.
12. Pressure test and disinfect all new watermains in accordance with state and local requirements.
13. Sanitary sewer piping shall be PVC, SDR-35 for depths less than 12', PVC SDR-26 for depths between 12' and 26', and class 52 D.I.P. for depths of 26' or more.
14. A structure adjustment shall include removing and salvaging the existing casting assembly, removing existing concrete rings to the precast section. Install new rings and salvaged casting to proposed grades, cleaning casting flange by mechanical means to insure a sound surface and install an external chimney seal from casting to precast section. Chimney seals shall be Inf-Shield Uni-Band or an approved equal.

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

Eric G. Meyer
Eric G. Meyer, P.E.
Date: 05.17.2023 Lic. No.: 44592

Description	Revisions	
	Date	Num

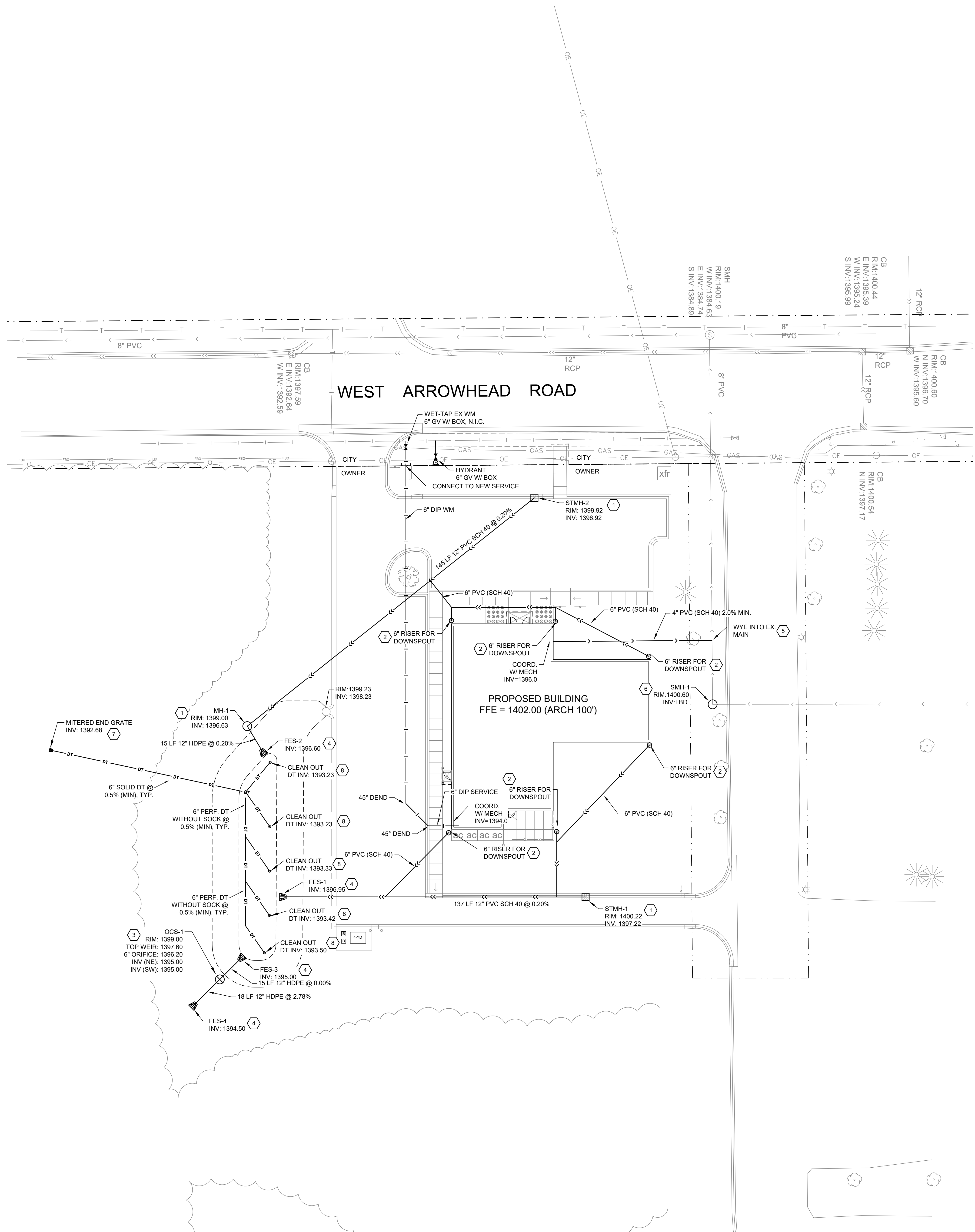
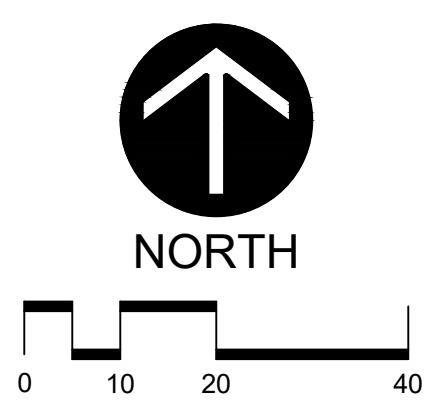
Project: 12236007
Date: 05/17/2023
Drawn: JTM
Check: EGM



UTILITY PLAN

C400

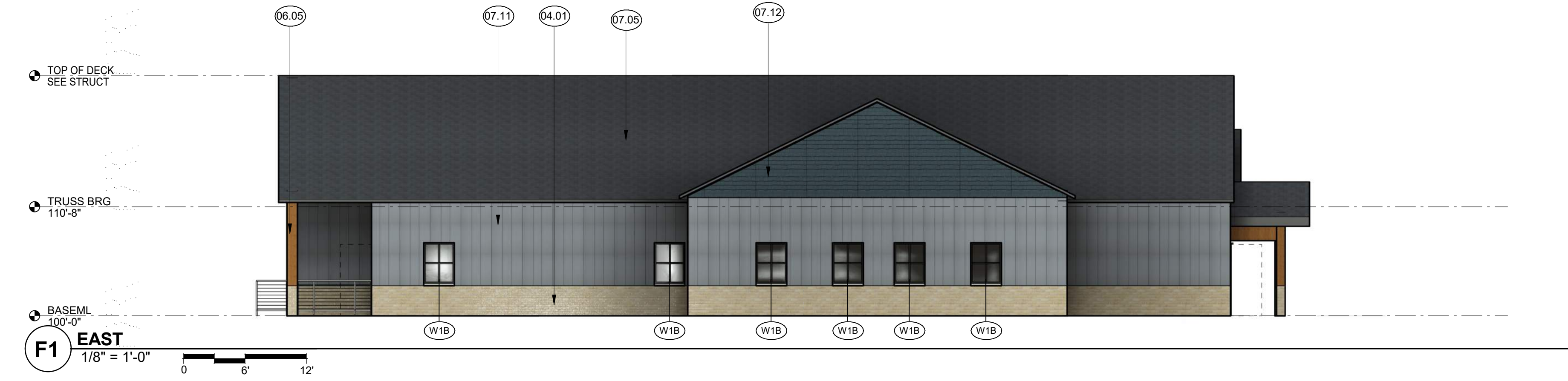
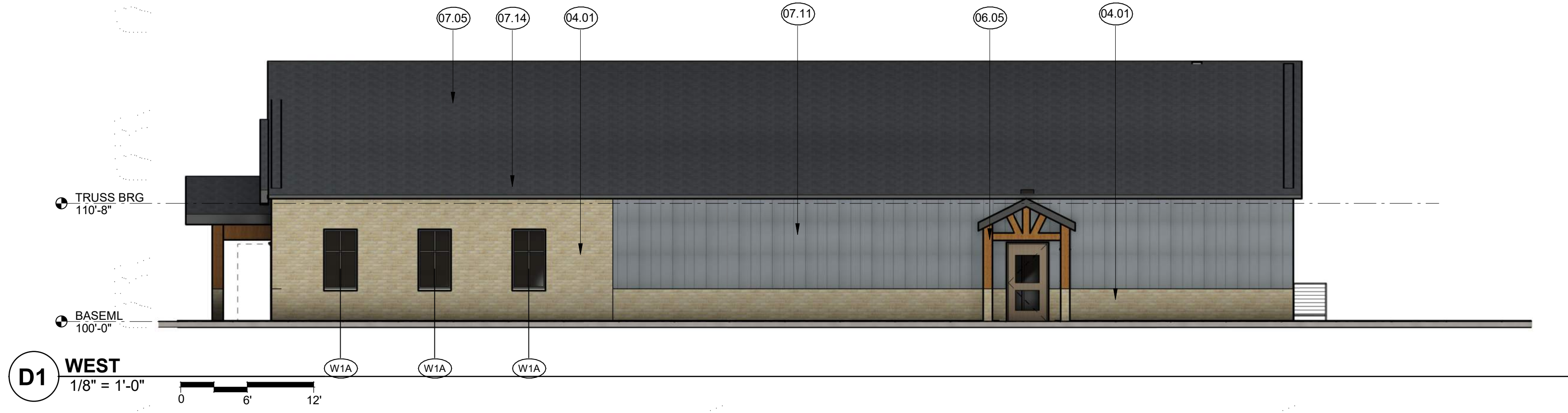
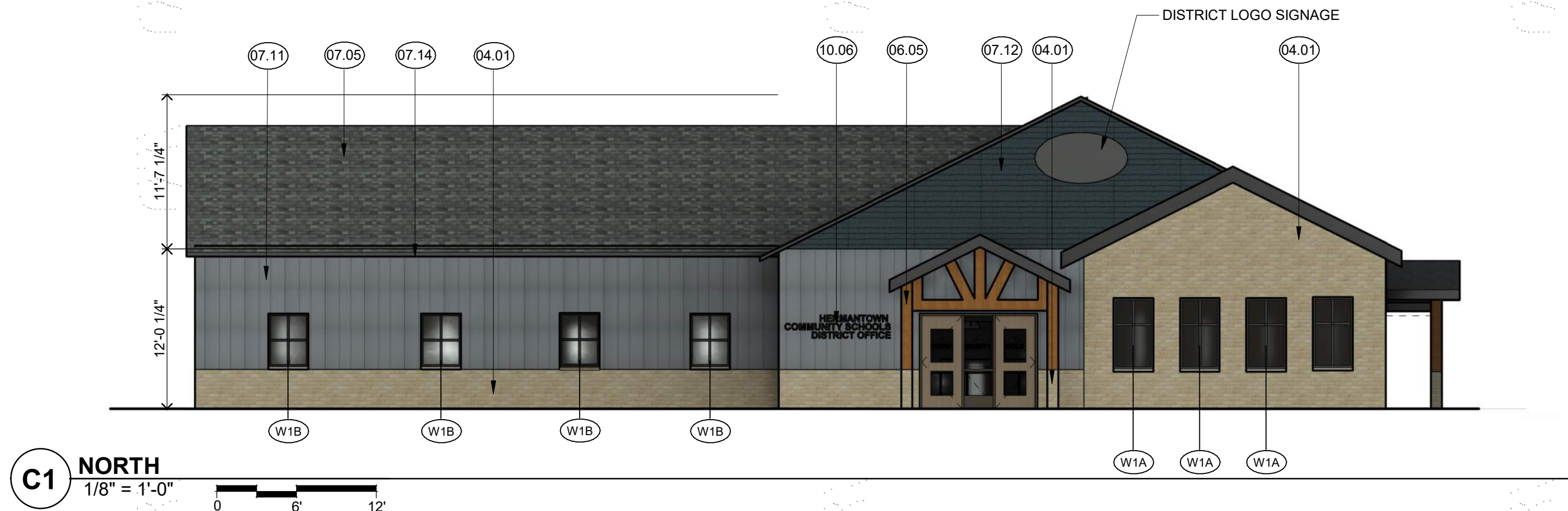
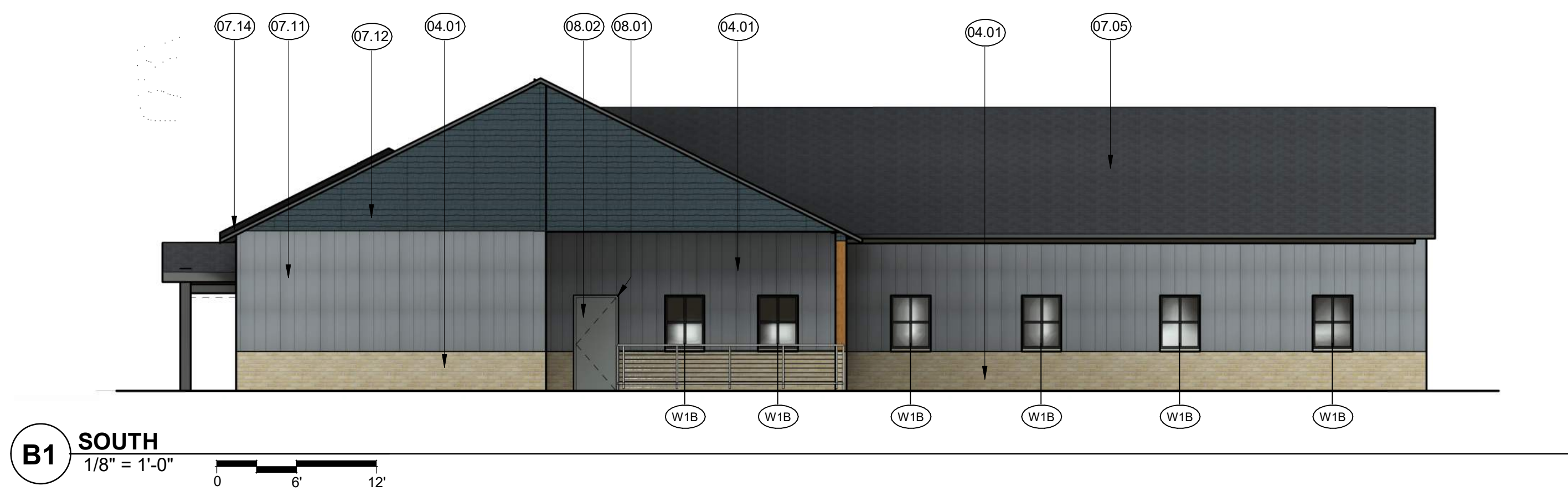
CITY SUBMITTAL - NOT FOR CONSTRUCTION



MN

A

MN



MATERIALS KEY	
KEY	MATERIAL
04.01	BRICK 1
06.05	GLUE LAMINATED WOOD
07.05	ASPHALT SHINGLES
07.11	FIBER SUBSTRATE SIDING #1 (VERTICAL)
07.12	FIBER SUBSTRATE SIDING #2 (SHAKE)
07.14	METAL FASCIA
08.01	HOLLOW METAL FRAME
08.02	HOLLOW METAL DOOR
10.06	ALUMINUM DIMENSION LETTER SIGNAGE

Hermantown New District Office

5XXX W Arrowhead Rd,
Hermantown, MN 55811

HERMANTOWN COMMUNITY SCHOOLS
Hermantown, MN



WOLD ARCHITECTS AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651.227.7773

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 ARCHITECT under the laws of the State of Reg State

SARAH BAGLEY
License Number: Arch Num Date Issue Date

Description	Revisions	
	Date	Num

Comm: 222253
Date: 5/23/2023
Drawn: MLL
Check: MCK

EXTERIOR ELEVATIONS

Scale: 1/8" = 1'-0"
A5.101

5/23/2023 11:17:39 AM
 C:\Users\mll\OneDrive\Documents\2023\20230523_Hermantown New District Office\Drawings\A5.101_Ext Elevations.dwg
 5/23/2023 11:17:39 AM

5F. 5328 W. Arrowhead Road – Commercial Industrial Development Permit (CIDP)

<u>Applicant:</u>	Dirt, Inc. (Rob Irving)
<u>Case No.:</u>	2023-23-CIDP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approve a Commercial Industrial Development Permit with conditions for a 6,720 square foot retail/shop building with associated site improvements.

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to construct a 6,720 square foot retail/shop building with associated site improvements for Dirt, Inc./Rob Irving (Applicant). The property is located at 3750 Midway Road and is located in a BLM, Business and Light Manufacturing zoning district.

DESCRIPTION OF REQUEST:

The Applicant is proposing a 6,720 square foot building. The design provides for a 17 space parking lot located on the west and south sides of the building. A stormwater area is proposed on the southeast portion of the property.

The Applicant is proposing 3,040 square feet of the building to house three businesses with the remaining 3,680 square feet comprised of shop/storage space. The Applicant envisions this as a low volume retail space with most customers being on an appointment only basis.

The site is accessed from Midway Road via an existing driveway.

SITE INFORMATION:

Parcel Size:	7.38 acres
Legal Access:	3750 Midway Road
Wetlands:	None Per National Wetland Inventory
Existing Zoning:	BLM, Business and Light Manufacturing
Airport Overlay:	N/A
Shoreland Overlay:	N/A
Comprehensive Plan:	Commercial

ZONING ANALYSIS:

Zoning District: BLM, Business and Light Manufacturing		
Type	Required	Proposed
Min Lot Area	None	7.38 acres
Lot Width	100 feet	243 feet along Midway Road ROW
Front Yard	20 feet ROW	30 feet
Rear Yard	20 feet	250 feet
Side Yard	20 feet	30 feet minimum
Lot coverage	35%	2.0%
Maximum Building Height	80 feet	30 feet
Parking	17 spaces	17 spaces

Stormwater Management

The stormwater created by the building will drain from the roof to 2 – 8” pvc pipes connected to the downspouts. Stormwater collected from the parking lot and storage area will surface drain to a ditch on the south portion of the parking lot and into a 12” pvc pipe. This pipe then daylights at a proposed detention basin located in the SE corner of the property.

The applicant has submitted conceptual plans locating the proposed stormwater treatment system and its 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 site is accessed from Midway Road via an existing driveway. The applicant will need to coordinate any required permits with the St. Louis County DOT.

Utilities

The property is located in an area of the City which does not have any public water or sanitary sewer service. The applicant will need to coordinate with and secure permits from St. Louis County for well and septic systems.

Building Architecture

The proposed building is 6,720 square feet in size and approximately xx feet in height. The building is comprised of a 3,040 square foot retail space and a 3,680 shop/storage area. The façade is comprised of masonry veneer, wood effect cement panels and aluminum storefront windows. The roof is comprised of asphalt shingles.

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

The trash area is in the rear of the building on the opposite side of Midway Road.

Wetlands

Per the National Wetland Inventory, there are no wetlands associated with the property.

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 6,720 square foot retail/shop building with associated site improvements. Upon City staff approval of the final site engineering and architectural plans, staff will then issue a final Commercial Industrial Development Permit (CIDP).
2. The proposal meets the requirements of Section 535, “BLM, Business and Light Manufacturing” 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. The applicant shall sign a consent form assenting to all conditions of this approval.
7. 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 Building Images

Location Map



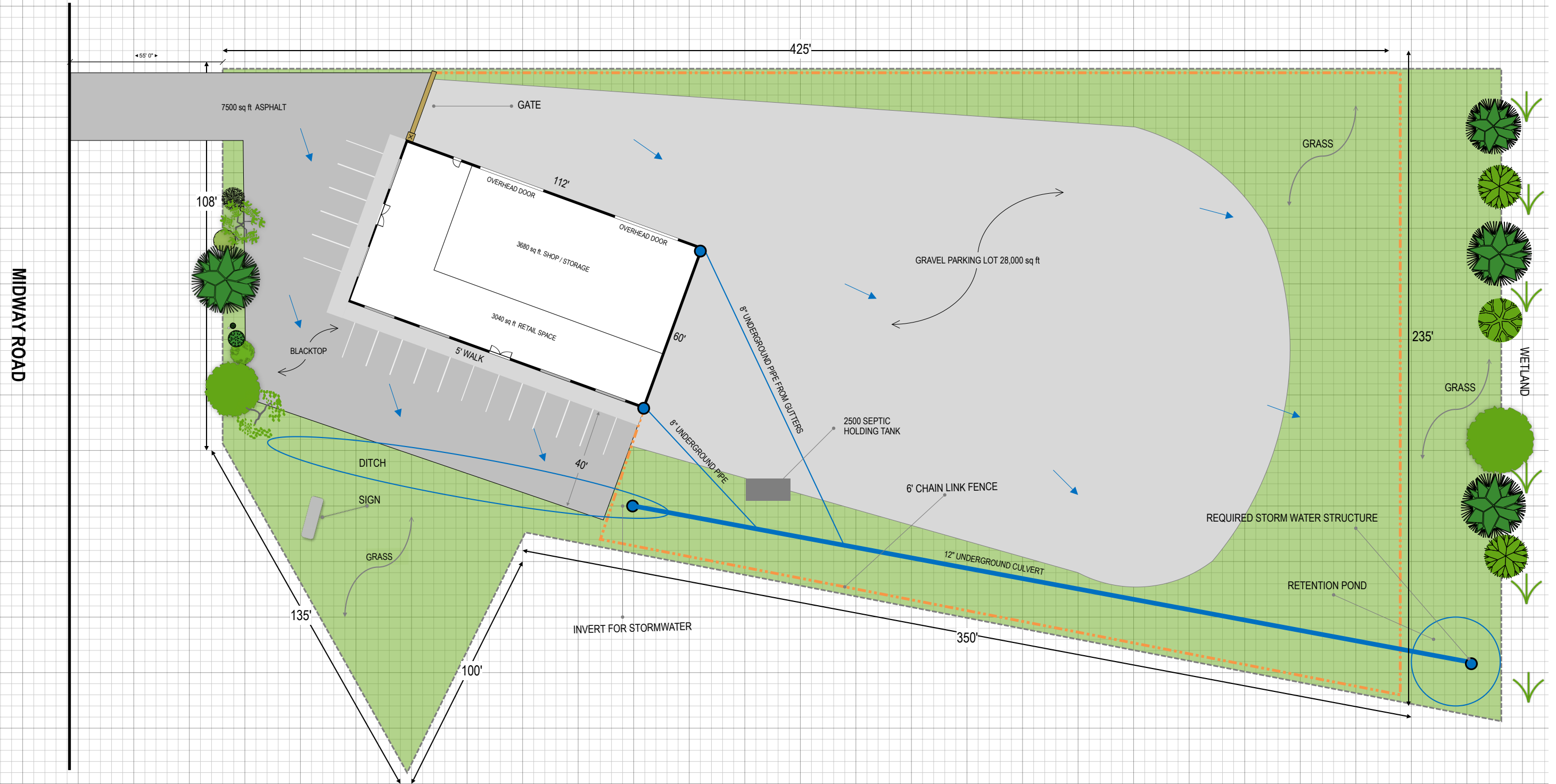
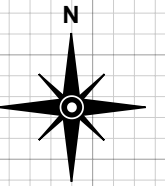


Rob Irving
 Dirt Inc. / Northland Homes
 18.348.2284
 robdirving@gmail.com

3750 MIDWAY ROAD PROPOSED SITE PLAN

PID: 395-0010-08760

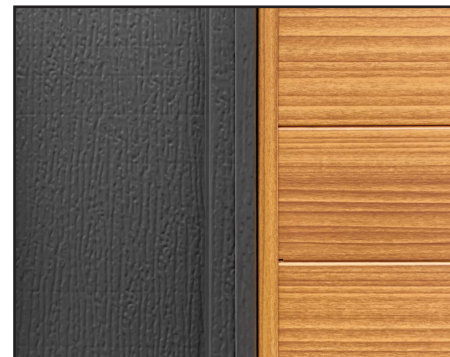
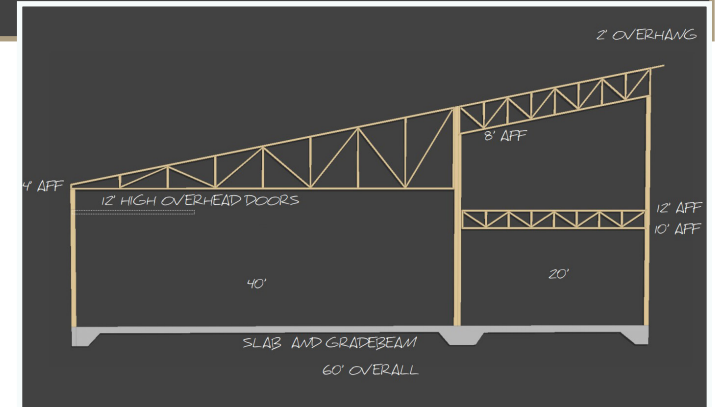
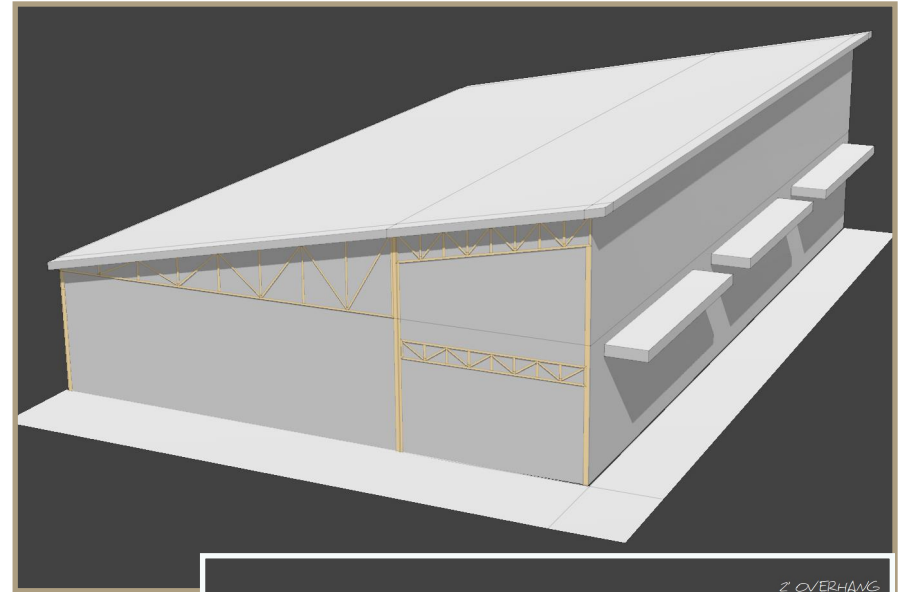
7.4 ACRES





Rob Irving

Dirt Inc / Northland Homes
3750 Midway Road
Proposed Building Visual



5G. 5 106 Hermantown Road– Special Use Permit - Construction of a two-family residential structure in a R-3, Residential Zoning District

<u>Applicant:</u>	Russ Bradley
<u>Case No.:</u>	2023-16 SUP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Issue a special use permit for construction of a two-family residential structure in a R-3, Residential District

RECOMMENDED ACTION:

Approve a Special Use Permit for construction of a two-family residential structure in a R-3, Residential zoning district.

DESCRIPTION OF REQUEST:

Russ Bradley (Applicant) requests a special use permit to construct a two-family dwelling unit in an R-3 Residential zone.

SITE INFORMATION:

Parcel Size:	5.62 acres
Legal Access:	5106 Hermantown Road
Wetlands:	Yes per the National Wetland Inventory – no impacts required
Existing Zoning:	R-3, Residential
Airport Overlay:	N/A
Shoreland Overlay:	N/A
Comprehensive Plan:	Residential

BACKGROUND

The Applicant owns property at 5106 Hermantown Road. There is currently an existing single family home and two accessory buildings located on the property. The Applicant is proposing to subdivide the property in order to create a new 4+ acre parcel in order to construct a two-family home. The two existing accessory buildings will be located on the newly created parcel.

ZONING ANALYSIS

Two-family dwellings are allowed by Special Use Permit (SUP) in the R-3 – Residential Zoning District. There are specific conditions which apply to two-family dwellings in addition to the standard regulations in the zoning district. The existing property meets the minimum lot dimensions associated with the construction of a two-family dwelling.

Table 1. Twin Home Requirements	Requirement	Provided
Minimum lot area	1.0 acre	+/-2.0 acres
Minimum lot width	150 feet	150 feet
Minimum depth of front yard	50 feet	50 feet minimum
Minimum side yard	40 feet	40 feet minimum
Minimum rear yard	40 feet	216 feet
Minimum distance from nearest condominiums, town homes, two-family dwellings	200 feet	Greater than 200 feet.
Minimum living area per unit	792 sq. ft.	1,800 sq. ft.

Utilities

There are existing water and sanitary sewer services in the Hermantown Road/Lavaque Road right of way. However, these lines do not front the property along Hermantown Road. Given this, the Applicant is able to install private well and septic services for the proposed two-family structure. The Applicant is required to obtain the necessary permits for St. Louis County for these private utilities.

Wetlands

Per the National Wetland Inventory (NWI) there is a wetland located southwest of the proposed two-family home. There are no proposed impacts to this wetland for the proposed two-family structure.

Parcel Split

The Applicant has submitted an application for the administrative subdivision of this property. City staff will process this application assuming ultimate approval by the City Council for the SUP for the proposed two-family home.

Special Use Permit

The Special Use Permit is for construction of a two-family residential structure in a R-3, Residential zoning district. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The proposed use is compatible with development within the vicinity which is characterized by low and medium density residential and residential compatible uses.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

The proposed use will not interfere with the use and enjoyment of surrounding properties which consists of low density residential. The property and setbacks are of sufficient size to not interfere with neighboring properties.

3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;

The property is in an area marked for residential development in the Comprehensive Plan. A two-family home is consistent with the density and purpose of the R-3 – Residential zoning district.

4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.

The proposed use is similar to uses of nearby properties in density and style.

5. Other criteria required to be considered under the provisions of this code for any special use permit.

The project will meet requirements for minimum distance from other two-family dwellings and minimum living area per unit. Refer to Table 1 for specifics of the zoning analysis.

Findings of Fact and Recommendations

Staff recommends approval of the special use application to construct a two-family dwelling in a Recreational Shoreland Area, subject to the following:

1. The applicant shall connect to public sewer and water services at their own cost and be responsible for any connection or availability fees.
2. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the two-family residence relative to the side lot lines.
3. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
4. Prior to issuance of a building permit, all necessary permits shall be obtained.
5. The approval is for a Special Use Permit for filling and grading in a Recreational Environment Shoreland area for the purpose of constructing a two-family structure. The Community Development Director may approve minor variations to filling and grading as long as the variations do not result in any wetland impacts.
6. The applicant shall sign a consent form assenting to all conditions of this approval.

7. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

- Location Map
- Proposed Site Plan
- Proposed Building Elevation
- Proposed Building Floor Plan

Location Map





Scale: 1 inch = 60 feet

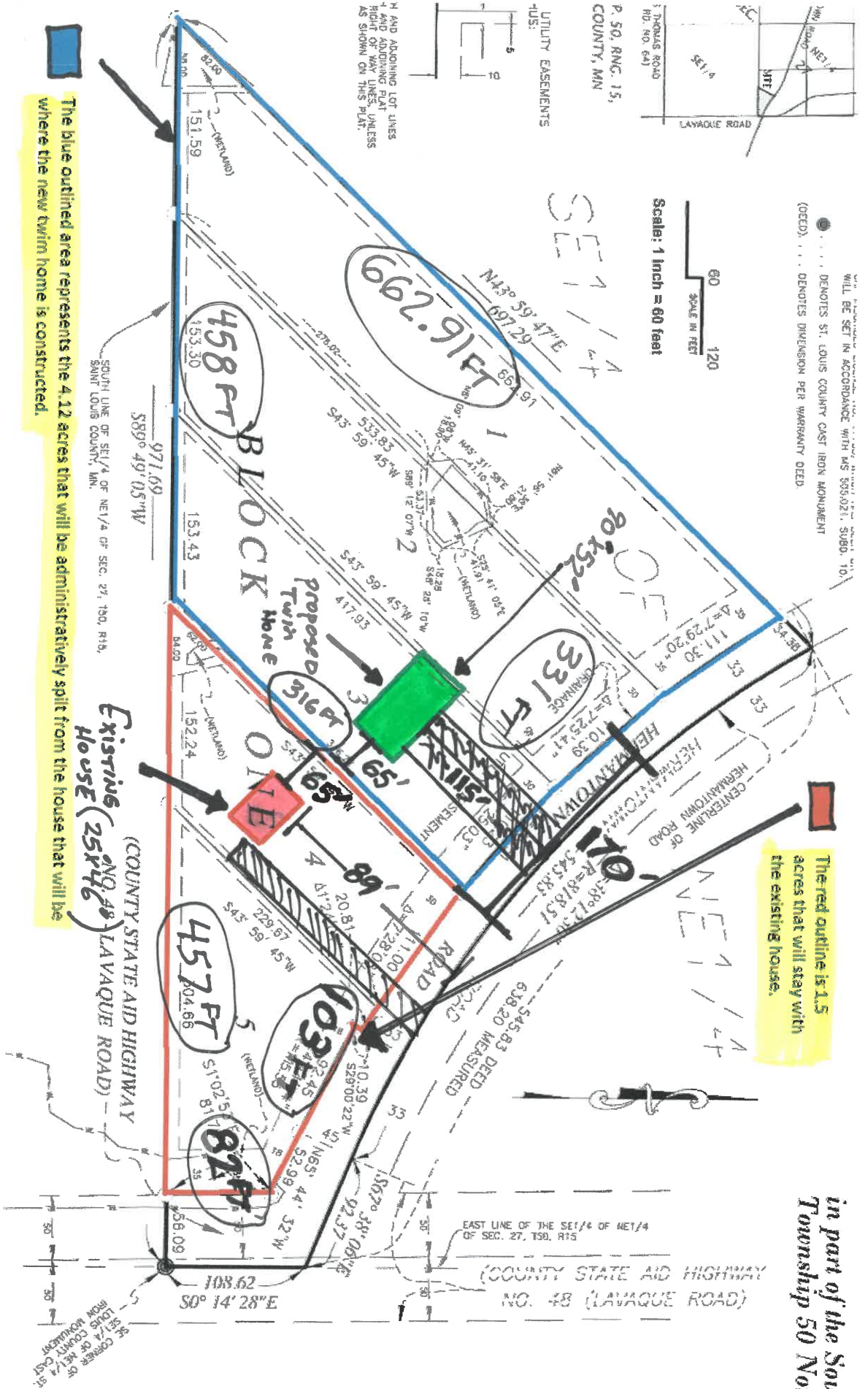
60
120
30ft IN FEET

P. 50, RNC. 15,
COUNTY, MN

UTILITY EASEMENTS
F.U.S.

AND ADJOINING LOT LINES
AND ADJOINING PLAT
RIGHT OF WAY LINES, UNLESS
AS SHOWN ON THIS PLAN.

WILL BE SET IN ACCORDANCE WITH MS 555.021, SUBD. 101
DENOTES ST. LOUIS COUNTY CAST IRON MONUMENT
DENOTES DIMENSION PER WARRANTY DEED



The blue outlined area represents the 4.12 acres that will be administratively split from the house that will be where the new twin home is constructed.

The red outline is 1.5 acres that will stay with the existing house.

in part of the South
Township 50 North

ST. CORNER OR
SE 1/4 OF NE 1/4 ST.
LOUIS COUNTY CAST
IRON MONUMENT

EAST LINE OF THE SE 1/4 OF NE 1/4
OF SEC. 27, T50, R15

(COUNTY STATE AID HIGHWAY
NO. 48 (LAVAQUE ROAD))

EXISTING
HOUSE (25x46)
(COUNTY STATE AID HIGHWAY
NO. 48 (LAVAQUE ROAD))

SOUTH LINE OF SE 1/4 OF NE 1/4 OF SEC. 27, T50, R15,
SOUTH LOUIS COUNTY, MN.

PROPOSED
TWIN HOME

BLOCK ONE

SE 1/4 NE 1/4

NE 1/4 SE 1/4

NO. 48

90x52

662.91 FT

458 FT

331 FT

457 FT

103 FT

87 FT

971.69

153.43

152.24

158.09

108.62

50° 14' 28" E

589° 49' 05" W

529° 00' 22" W

51° 02' 51" E

52° 08' 32" W

52° 08' 32" W

52° 08' 32" W

52° 08' 32" W

52° 08' 32" W

52° 08' 32" W

52° 08' 32" W

