



Hermantown Planning & Zoning Meeting – September 19, 2023

Hermantown's upcoming Planning & Zoning meeting will include both remote access and in-person access to Council Chambers. The remote access will be available through the platform, "Zoom," which allows the public to view and participate in the meeting via phone or computer. Interested parties can also choose to attend the Planning & Zoning meetings in person at City Hall.

Remote access to 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.
- Everyone has varying levels of comfort regarding remote technology, so grace and understanding are appreciated.



PLANNING & ZONING COMMISSION

Agenda
September 19, 2023
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - 3A. July 18, 2023 regular meeting.
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
 - 5A. An application by Union Cemetery Association for a rezoning of a 6.4-acre parcel located at 3807 Getchell Road. The parcel is currently zoned P, Public with a proposed rezoning to R-3, Residential.
 - 5B. An application by Civil Site Group for a Commercial Industrial Development Permit for a 10,700 square foot building expansion of the Titan Machinery business along with associated site and stormwater improvements. The property is located at 4311 Haines Road and is located in a BLM, Business and Light Manufacturing zoning district.
 - 5C. An application for a Special Use Permit by Civil Site Group for grading and filling in a Natural Environment Shoreland Area for the purpose of constructing a 10,700 square foot building expansion of the Titan Machinery business. The property is located at 4311 Haines Road and is located in a BLM, Business and Light Manufacturing zoning district.
6. **CONTINUING BUSINESS**
 - 6A. Update on Alternative Urban Areawide Review document for the proposed Hermantown Business Park
7. **NEW BUSINESS**
8. **COMMUNICATIONS**
 - 23-132 - Correspondence to Dale Siemsen, 4993 Thompson Rd.

PLANNING & ZONING COMMISSION

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9. COMMISSION MEMBER REPORTS

Joe Peterson

Corey Kolquist

Valerie Ouellette

Samuel Clark

Beth Wentzlaff

Buckley Simmons

Dante Tomassoni

John Geissler

ADJOURN



PLANNING & ZONING COMMISSION

July 18, 2023 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Corey Kolquist; Valerie Ouellette; Samuel Clark; Buckley Simmons; Beth Wentzloff; and Councilor John Geissler

Members Absent: Joe Peterson and Dante Tomassoni

Others Present: Eric Johnson, Community Development Director; Jerry Jenny, 5472 W Arrowhead Rd.; Brett Kolquist; and Doug Gulden, 5491 W Arrowhead Rd.

2. APPROVAL OF AGENDA

Motion made by Samuel Clark to approve the July 18, 2023 agenda as presented. Seconded by Valerie Ouellette. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Buckley Simmons to approve the June 21, 2023 minutes as presented. Seconded by Beth Wentzloff. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application by Doug Gulden for a Special Use Permit for the construction of a 1,600 square foot accessory structure. The property is located at 5491 W Arrowhead Road and is located in a R-3, Residential zoning district.

Eric Johnson, Community Development Director, presented the application by Doug Gulden who is requesting a Special Use Permit for construction of a 1,600 square foot accessory structure.

The proposed property is located on 5491 W Arrowhead Road, with the lot dimensions being approximately 166' x 660' for a total of 2.5 acres. The proposed accessory structure is approximately 215 feet from the nearest neighboring structure and approximately 320 feet from W Arrowhead Road.

Motion made by Buckley Simmons to approve the application by Doug Gulden for a Special Use Permit for the construction of a 1,600 square foot accessory structure. Seconded by Valerie Ouellette. Motion carried 5 to 0.

5B. An application by Brett Kolquist/Kolquist Trucking for a Commercial Industrial Development Permit for the construction of a 5,000 square foot district office building with associated site and stormwater improvements. The property is located at 498XLightning Drive and is located in a BLM, Business and Light Manufacturing zoning district.

Eric advised the commission that the applicant, Brett Kolquist/Kolquist Trucking, is proposing to construct a 5,000 square foot building. The design provides for 4 space parking spaces located on the north side of the building and a paved driving surface. A stormwater area is proposed on the south portion of the property.

The applicant is also proposing that the building to house his existing businesses will be relocated from another location in Hermantown. There may be the opportunity to rent one of the other garage bay areas to a future tenant. The applicant envisions this as a low volume traffic generating space with most/all of the trips being generated by the employees. The site is accessed from Lightning Drive via a proposed driveway entrance.

Motion made by Valerie Ouellette to approve the application by Brett Kolquist/Kolquist Trucking for a Commercial Industrial Development Permit for the construction of a 5,000 square foot district office building with associated site and stormwater improvements. Seconded by Beth Wentzlaff. Motion carried 5 to 0.

5C. Review of proposed Tax Increment Financing District No. 1-2: The Greenhouse.

Eric presented to the commission a recommendation seeking approval of a modification to Tax Increment Financing (TIF) Development District 1 for the purpose of constructing The Greenhouse project and subsequent site improvements within the vicinity. The Hermantown City Council will hold a public hearing on this issue at the August 21, 2023 meeting.

The Greenhouse is a proposed development by P&R Properties for the redevelopment of the 27 acre property at the former Engwalls Nursery. P&R has been in discussions with the City regarding this potential project for the past year. In September 2022, the Hermantown City Council approved the rezoning of the property to C, Commercial.

The City engaged Ehlers Public Finance Advisors to work with representatives from P&R and analyze the ability to utilize TIF for the redevelopment of the property. The conclusion of that analysis was:

Tax increments collected from the TIF District will enable the City to facilitate the development of the Engwall's floral site into a two-phase, two-building project with plans for an additional third phase to the north. The initial project includes 140 units of residential market-rate apartments with amenity spaces in Phase 1 and a second 120 unit building for Phase 2 on the southern 18 acres of land with plans to develop approximately 26 single-family homes on the remaining 9 acres to the north. Site work include improvements to ½ mile of Hermantown Road, a new north/south local road approximately ¼ of a mile in length, on-site stormwater improvements, construction of a City trail segment with parking and pedestrian shelter and public sewer and water improvements.

The Hermantown Economic Development Authority (HEDA)/City Council are considering a proposal to enlarge Development District No. 1 and to establish Tax Increment Financing District No. 2: The Greenhouse and to adopt a Tax Increment Financing Plan. The TIF District will be a redevelopment tax increment financing district on 27 acres of land associated with this development.

John Mulder, City Administrator, elaborated more to the commission and answered questions the members had.

Motion made by Buckley Simmons to approve the proposed Tax Increment Financing District No. 1-2: The Greenhouse. Seconded by Valerie Ouellette. Opposed by Samuel Clark. Motion carried 4 to 1.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – Absent

Corey Kolquist – None

Valerie Ouellette – None

Samuel Clark – None

Beth Wentzlaff – None

Buckley Simmons – None

Dante Tomassoni – Absent

John Geissler – Introduced Trish Crego, the new Utility and Infrastructure Director. Joe Wicklund, Communications & Community Engagement Director, gave an update on the upcoming Summerfest activities.

ADJOURN

Motion made by Samuel Clark to adjourn the meeting. Seconded by Beth Wentzlaff. Meeting adjourned at 8:20 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. Zoning Map Amendment – The northern 6.4 acres of Union Cemetery (3807 Getchell Road) from P, Public to R-3, Residential

Applicant: Union Cemetery Association
Case No.: 2023-54 ZM
Staff Contact: Eric Johnson, Community Development Director
Request: Rezone the northern 6.4 acres of Union Cemetery from P, Public to R-3, Residential. The property is located at 3807 Getchell Road.

RECOMMENDED ACTION:

Staff recommends that the Planning Commission recommend approval of the proposed change to the Hermantown Zoning Map by rezoning the northern 6.4 acres of Union Cemetery from P, Public to R-3, Residential. The property is located at 3807 Getchell Road.

SITE DATA

Address: 3807 Getchell Road
Comprehensive Plan: Concept Area 1: Maintain Suburban Character, Preserve Critical Natural Features, Phase Residential Development, Develop Existing and New Park Areas
Zoning: P, Public
Lot Size: 6.4 acres
Wetlands: None per the National Wetland Inventory
Shoreland Overlay: No
Airport Zoning: None

DESCRIPTION OF REQUEST:

Requested is the proposed change to the Hermantown Zoning Map by rezoning the northern 6.4 acres of Union Cemetery from P, Public to R-3, Residential. The property is located at 3807 Getchell Road. The purpose of the rezoning is to facilitate the sale of the property for future residential development.

BACKGROUND:

Union Cemetery Association (Applicant) owns two parcels associated with the Union Cemetery; 395-0010-07820 and 395-0010-07840. The southern portion of both of these parcels contain the cemetery with the northern 6.4 acres of these parcels being vacant. The Applicant does not foresee the need for this northern portion of land and is seeking to rezone this portion of property in order to be marketed for residential development.

Utilities

There is public water and sanitary sewer within the Getchell Road right of way. Any future residential development will be required to connect to the public utilities and pay any applicable connection and availability fees.

Wetlands

Per the National Wetland Inventory (NWI) there are no wetlands shown on the property. However, from staff review, there appears to be a swale that bisects the property running north/south which will need to be verified by a wetland delineator prior to any development of the property with any proposed wetland impacts in this area of the property requiring review and approval by the Hermantown Technical Evaluation Panel.

Zoning

Applicant is requesting a rezoning from P, Public to R-3, Residential. Applicant has stated the purpose of the rezoning is to facilitate the sale of the property for future residential development. Other than the cemetery property, the surrounding properties are zoned R-3, Residential.

Dimensional standards would change as follows:

Dimensional Standards	P	R-3
Height	50 feet	35 feet
Setbacks		
<i>Front</i>	35 feet	50 feet
<i>Side (abutting street)</i>	35 feet	10 feet
<i>Side</i>	15 feet	10 foot minimum, 25 foot aggregate
<i>Rear</i>	25 feet	40 feet
Minimum lot area	None	½ acre
Minimum lot width	None	100 feet
Maximum lot coverage	35%	35%

Land Subdivision

Assuming the 6.4 acre parcel is rezoned, the Applicant will submit an application for an Administrative Parcel Split. The proposed subdivision of parcels 395-0010-07820 and 395-0010-07840 will create a third parcel, with the southern 6.7 acre of parcels 395-0010-07820 and 395-0010-07840 containing the cemetery and remaining a P, Public zoning and the northern 6.4 acres of the newly created parcel being rezoned to R-3 Residential and marketed for residential development.

Comprehensive Plan

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

SUMMARY & JUSTIFICATION:

The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance. The 6.4 acre site is located in an area that has an existing residential character and rezoning of the parcel would be complementary to the area. Staff recommends approval of the rezoning based on the following findings:

1. The property is included in the suburban development concept area (Area 1) of the Comprehensive Plan within which residential development is currently allowed.
2. R-3, Residential is compatible with the surrounding uses as it mirrors the existing development patterns of the surrounding/abutting parcels.

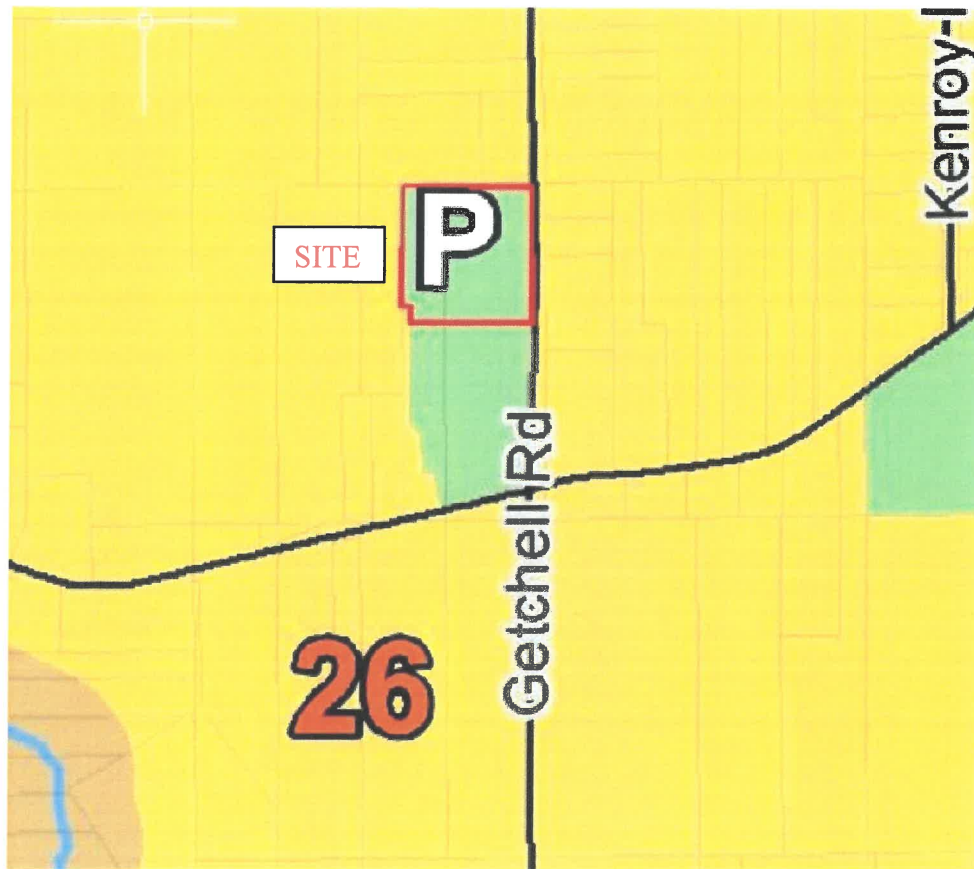
ATTACHMENTS

- Location Map
- Existing Zoning Map
- Proposed Zoning Map

Location Map



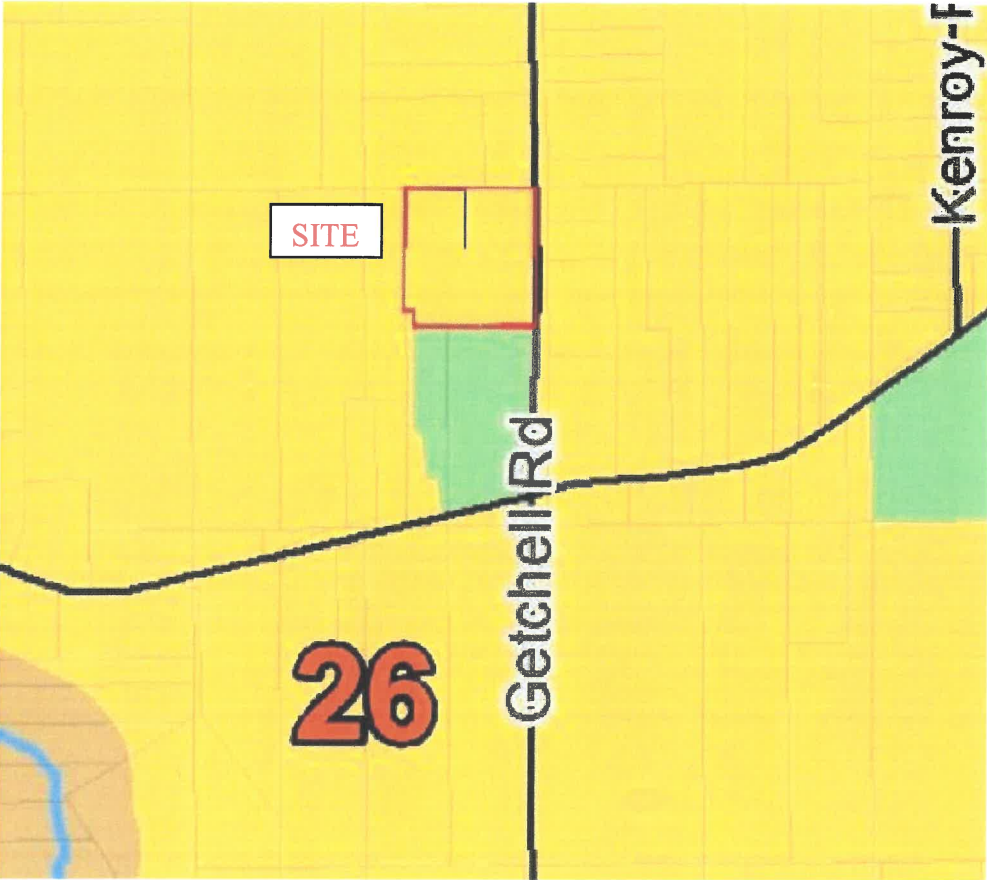
Existing Zoning Map



Hermantown Zoning Districts

- HM-Hermantown Marketplace
- BLM-Business/Light Manufacturing
- C-General Commercial
- C1-Office/Light Industrial
- C1A-Sexually Oriented Uses
- M2-Heavy Industrial
- O-Conservation/Open Space
- P-Public Facilities
- PUD-Planned Unit Development
- R1-Residential
- R3-Residential
- R3a-Multiple Family Dwellings
- S1-Rural/Suburban

Proposed Zoning Map



Hermantown Zoning Districts

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- S1-Rural/Suburban



5B. 4311 Haines Road – Commercial Industrial Development Permit (CIDP)

Applicant: Civil Site Group (Titan Machinery)
Case No.: 2023-56-CIDP/SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Approve a Commercial Industrial Development Permit with conditions for a 10,700 square foot shop building addition with associated site improvements.

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to construct a 10,700 square foot building addition with associated site improvements for Civil Site Group (Titan Machinery) (Applicant). The property is located at 4311 Haines Road and is located in a BLM, Business and Light Manufacturing zoning district.

DESCRIPTION OF REQUEST:

The Applicant is proposing a 10,700 square foot building addition. The existing building is used for the storage and rental of construction based equipment as well as parts storage and offices associated with the business. The proposed building addition is for additional storage space and loading docks for deliveries.

Additional site improvements include the closing of the existing driveway on Haines Road and changing the W. Arrowhead driveway to a right in/right out. There are also stormwater improvements planned for the property as well.

SITE INFORMATION:

Parcel Size: 7.17 acres
Legal Access: 4311 Haines Road
Wetlands: Yes, delineated in August 2023
Existing Zoning: BLM, Business and Light Manufacturing
Airport Overlay: Zone 3 – Height restrictions only
Shoreland Overlay: Yes – Natural Environment Shoreland Area
Comprehensive Plan: Commercial

ZONING ANALYSIS:

Zoning District: BLM, Business and Light Manufacturing		
Type	Required	Proposed
Min Lot Area	None	7.17 acres
Lot Width	100 feet	280 feet along Haines Road ROW
Front Yard	20 feet ROW	40 feet – Haines Road 65 feet – West Arrowhead Road
Rear Yard	20 feet	460 feet
Side Yard	20 feet	90 feet
Lot coverage	35%	8.0%
Maximum Building Height	80 feet	29 feet
Parking	8 spaces (1 space/employee per shift	15 spaces

Stormwater Management

Stormwater will be collected and treated via a Contech Cascade Hydrodynamic Separator which will be located in the NW portion of the property. The device will provide 50% Total Suspended Solids removal to meet the City's water quality requirements and the runoff rates will be decreased to meet the City's rate control requirements. The stormwater will be treated in this system then discharged into the adjacent wetland.

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.

Access

The Applicant has presented the proposed project to St. Louis County for their review, as they are the permitting agency for the driveway entrances. Per their discussion, the Applicant is removing the existing driveway on Haines Road and converting the existing driveway on West Arrowhead Road to a right in/right out.

Utilities

The existing building currently has sanitary and water service from the West Arrowhead and Haines Road right of ways. No additional utility work is proposed as part of the building addition project.

Building Architecture

The proposed building is a 5 bay workshop addition. The walls will be precast concrete and similar to the existing building in look and finish.

Wetlands

The property had a wetland delineation performed in August 2023. There is an existing wetland located on the western portion of the property. In addition, Miller Creek is located on the west portion of the property and serves as the western boundary of the property. This property falls within a Natural Environment Shoreland Area and will require a Special Use Permit for grading and filling associated with the rear parking/storage area. There are no proposed wetland impacts associated with the project.

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 10,700 square foot building addition 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. A wetland delineation has been performed in August 2023. No wetland impacts are proposed as part of the project.
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 Grading Plan
- Proposed Building Images

Location Map





NEW
EXISTING

CASE
The Building



5C. 4311 Haines Road – Special Use Permit (SUP)

Applicant: Civil Site Group (Titan Machinery)
Case No.: 2023-56-CIDP/SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Approve a Commercial Industrial Development Permit with conditions for a 10,700 square foot shop building addition with associated site improvements.

RECOMMENDED ACTION:

Approve a Special Use Permit (SUP) in order to grade and fill within a Natural Environment Shoreland Area in association with the construction a 10,700 square foot building addition with associated site improvements for Civil Site Group (Titan Machinery) (Applicant). The property is located at 4311 Haines Road and is located in a BLM, Business and Light Manufacturing zoning district.

DESCRIPTION OF REQUEST:

The Applicant is proposing a 10,700 square foot building addition. The existing building is used for the storage and rental of construction based equipment as well as parts storage and offices associated with the business. The proposed byulding addition is for additional stoarge space and loading docks for deliveries.

The property is adjacent to Miller Creek with the creek being the properties western boundary. There is a Natural Environment Shoreland Area associated with Miller Creek. The proposed building addition is not within the shoreland area, however the rear gravel storage area is within the shoreland area and the proposed lot improvements require a Special Use Permit.

SITE INFORMATION:

Parcel Size: 7.17 acres
Legal Access: 4311 Haines Road
Wetlands: Yes, delineated in August 2023
Existing Zoning: BLM, Business and Light Manufacturing
Airport Overlay: Zone 3 – Height restrictions only
Shoreland Overlay: Yes – Natural Environment Shoreland Area
Comprehensive Plan: Commercial

ZONING ANALYSIS:

Zoning District: BLM, Business and Light Manufacturing		
Type	Required	Proposed
Min Lot Area	None	7.17 acres
Lot Width	100 feet	280 feet along Haines Road ROW
Front Yard	20 feet ROW	40 feet – Haines Road 65 feet – West Arrowhead Road
Rear Yard	20 feet	460 feet
Side Yard	20 feet	90 feet
Lot coverage	35%	8.0%
Maximum Building Height	80 feet	29 feet
Parking	8 spaces (1 space/employee per shift	15 spaces

Special Use Permit

The Special Use Permit is for increasing the maximum lot coverage associated with the construction of two warehouse buildings with a total square footage of 71,400 square feet and 51% lot coverage. 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 buildings for the purpose of industrial equipment sales, service, storage and repair is a permitted use within the BLM, Business and Light Manufacturing zoning district.

- 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 existing development surrounding this site is mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

- 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 Development of new compatible light industrial with adequate public facilities, preserve wetlands and rural uses. The proposed building addition is consistent with Comprehensive Plan recommendations for commercial areas of the City.

- 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 mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

No wetland impacts are allowed/permitted under this approval.

SUMMARY AND RECOMMENDATION:

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 Natural Environment Shoreland of Miller Creek to construct a 10,700 square foot building addition. 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 any 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 Miller Creek.
 - b. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of Miller Creek.
 - 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 building addition shall meet all setback requirements for structures in the BLM (Business and Light Manufacturing) Zoning District.

5. The proposed building addition location is depicted on the approved site plan.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Site Location Map
- Proposed Site Plan with Shoreland Area
- Proposed Grading Plan

Location Map



