



## **Hermantown Planning & Zoning Meeting – December 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*

December 19, 2023

7:00 PM

**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. APPROVAL OF MINUTES**

3A. November 21, 2023 regular meeting.

**4. PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.

**5. PUBLIC HEARINGS**

5A. An application by Jack Kolar for a Commercial Industrial Development Permit for the construction of a 18,565 square foot automotive sales and service facility with associated site and stormwater improvements. The property is located at 5014 Miller Trunk Highway and is located in a C, Commercial zoning district.

5B. An application by Vermillion Homes, Inc. for a rezoning of a 1.9-acre parcel located at 4560 Norway Pines Place and parcel 395-0133-00040 which consist of 6.0 acres. The parcels are currently zoned C, Commercial with a proposed rezoning to C-1, Office/Light Industrial.

5C. An application by Hage and Co. for a Commercial Industrial Development Permit for the construction of a 42,000 square foot warehouse building and a second 29,400 square foot warehouse with associated site and stormwater improvements. The property is located at 438x Sundby Road and is located in a BLM, Business and Light Manufacturing zoning district.

5D. An application by Hage and Co. for a Special Use Permit for the construction of a 42,000 square foot warehouse building and a second 29,400 square foot warehouse with associated site and stormwater improvements. The property is located at 438x Sundby Road and is located in a BLM, Business and Light Manufacturing zoning district.

**6. CONTINUING BUSINESS**

6A. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5 – Land Use Regulations by creating Section 590 – Hermantown Business Park.

PLANNING & ZONING COMMISSION  
December 19, 2023

**7. NEW BUSINESS**

**8. COMMUNICATIONS**

**9. COMMISSION MEMBER REPORTS**

Joe Peterson

Corey Kolquist

Valerie Ouellette

Beth Wentzlaff

Buckley Simmons

Dante Tomassoni

John Geissler

**ADJOURN**



## PLANNING & ZONING COMMISSION

November 21, 2023 Meeting Summary

7:00 PM

### 1. ROLL CALL

Members Present: Joe Peterson; Valerie Ouellette; Buckley Simmons; and Councilor John Geissler

Members Absent: Corey Kolquist; Beth Wentzlaff; and Dante Tomassoni

Others Present: Eric Johnson, Community Development Director; and Mary Murphy, 5180 W Arrowhead Rd.

### 2. APPROVAL OF AGENDA

Motion made by Buckley Simmons to approve the November 21, 2023 agenda as presented. Seconded by Valerie Ouellette. Motion carried.

### 3. APPROVAL OF MINUTES

Motion made by Valerie Ouellette to approve the October 17, 2023 minutes as presented. Seconded by Buckley Simmons. Motion carried.

### 4. PUBLIC DISCUSSION

None

### 5. PUBLIC HEARING

5A. An application by Rainy Day Funding LLC for a Subdivision to create a 136-foot-wide parcel of 0.5 acres and a 1.88-acre lot accessed by way of a flag lot of 30-foot width at 5154 W Arrowhead Road. The property is located in an R-3 zoning district.

Eric Johnson, Community Development Director, advised the members of the application of the property owner, Rainy Day Funding, LLC, who proposes to create a new flag lot along the western border of the existing property. The property owner is proposing a 40 foot pole/driveway connection to W Arrowhead Road for a distance of 173 feet with the 'flag' portion of the lot being approximately 166' x 452'. The proposed lot sizes for the two total parcels are:

Parcel A: 126' x 173' = 21,798/43,560 or 0.5 acres

Parcel B: 40' x 173' and 166' x 452' = 109,000/ 43,560 sf. or 1.88 acres

The property owner intends to market both properties for sale.

There were questions by the Planning and Zoning Commission members as to the location of the proposed flag lot and how it may affect a hand dug well on the adjacent property to the east (5146 W Arrowhead Road). The Planning and Zoning Commission members voted to table the request until the November 21, 2023 meeting.

City staff contacted the applicant to discuss the ability to shift the proposed flag lot to the west in order to avoid issues with the adjacent property owners well. The applicant has revised the proposed flag lot location to reflect these comments.

Motion made by Valerie Ouellette to approve the application by Rainy Day Funding LLC for a Subdivision to create a 136-foot-wide parcel of 0.5 acres and a 1.88-acre lot accessed by way of a flag lot of 30-foot width at 5154 W Arrowhead Road. Seconded by Buckley Simmons. Motion carried 4 to 0.

5B. An application by Robert Struck for a Subdivision to create a 1,031-foot-wide parcel of 13.72 acres and a 5.0-acre lot accessed by way of a flag lot of 193-foot width at 5661 St. Louis River Road. The property is located in an S-1 zoning district.

Eric presented the application of property owner Robert Struck, who owns a 20 acre property at 5661 St. Louis River Road. The property is irregularly shaped with the southern boundary being 1241 feet, the western boundary being 907 feet, the eastern boundary being 848 feet and the northern boundary being 821 feet.. The property has an existing home located in the eastern portion of the property.

The property owner proposes to create a new flag lot along the eastern border of the existing property. The property owner is proposing a 193 foot 'pole/driveway' connection to St. Louis River Road for a distance of 300 feet with the 'flag' portion of the lot being approximately 480' x 547'. The proposed lot sizes for the two total parcels are:

Parcel A: 1031' x 907' = 553,784/43,560 or 12.71 acres

Parcel B: 193' x 300' and 480' x 547' = 321,019/ 43,560 sf. or 7.37 acres

The property owner intends to market Parcel A for sale and build a new home on Parcel B.

Motion made by Buckley Simmons to approve the application by Robert Struck for a Subdivision to create a 1,031-foot-wide parcel of 12.71 acres and a 6.0-acre lot accessed by way of a flag lot of 193-foot width at 5661 St. Louis River Road. Seconded by Valerie Ouellette. Motion carried 4 to 0.

5C. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5 – Land Use Regulations by creating Section 590 – Hermantown Business Park.

Motion made by Buckley Simmons to table the Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5 – Land Use Regulations by creating Section 590 – Hermantown Business Park. Seconded by Valerie Ouellette. Motion carried 4 to 0.

5D. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5 – Land Use Regulations by updating Section 500 – S-1, Suburban to include Agritainment use as a Special Use.

Eric advised the commission of the Hermantown City staff has received inquiries regarding agricultural based entertainment activities (corn mazes, wedding barns, etc.) in the past. In 2018, the City revised Sections 525 and 530 to allow for Agritainment and required a Special Use Permit be obtained for the use.

Recently, City staff have received inquiries regarding Agritainment based uses within the S-1, Suburban zoning district. City staff has concluded that Agritainment based uses are a logical extension to the S-1, Suburban zoning district as long as a Special Use Permit is obtained and conditions are set pertaining to the particular Agritainment use.

City staff is proposing amendments to both Chapter 5, Section 500 S-1, Suburban and Chapter 7 Special Use Permits regarding Agritainment.

Changes to the Zoning text amendments include:

- Adding Section 500.03.12 Agritainment
- Adding Section 725.03.04 Agritainment

Motion made by Valerie Ouellette to approve the Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5 – Land Use Regulations by updating Section 500 – S-1, Suburban to include Agritainment use as a Special Use. Seconded by Buckley Simmons. Motion carried 4 to 0.

5E. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 7 – Special Use Permits by updating Section 725 – Governing Criteria to include requirements for Agritainment use.

Eric advised the commission that the Hermantown City staff has received inquiries regarding agricultural based entertainment activities (corn mazes, wedding barns, etc.) in the past. In 2018, the City revised Sections 525 and 530 to allow for Agritainment and required a Special Use Permit be obtained for the use.

Recently, City staff have received inquiries regarding Agritainment based uses within the S-1, Suburban zoning district. City staff has concluded that Agritainment based uses are a logical extension to the S-1, Suburban zoning district as long as a Special Use Permit is obtained and conditions are set pertaining to the particular Agritainment use.

City staff is proposing amendments to both Chapter 5, Section 500 S-1, Suburban and Chapter 7 Special Use Permits regarding Agritainment.

Changes to the Zoning text amendments include:

- Adding Section 725.03.04 Agritainment

Motion made by Valerie Ouellette to approve the Zoning Ordinance text amendments by the City of Hermantown amending Chapter 7 – Special Use Permits by updating Section 725 – Governing Criteria to include requirements for Agritainment use. Seconded by Buckley Simmons. Motion carried 4 to 0.

**6. CONTINUING BUSINESS**

None

**7. NEW BUSINESS**

None

**8. COMMUNICATIONS**

None

**9. COMMISSION MEMBER REPORTS**

Joe Peterson – None

Corey Kolquist – Absent

Valerie Ouellette – None

OPEN –

Beth Wentzlaff – Absent

Buckley Simmons – None

Dante Tomassoni – Absent

John Geissler – Opening on Planning & Zoning Commission

**ADJOURN**

Motion made by Buckley Simmons to adjourn the meeting. Seconded by Valerie Ouellette.  
Meeting adjourned at 7:53pm.

Officiated by:

Transcribed by:

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Joe Peterson, Chairman

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Mary Melde, Administrative Assistant

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**5A. 5014 Miller Trunk Highway – Commercial Industrial Development Permit (CIDP)**

<b><u>Applicant:</u></b>	Jack Kolar/Kolar Hyundai
<b><u>Case No.:</u></b>	2023-80-CIDP
<b><u>Staff Contact:</u></b>	Eric Johnson, Community Development Director
<b><u>Request:</u></b>	Approve a Commercial Industrial Development Permit with conditions for a 18,565 square foot automotive sales and service facility with associated site improvements.

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**RECOMMENDED ACTION:**

Approve a Commercial Industrial Development Permit with conditions for a 18,565 square foot automotive sales and service facility with associated site improvements for Kolar Hyundai. The property is located at 5014 Miller Trunk Highway and is located in a C, Commercial zoning district.

**DESCRIPTION OF REQUEST:**

The Applicant (Jack Kolar/Kolar Hyundai) is proposing to construct a 18,565 square foot automotive sales and service facility with associated site improvements for Kolar Hyundai. The proposed project site is located at 5014 Miller Trunk Highway, which currently has an existing building on it. The existing building will be demolished and the site improved for the construction of the proposed facility.

The proposed development has 201 parking spaces which will be used for vehicle inventory, employee and customer parking. Stormwater basins are proposed along the west and south property boundaries with an underground storm chamber located in the eastern portion of the parking lot along Miller Trunk Highway.

The site has access from Miller Trunk Highway by way of an existing driveway entrance.

**SITE INFORMATION:**

<b>Parcel Size:</b>	3.25 acres
<b>Legal Access:</b>	5014 Miller Trunk Highway
<b>Wetlands:</b>	None per the National Wetland Inventory
<b>Existing Zoning:</b>	C, Commercial
<b>Airport Overlay:</b>	Zone 3
<b>Shoreland Overlay:</b>	N/A
<b>Comprehensive Plan:</b>	Commercial



## ZONING ANALYSIS:

Zoning District: C, Commercial		
Type	Required	Proposed
Min Lot Area	None	3.25 acres
Lot Width	None	230 feet along Miller Trunk Hwy ROW
Front Yard	35 feet ROW	150 feet
Rear Yard	40 feet	110 feet
Side Yard	10 feet	75 feet minimum
Lot coverage	50%	13.2%
Maximum Building Height	65 feet	26 feet
Parking	1 space/400 square feet of floor space – approximately 37 spaces	201 parking spaces

### Stormwater Management

Stormwater from buildings will be routed to new created wet sediment storm ponds for rate control of storm runoff. Surface water will run across landscaped areas (grass and/or planting beds) for treatment of on-site while maximizing amounts to be routed through wet sediment ponds prior to discharge.

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 site is accessed from Miller Trunk Highway via an existing driveway. The applicant will need to coordinate with MNDOT on the driveway/culvert design and placement as well as any changes to the driveway location.

### Utilities

Water and sanitary sewer service are available from the Miller Trunk Highway right of way. The applicant's engineer has submitted preliminary utility drawings for the project and will be required to submit final engineering documents and receive approval by the City Engineer before issuance of the Commercial Industrial Development Permit. The applicant's contractor will need to acquire approval from MNDOT for any work in the right of way.

### Building Architecture

The proposed building is 18,565 square feet in size and approximately 26 feet in height. The façade is comprised of EIFS with a 4' foot height concrete CMU wainscot. The front façade will have architectural metal panels in addition to the EIFS and CMU wainscot. There are 8 overhead doors total and 9 entry doors.

The building is comprised of a 3,560 square foot showroom area, approximately 6,750 square feet of office related space and approximately 8,000 square feet of vehicle service related space.

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

The trash area is located on the exterior of the building and will be screened with a wood enclosure.

## Wetlands

The National Wetland Inventory does not show any wetlands on 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 18,565 square feet of warehouse space 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. 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.
5. The applicant shall sign a consent form assenting to all conditions of this approval.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

### **ATTACHMENTS:**

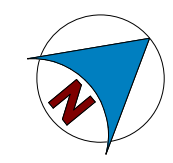
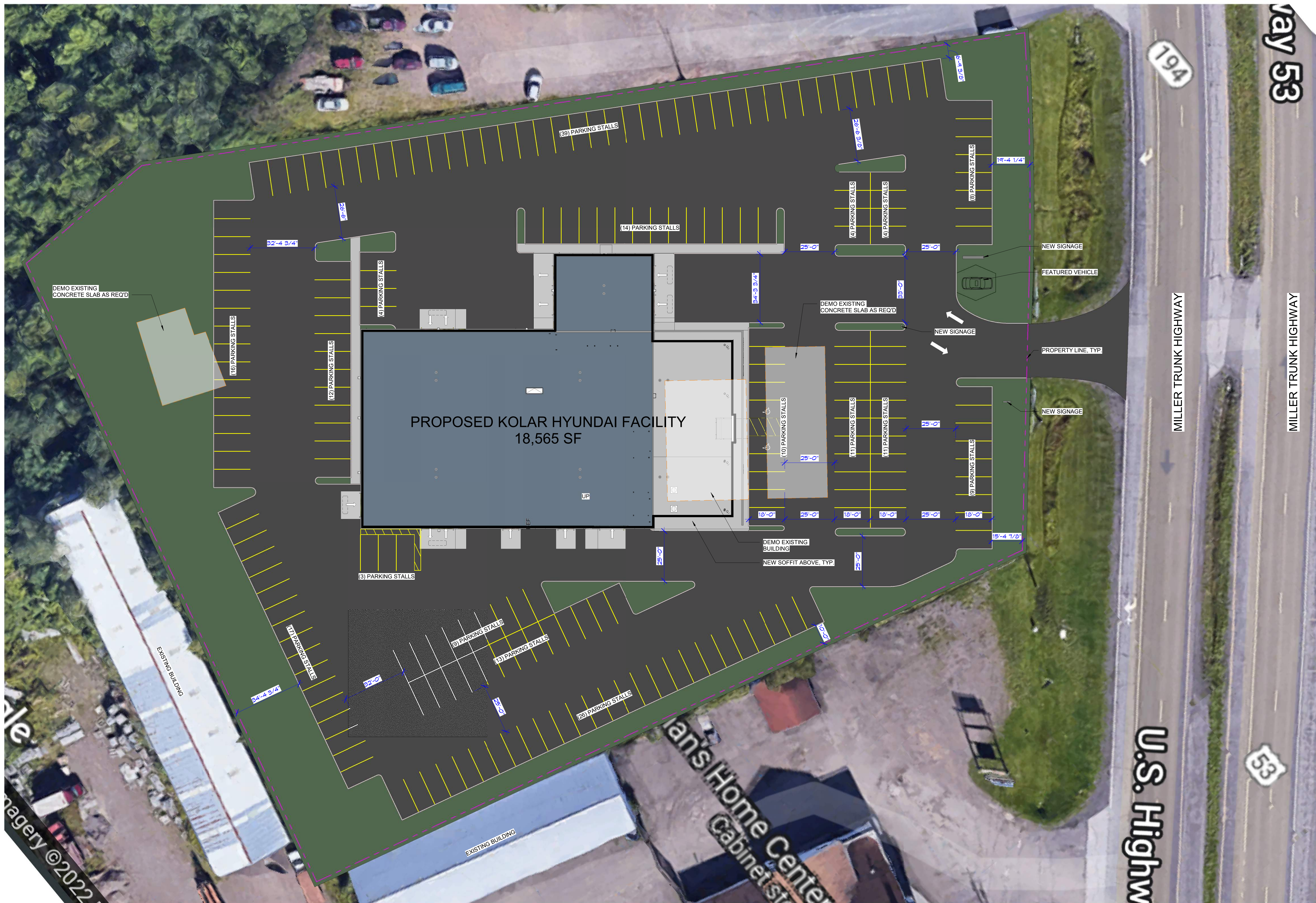
- Site Location Map
- Proposed Site Plan
- Proposed Floor Plan
- Proposed Building Images

Location Map





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**Gries** Architectural Group Inc.  
 HUDSON OFFICE: 400 South 2nd Street, Suite #155, Hudson, WI 54001  
 NEENAH OFFICE: 900 North Commercial Street, Neenah, WI 54956  
 Phone: 920-722-2445  
 www.gries.design

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A NEW AUTOMOTIVE FACILITY FOR:  
**KOLAR HYUNDAI**  
 HERMANTOWN, MINNESOTA

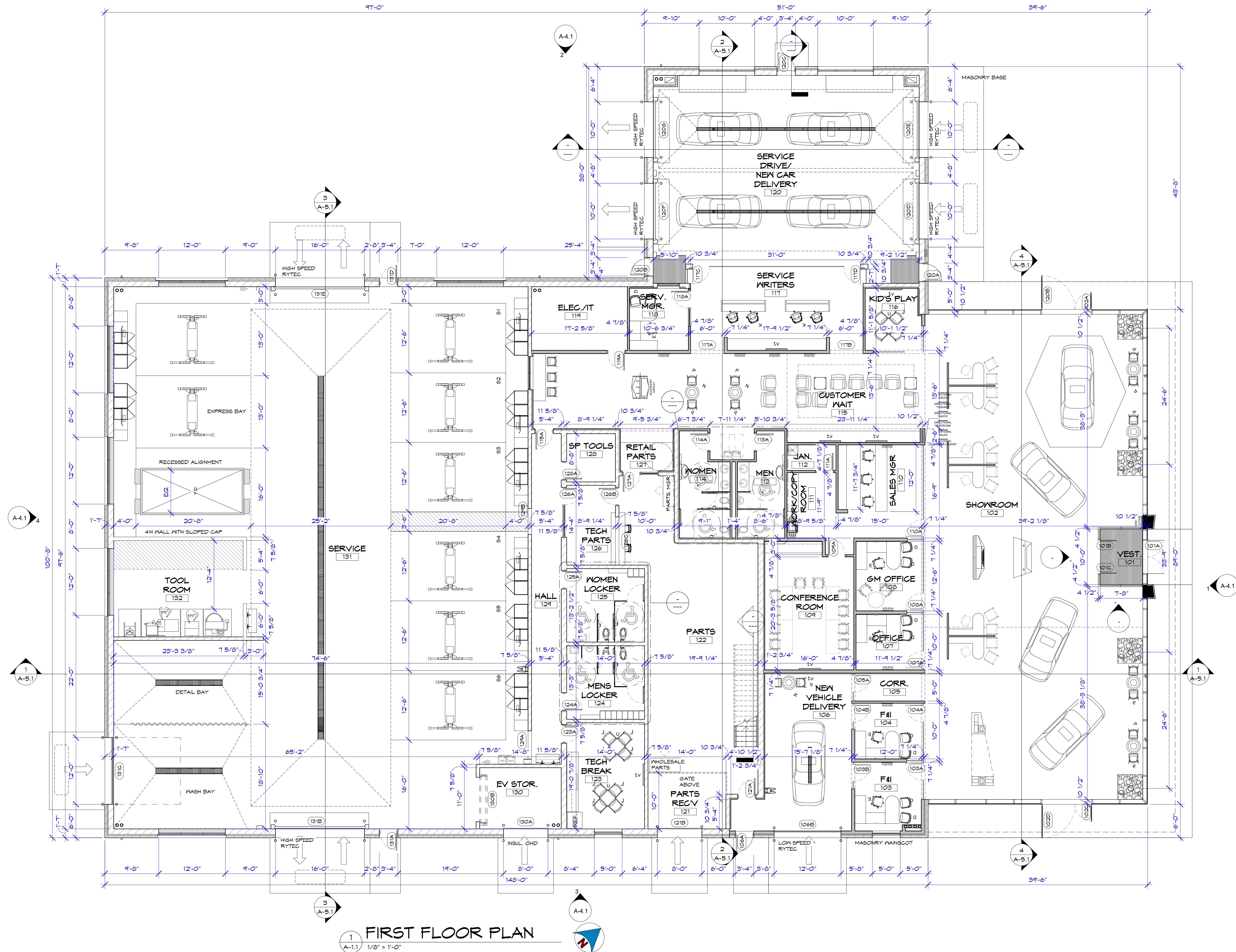
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 d. by: BJS, DAH  
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A NEW AUTOMOTIVE FACILITY FOR:  
**KOLAR HYUNDAI**  
 HERMANTOWN, MINNESOTA

**NOT FOR CONSTRUCTION**

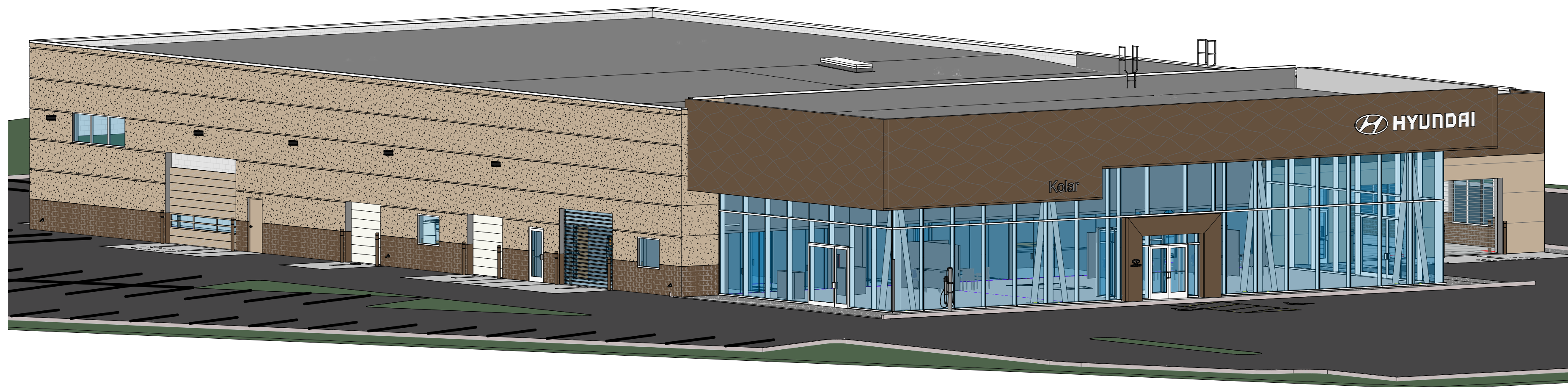
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 job: 20-076  
 d. by: DAH  
 rev.:

**A-1.1**

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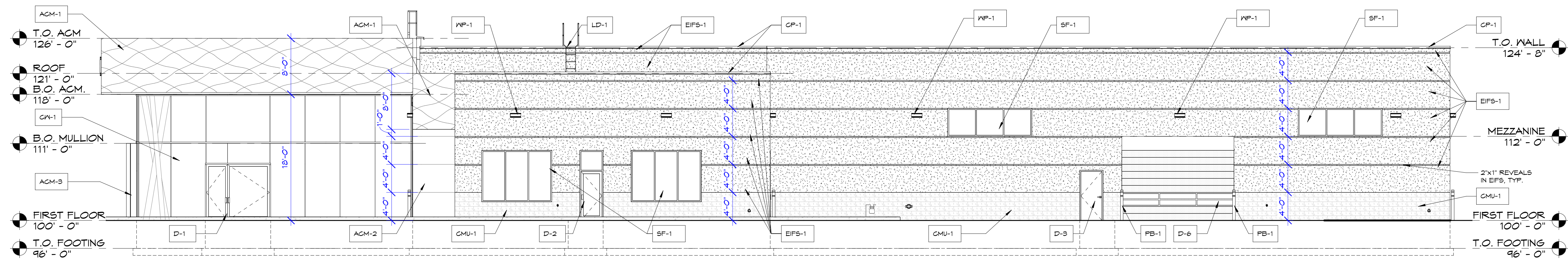




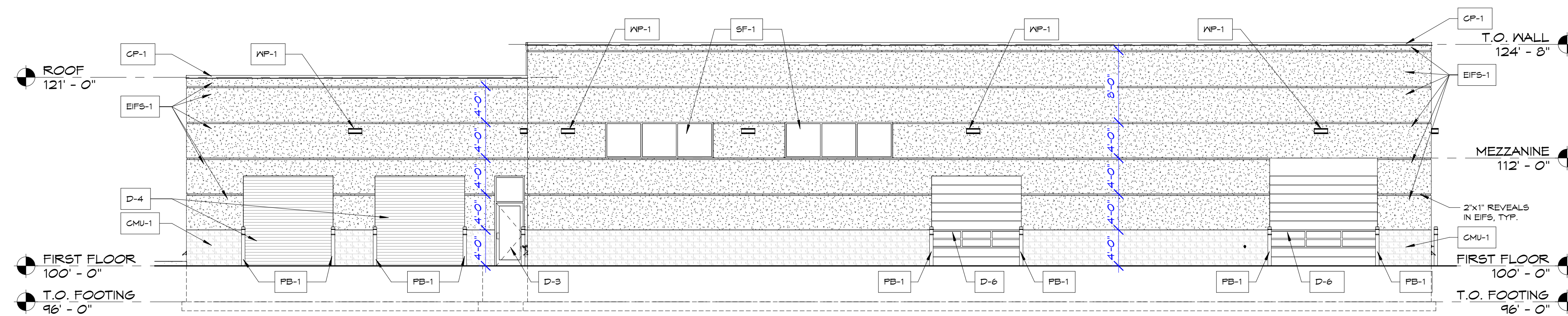
4  
A-4.2  
NORTHEAST RENDERING



3  
A-4.2  
NORTHWEST RENDERING



2  
A-4.2  
WEST ELEVATION  
1/8" = 1'-0"



1  
A-4.2  
SOUTH ELEVATION  
1/8" = 1'-0"

A NEW AUTOMOTIVE FACILITY FOR:  
**KOLAR HYUNDAI**  
 HERMANTOWN,  
 MINNESOTA

**NOT FOR  
 CONSTRUCTION**

date: 11-19-2023  
 job: 20-076  
 d. by: DRB  
 rev.:

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**5B. 5014 Miller Trunk Highway – Commercial Industrial Development Permit (CIDP)**

<b><u>Applicant:</u></b>	Vermillion Homes
<b><u>Case No.:</u></b>	2023-83-ZM
<b><u>Staff Contact:</u></b>	Eric Johnson, Community Development Director
<b><u>Request:</u></b>	Rezone Parcels 395-0133-00020 and 395-0133-00040 from C, Commercial to C-1, Office/Light Industrial

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**RECOMMENDED ACTION:**

Amend the Hermantown Zoning Map by converting approximately 8.0 acres of C, Commercial zoning district to C-1, Office/Light Industrial zoning district.

**DESCRIPTION OF REQUEST:**

The applicant (Vermillion Homes) is requesting a rezoning of Parcels of 395-0133-00020 and 395-0133-0040 from C, Commercial to C-1, Office/Light Industrial.

**SITE INFORMATION:**

<b>Parcel Size:</b>	8 acres
<b>Legal Access:</b>	Norway Paines Place
<b>Wetlands:</b>	None per the National Wetland Inventory. Will need to be verified prior to development
<b>Existing Zoning:</b>	C, Commercial
<b>Airport Overlay:</b>	Zone 3
<b>Shoreland Overlay:</b>	N/A
<b>Comprehensive Plan:</b>	Commercial

**BACKGROUND:**

The applicant, who owns the property, has been marketing parcel 395-0133-00040 for a number of years. Parcel 395-0133-00020 is currently developed with an office use that is leased by the applicant to Benedictine Health System. The applicant is currently in negotiations with a landscape contracting company who is interested in parcel 395-0133-0040 in order to locate a landscape contracting business on the parcel. Contractor yards are not allowed in the C, Commercial zoning district but are in the C-1. The existing office building associated with parcel 395-0133-00020 is an allowed use in the C-1 zoning district.

In 2019, the City rezoned parcels 395-0091-00140 and 395-0091-00030 from C, Commercial to C-1 in order for ATK Storage to be able to build a mini storage facility on the property. At that time, it was

envisioned that additional adjoining parcels would also be rezoned from C, Commercial to C-1 at a future date. The proposed rezoning of parcels 395-0133-00020 and 395-0133-00040 is in keeping with that vision from 2019.

**C-1, Office and Light Industrial Zoning Analysis**

The lots’ meet the dimensional standards of the C-1 zone. C-1 zoning would allow some of the same uses that are also allowed in the C zoning district (offices, auto sales, and limited specialty retail) as well as industrial uses including warehouses, manufacturing, and mini-storage units. Table 1 shows allowed uses in the C-1 zone.

<b>Permitted Uses.</b>
Business, sales and professional offices. Public buildings and public service facilities. Research and development laboratories. Gasoline service stations with convenience store. Automobile and truck sales, service and repair. Equipment sales, service and repair. Customary accessory uses and structures.
<b>Special Use Permit.</b>
Agritainment (A minimum lot size of 10 acres is required.) Each proposed use and location shall be depicted on a site plan. Contractor’s shop and storage yard. Mini storage warehouse. Manufacturing, assembly, packaging or fabrication. Warehouse, distribution center, fulfillment center. Restaurant. Adult Use, Accessory. Veterinary Clinics. Wholesale businesses. Building material supplies. Lawn and garden material supplies. Pawnbrokers. Massage Establishment Medical Cannabis Dispensary.

**Airport Overlay C Zone**

The properties are located in the Duluth International Airport Overlay Zone 3. Additional regulations on the height of structures, lighting, and communication equipment are in effect in Zone 3. Structures in Zone 3 cannot exceed 1580 feet above sea level. Ground level elevation on the site ranges from 1450 feet to 1490 feet above sea level. Development can take place on the property and remain in compliance with the Zone 3 standards. Current City zoning regulations impose a maximum building height of 45 feet mitigating the likelihood of approaching the Zone 3 elevation limit.

**Comprehensive Plan**

The 2001 Comprehensive Plan and the Western Miller Trunk Highway Study support commercial and light industrial use of this property which is allowed in the requested C-1 Zone District.



The property is located in Comprehensive Plan Concept Area 3 which calls for Development of New Compatible Commercial with Adequate Public Utilities and Facilities, Development of Frontage/Backage Road System, Preserve Wetlands and Natural Features.

The Western Miller Trunk Highway Study identified preferred uses for the area as Office, Industry, or Multi-residential. Redevelopment criteria included:

- Access should be off Norway Pines.
- Possibility to be combined with redevelopment of parcels fronting Miller Trunk Highway.
- Land use should not require highway visibility.

The land is currently zoned C, Commercial. The Commercial Zone District is intended to provide suitable areas within the community for the grouping and establishment of general retail sales, offices, professional buildings and service businesses. It is intended to provide convenient retail facilities for the residents of Hermantown and the surrounding area.

The C-1, Office/Light Industrial Zone District is intended for low-density office, light industrial, limited commercial services, and public service developments.

The property does not have frontage or visibility from Miller Trunk Highway so it is not a primary site for retail or high traffic service businesses. The site had been considered for a multi-residential development in the past but the noise generated by proximity to the airport runway limits its potential for residential or high value office space.

### **Development Permitting**

The applicant is currently in negotiations with a landscape contracting company who is interested in parcel 395-0133-0040 in order to locate a landscape contracting business on the parcel. Contractor yards are not allowed in the C, Commercial zoning district but are in the C-1.

A decision on rezoning property is independent of any decision on permitting development of a property. Rezoning does not imply approval of future development. Any future development will have to meet all City regulations including zoning, stormwater management, wetland processes, and others and is required to have an approved Commercial Industrial Development Permit.

### **RECOMMENDATIONS AND FINDINGS:**

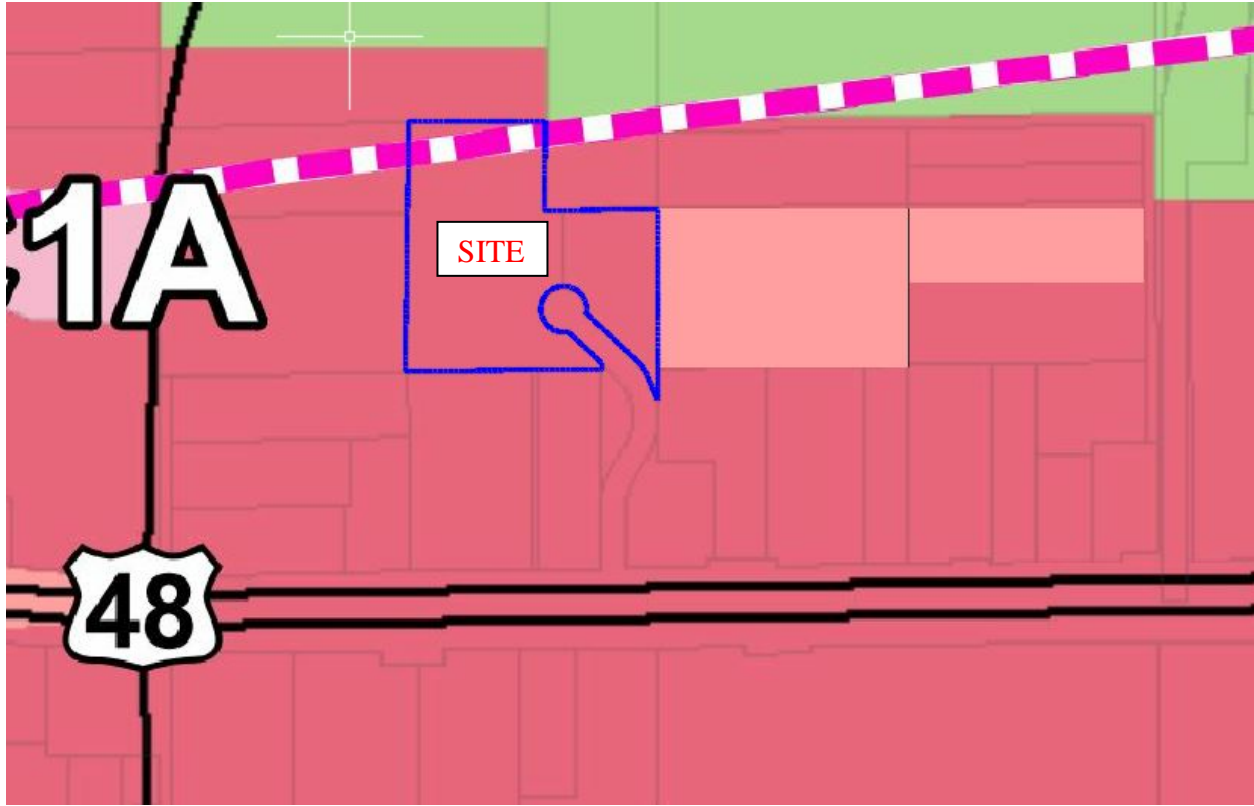
A review of the existing and potential land uses of the property, and of the surrounding area, support rezoning the property to C-1, Office/Light Industrial. Staff recommends approval of the rezoning based on the following findings:

1. The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance, is suitable for the proposed zoning, and is compatible with surrounding zoning and land uses.













### **ATTACHMENTS:**

- Existing Zoning Map
- Proposed Zoning Map

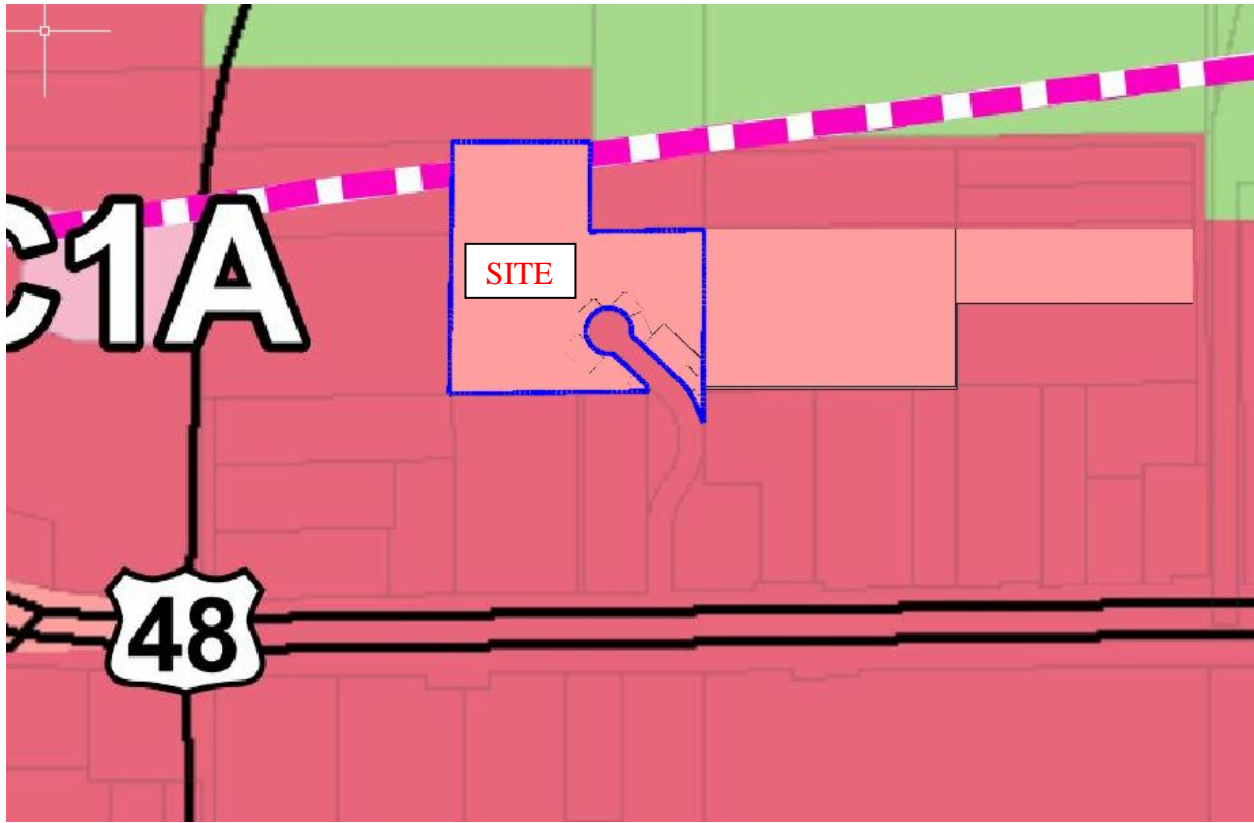
## Existing Zoning Map



### 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

- 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

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**5C. 438x Sundby Road – Commercial Industrial Development Permit (CIDP)**

<b><u>Applicant:</u></b>	Hage and Co.
<b><u>Case No.:</u></b>	2023-33-CIDP
<b><u>Staff Contact:</u></b>	Eric Johnson, Community Development Director
<b><u>Request:</u></b>	Approve a Commercial Industrial Development Permit with conditions for a 71,400 total square foot warehouse development with associated site improvements.

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**RECOMMENDED ACTION:**

Approve a Commercial Industrial Development Permit with conditions for a 71,400 total square foot warehouse development with associated site improvements for Hage and Co. (Applicant). The property is located at 438x Sundby Road and is located in a BLM, Business and Light Manufacturing zoning district.

**DESCRIPTION OF REQUEST:**

The Applicant is proposing to construct 2 buildings for the purpose of providing indoor storage in an area of close proximity to the Duluth International Airport. Building 1 is a 2 story building, 26 feet in height with a footprint of 120' x 245' (29,400 SF) and the Building 2 also being a 2 story building, 26 feet in height with a footprint of 120' x 350' (42,000 SF).

The Applicant is proposing to construct the buildings in two phases. Phase 1 will be the 42,000 square foot building with frontage on Sundby Road. This building proposes 29 - 20' x 45' storage units on the first floor along with 11 interior parking spaces. The second floor contains 200 - 10' x 12' storage units accessed by way of stairs and an elevator.

Phase 2 will be the 29,400 square foot building with frontage on Airbase Road. This building proposes 20 - 20' x 45' storage units on the first floor along with 11 interior parking spaces. The second floor contains 140 - 10' x 12' storage units accessed by way of stairs and an elevator. This building is planned to be built shortly after a full lease out of the phase 1 storage units.

The site has access from Airbase Road and Sundby Road via a proposed driveway entrances.

**SITE INFORMATION:**

<b>Parcel Size:</b>	3.24 acres
<b>Legal Access:</b>	438x Sundby Road
<b>Wetlands:</b>	Yes, delineated in June 2023
<b>Existing Zoning:</b>	BLM, Business and Light Manufacturing
<b>Airport Overlay:</b>	Zone 3
<b>Shoreland Overlay:</b>	N/A
<b>Comprehensive Plan:</b>	Commercial

## ZONING ANALYSIS:

Zoning District: BLM, Business and Light Manufacturing		
Type	Required	Proposed
Min Lot Area	None	3.24 acres
Lot Width	100 feet	164 feet along Sundby Road ROW
Front Yard	20 feet ROW	40 feet
Rear Yard	20 feet	40 feet
Side Yard	20 feet	20 feet
Lot coverage	35%	51%
Maximum Building Height	80 feet	30 feet
Parking	1 space/employee per shift	Interior parking spaces

### Stormwater Management

Stormwater from buildings will be routed to new created wet sediment storm ponds for rate control of storm runoff. Surface water will run across landscaped areas (grass and/or planting beds) for treatment of on-site while maximizing amounts to be routed through wet sediment ponds prior to discharge.

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 site is accessed from Airbase Road and Sundby Road via a proposed driveway entrances. The applicant will need to coordinate Hermantown Public Works on the driveway/culvert design and placement.

### Utilities

Water service is available from the Airbase Road right of way. The applicant's engineer has submitted preliminary utility drawings for the project and will be required to submit final engineering documents and receive approval by the City Engineer before issuance of the Commercial Industrial Development Permit.

### Building Architecture

The proposed Phase 1 building is 42,000 square feet in size and approximately 30 feet in height. The façade is comprised of concrete tip up panels with aluminum doors and windows. There are 4 loading dock style doors and 4 drive thru based doors along with 1 entry door. In addition, there are 10 proposed windows on the second floor of the building.

The proposed Phase 2 building is 29,400 square feet in size and approximately 30 feet in height. The façade is comprised of concrete tip up panels with aluminum doors and windows. There are 4 loading dock style doors and 4 drive thru based doors along with 1 entry door. In addition, there are 10 proposed windows on the second floor of the building.

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

The trash area is located within the interior of the building.

### Wetlands

The property had a wetland delineation performed in June 2023. There is an existing wetland located in the middle of the property which bisects it in half and will be impacted by the driveway between the 2 buildings. The applicant has submitted an application for these impacts to the Hermantown Technical Evaluation Panel with the impacts being approved by the TEP.

### **SUMMARY AND RECOMMENDATION:**

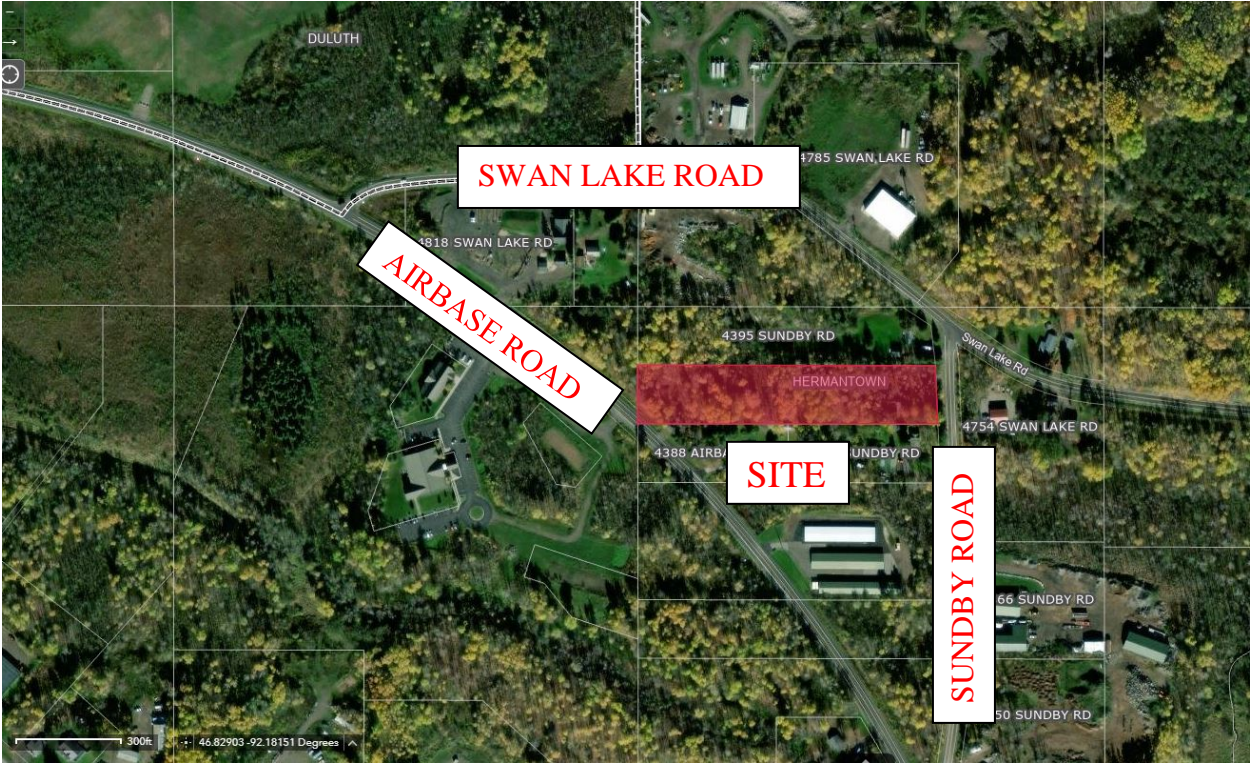
Staff recommends approval of the Commercial Industrial Development Permit based on the findings set forth in the Staff report, subject to the following conditions:

1. The applicant is seeking to construct a 71,400 square feet of warehouse space 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 with wetland impacts requiring approval by the Hermantown Technical Evaluation Panel.
5. A Special Use Permit for the use (warehouse) and lot coverage are required in order to issue a final Commercial Industrial Development Permit (CIDP).
6. 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.
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.

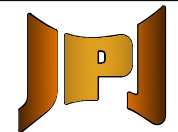
### **ATTACHMENTS:**

- Site Location Map
- Proposed Site Plan
- First Floor Plan
- Second Floor Plan
- Proposed Landscape Plan
- Proposed Building Images

**Location Map**





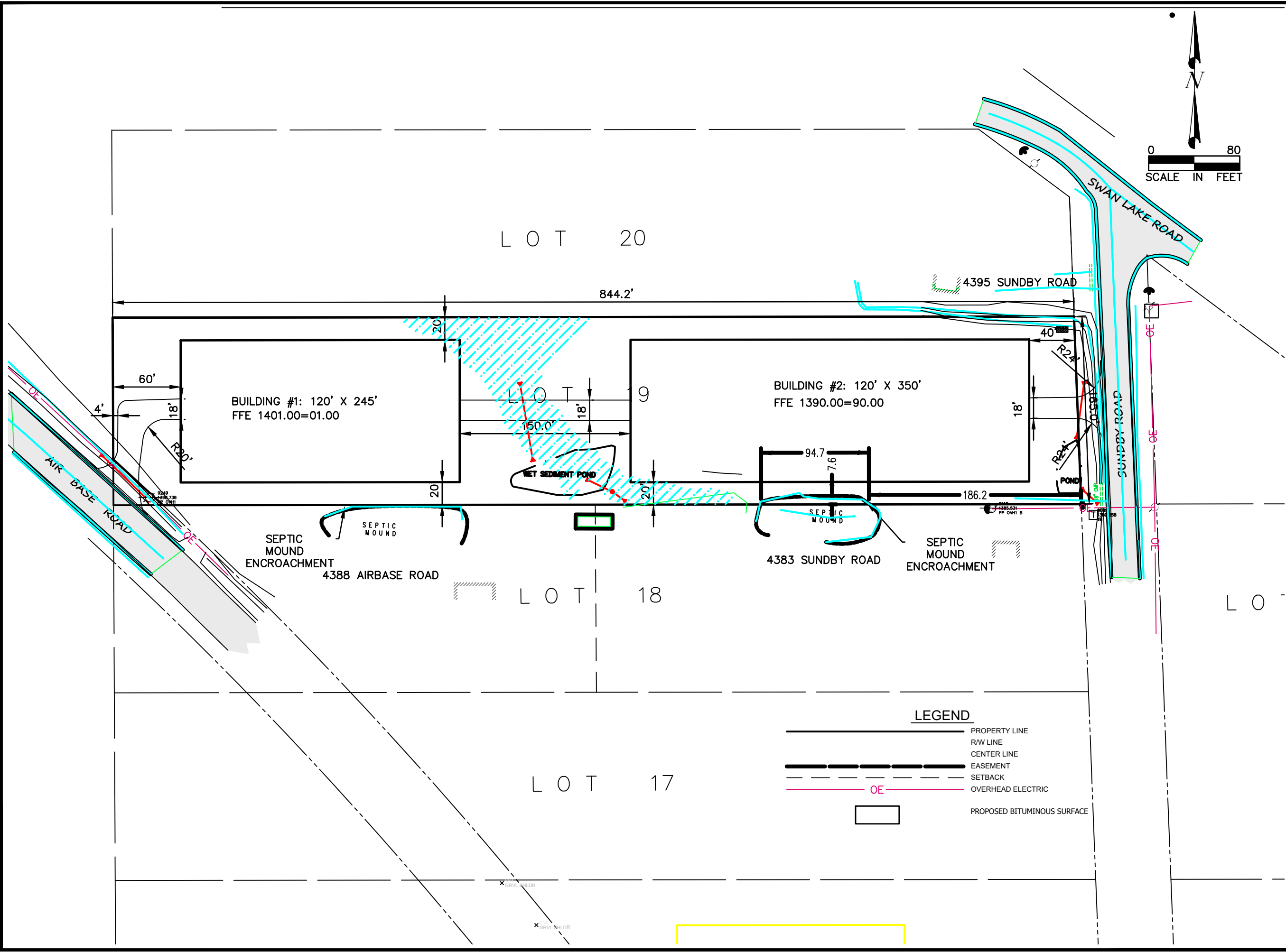
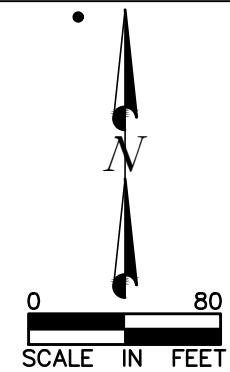


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HERMANTOWN, MINNESOTA

SITE PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED	JDP
DESIGNED	JDP
DRAWN	AAP
CHECKED	

I hereby certify that this plan 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.

**PRELIMINARY**

DATE \_\_\_\_\_ LIC. NO. \_\_\_\_\_

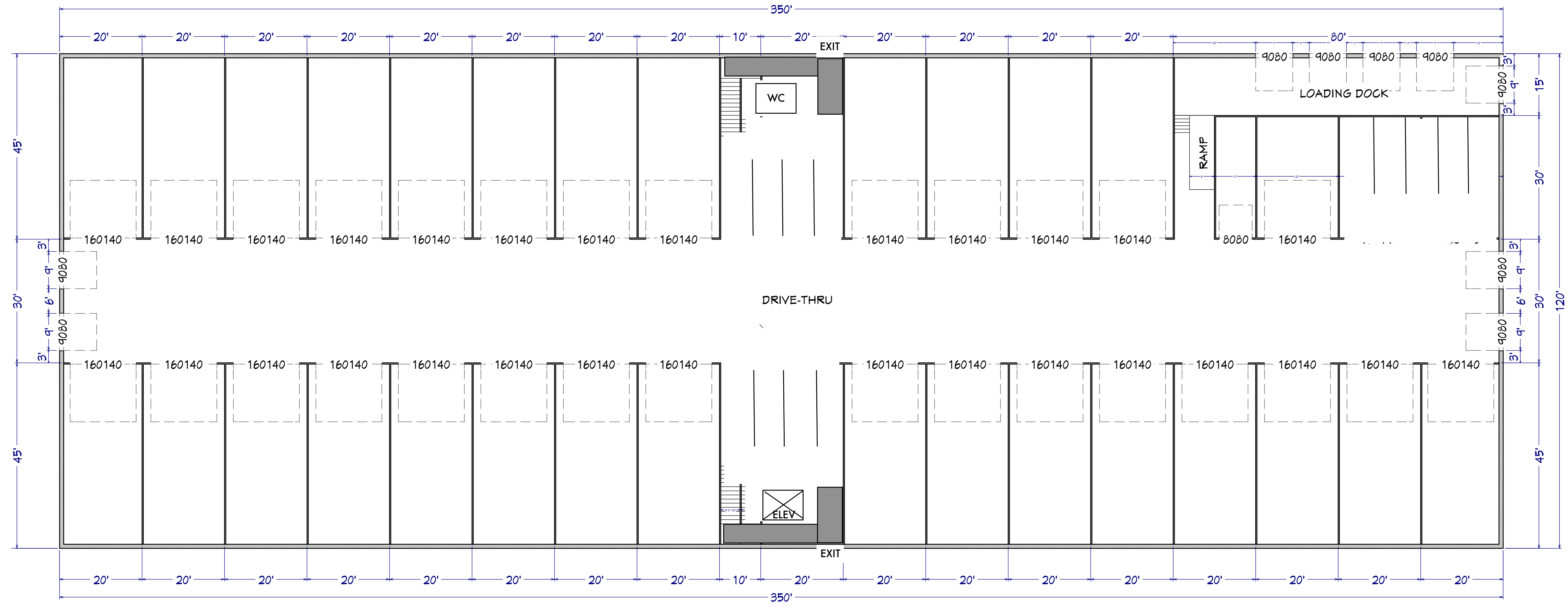
23-160 PROJECT NO. C1.00

**LEGEND**

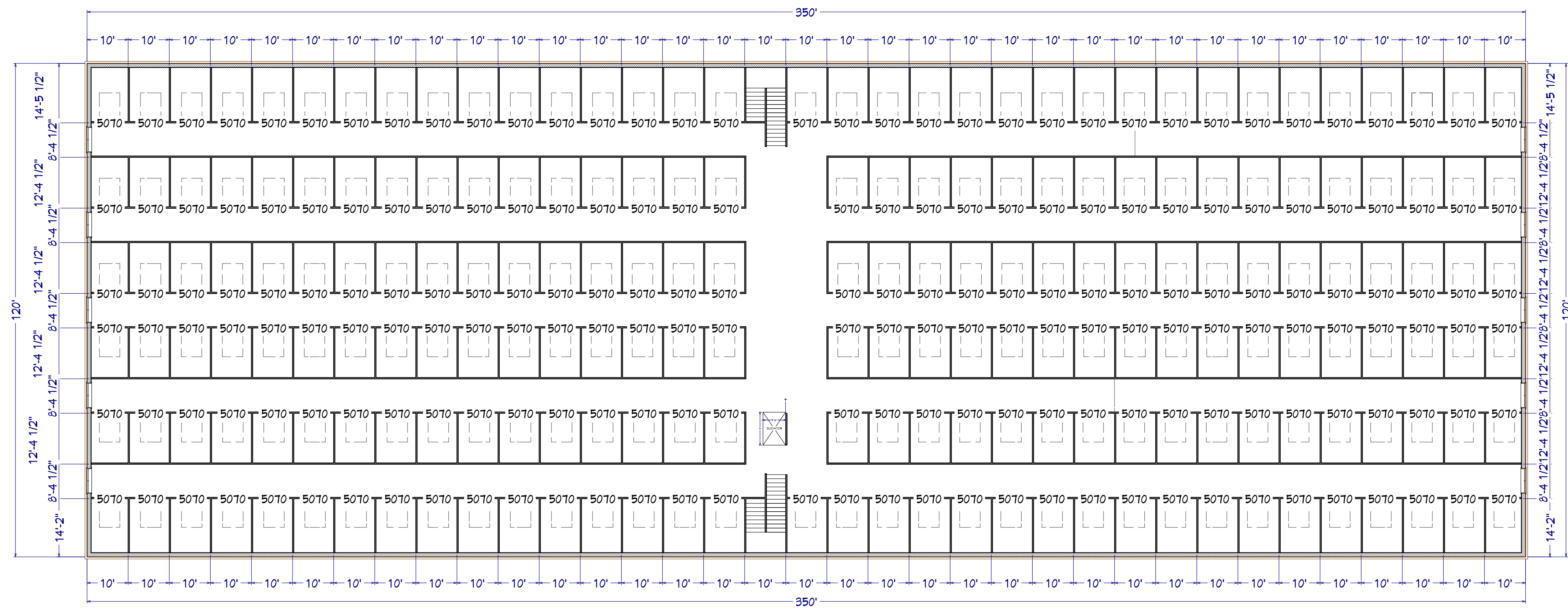
	PROPERTY LINE
	R/W LINE
	CENTER LINE
	EASEMENT
	SETBACK
	OVERHEAD ELECTRIC
	PROPOSED BITUMINOUS SURFACE

Jun 15, 2023 1:11pm T:\Hage & Co\23-160 Site Dev Hermantown\3.dwg\300\23-160b02.dwg





**MAIN FLOOR PLAN**  
 1/16"=1'0"

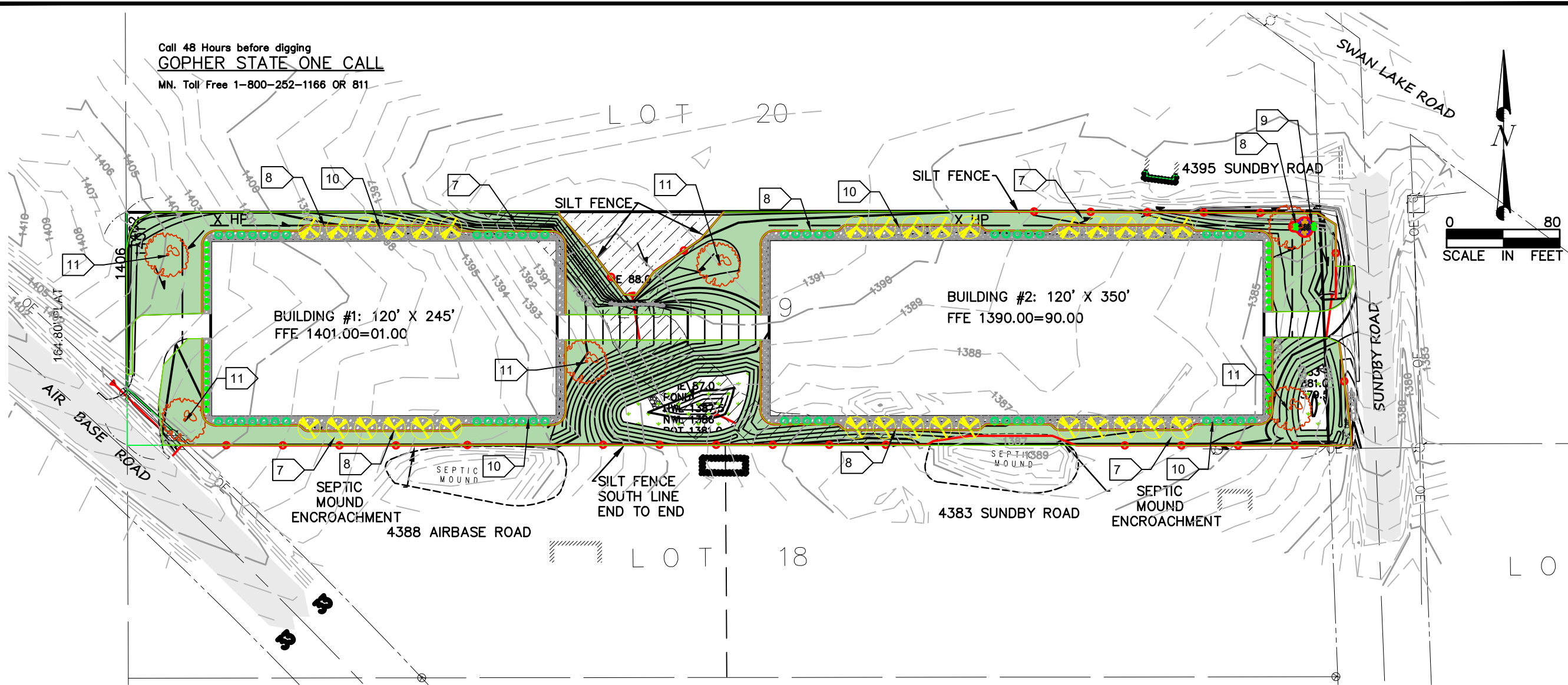


**SECOND FLOOR PLAN**

1/16"=1'0"

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HERMANTOWN, MINNESOTA

SWPPP  
EROSION CONTROL  
LANDSCAPE PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED	JDP
DESIGNED	JDP
DRAWN	AAP
CHECKED	

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**PRELIMINARY**  
JOSEPH D. PELAWA P.E.

DATE 6-19-2023 LIC. NO. 42603

23-160 PROJECT NO. C6.00

LANDSCAPE NOTES

- COORDINATE INSTALLATION WITH CONTRACTORS PERFORMING RELATED WORK.
- SEED MIXTURES SHALL BE AS DEFINED IN CURRENT MNDOT SEEDING MANUAL. NATIVE SEEDS SHALL BE OF MINNESOTA (OR AS SPECIFIED) ORIGIN AND CERTIFIED BY THE MINNESOTA CROP IMPROVEMENT ASSOCIATION (MCIA). PROVIDE VERIFYING DOCUMENTATION TO THE OWNER 30 DAYS MINIMUM PRIOR TO INSTALLATION.
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- PLACE PLANTS ACCORDING TO LAYOUT WITH PROPER NOMINAL SPACING.
- SPREAD A MINIMUM OF 6 INCHES OF TOPSOIL AND SEED/SOD ALL TURF AREAS DISTURBED BY CONSTRUCTION.
- EDGE SHRUB BEDS WITH 6-INCH METAL EDGING (BLACK DIAMOND OR APPROVED EQUAL) EXCEPT WHERE ADJACENT TO CURBING, WALKS OR BUILDINGS.
- INSTALL 4 INCH DEPTH OF SHREDDED HARDWOOD BARK MULCH IN SHRUB BED AREAS.
- INSTALL 4 INCH DEPTH OF DECORATIVE ROCK 2"-5" DIA ROCK MULCH IN PERENNIAL AND PLANTING AREAS.
- INSTALL A 4-FOOT DIAMETER SHREDDED HARDWOOD BARK MULCH DISH AROUND TREES NOT PLACED WITHIN A SHRUB OR PERENNIAL PLANTING BED. VINYL EDGING IS NOT REQUIRED, UNLESS NOTED OTHERWISE.

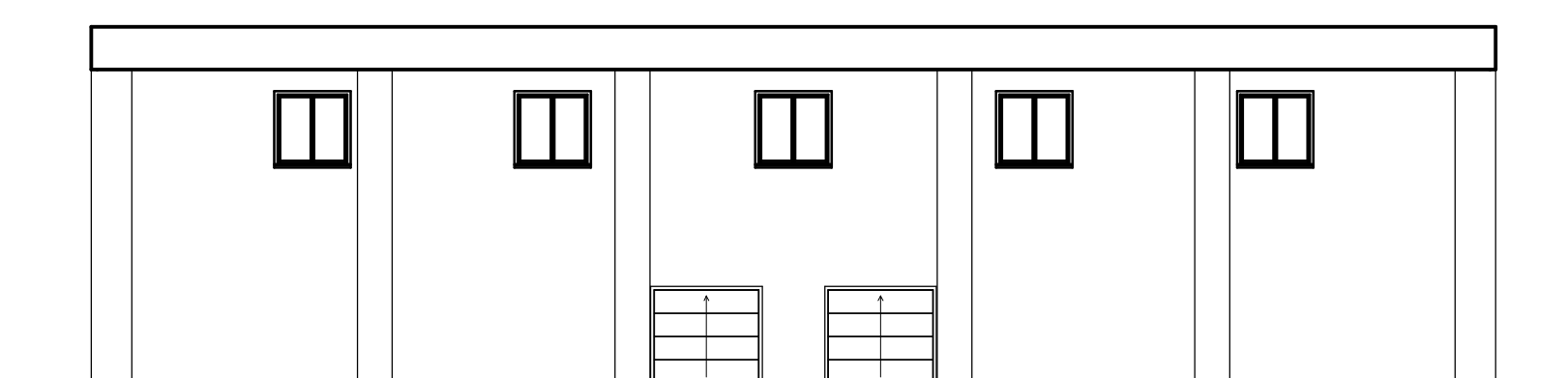
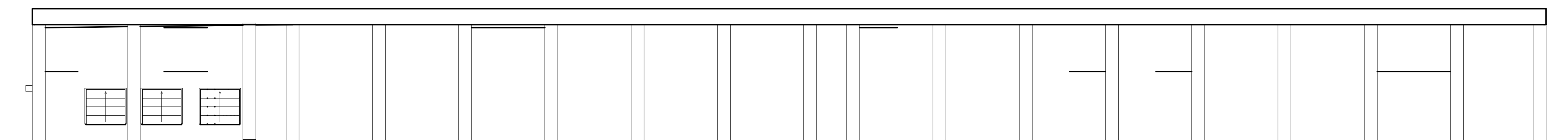
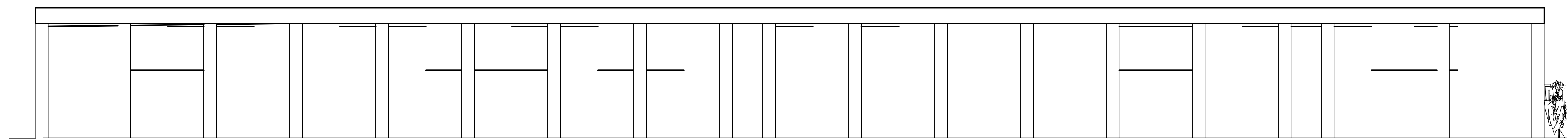
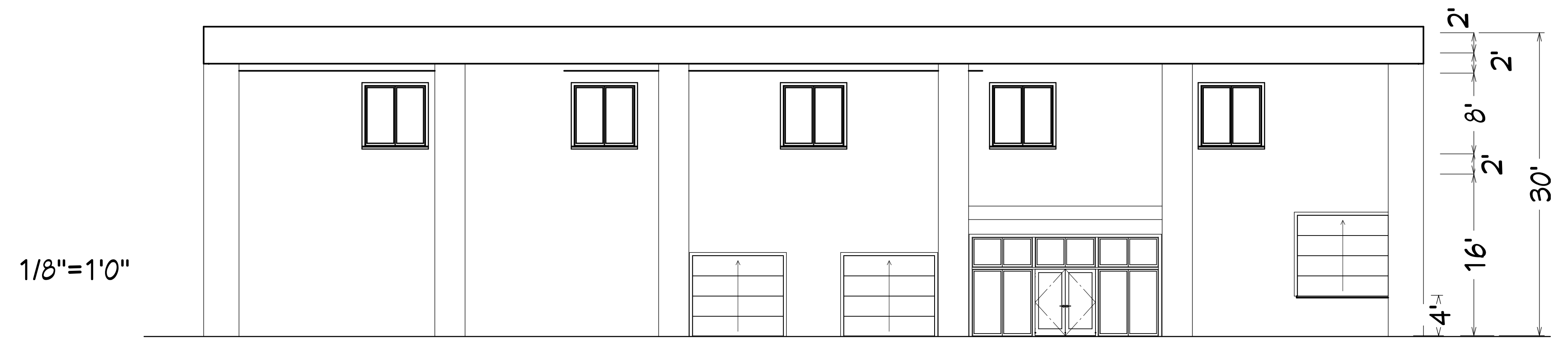
PLANT TABLE

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DECIDUOUS TREES	6	ASFF	FALL FIESTA SUGAR MAPLE	ACER SACCHARUM 'BAILSTA' FALL FIESTA	50'H x 35'W	2.5' CAL.	B&B
DECIDUOUS TREES	32	BEPA	PRAIRIE DREAM PAPER BIRCH	BETULA PAPPYRIFERA 'VAREN'	60'H x 35'W	2.5' CAL.	B&B
GRASSES	43	KFG	FEATHER REED GRASS	CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	5'H x 2'W	18"	CONTAINER
PERENNIALS	6	BES	BLACK EYED SUSAN	RUDBECKIA 'GOLDSTURM'	1.5'H x 1.5'W	12"	CONTAINER
PERENNIALS	8	FVL	GAYFEATHER	LIATRIS SPICATA 'FLORISTAN VIOLET'	3'H x 2'W	12"	CONTAINER

EROSION CONTROL AND LANDSCAPE LEGEND

	COMMERCIAL SEED MIXTURE AREA (MNDOT NUMBER 25-131)		CLASS III RIPRAP - SEE DETAIL (AT ALL CULVERT OUTLETS)
	EROSION CONTROL BLANKET - SLOPE AREAS		SILT FENCE
	SEDIMENT BASIN SEED MIXTURE AREA (MNDOT NUMBER 33-361)		STORM INLET PROTECTION OR CULVERT END PROTECTION
	DECORATIVE ROCK		SEDIMENT CONTROL LOG
	SHREDDED BARK MULCH		18"-36" LANDSCAPE BOULDER

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ELEVATIONS  
1/16"=1'0"





**5D. 438x Sundby Road – Special Use Permit (SUP)**

- Applicant:** Hage and Co.
- Case No.:** 2023-33-CIDP/SUP
- Staff Contact:** Eric Johnson, Community Development Director
- Request:** Approve a Special Use Permit with conditions for a 71,400 total square foot warehouse development with associated site improvements.

**RECOMMENDED ACTION:**

Approve a Special Use Permit with conditions for a 71,400 total square foot warehouse development with associated site improvements for Hage and Co. (Applicant). The property is located at 438x Sundby Road and is located in a BLM, Business and Light Manufacturing zoning district.

**DESCRIPTION OF REQUEST:**

The Applicant is proposing to construct 2 buildings for the purpose of providing indoor storage in an area of close proximity to the Duluth International Airport. Building 1 is a 2 story building, 30 feet in height with a footprint of 120' x 350' (42,000 SF) and the Building 2 also being a 2 story building, 30 feet in height with a footprint of 120' x 245' (29,400 SF).

The BLM, Business and Light Manufacturing zoning district identifies maximum lot coverage (generally) of 35%. The code does allow for an increase in lot coverage up to 65% if there is a landscape plan provided with the proposal and approval by the City Council of a Special Use Permit (SUP).

The Applicant's engineer has provided a landscape plan which provides a mixture of deciduous and evergreen trees along the north and south facades of the proposed buildings. In addition, there are ornamental grasses proposed along the east and west facades of the buildings. And six large deciduous trees proposed in various locations on the property. The plant material along the building facades are planted within a rock maintenance strip along all sides of the buildings.

**SITE INFORMATION:**

- Parcel Size:** 3.24 acres
- Legal Access:** 438x Sundby Road
- Wetlands:** Yes, delineated in June 2023
- Existing Zoning:** BLM, Business and Light Manufacturing
- Airport Overlay:** Zone 3
- Shoreland Overlay:** N/A
- Comprehensive Plan:** Commercial

**ZONING ANALYSIS:**

Zoning District: BLM, Business and Light Manufacturing		
Type	Required	Proposed
Min Lot Area	None	3.24 acres
Lot Width	100 feet	164 feet along Sundby Road ROW
Front Yard	20 feet ROW	40 feet
Rear Yard	20 feet	40 feet
Side Yard	20 feet	20 feet
Lot coverage	35%	51%
Maximum Building Height	80 feet	30 feet
Parking	1 space/employee per shift	Interior parking 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 warehouse buildings 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 non-conforming single family residential, mini-storage and landscape based businesses. Warehouse buildings 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 in the Hermantown Comprehensive Plan. The proposed warehouse buildings is consistent with Comprehensive Plan recommendations for commercial areas of the City. The Zoning Ordinance allows for up to 35% lot coverage for structures with an increase up to 65% with the submission of a landscape plan and approval of a Special Use



Permit by the City Council. The proposed property is at 51% coverage after the construction of the proposed warehouse buildings.

- 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 non-conforming single family residential, mini-storage and landscape based businesses. Warehouse buildings 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.**

The applicant is required to plant and maintain the proposed landscape materials associated with the Special Use Permit application.

#### **SUMMARY AND RECOMMENDATION:**

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

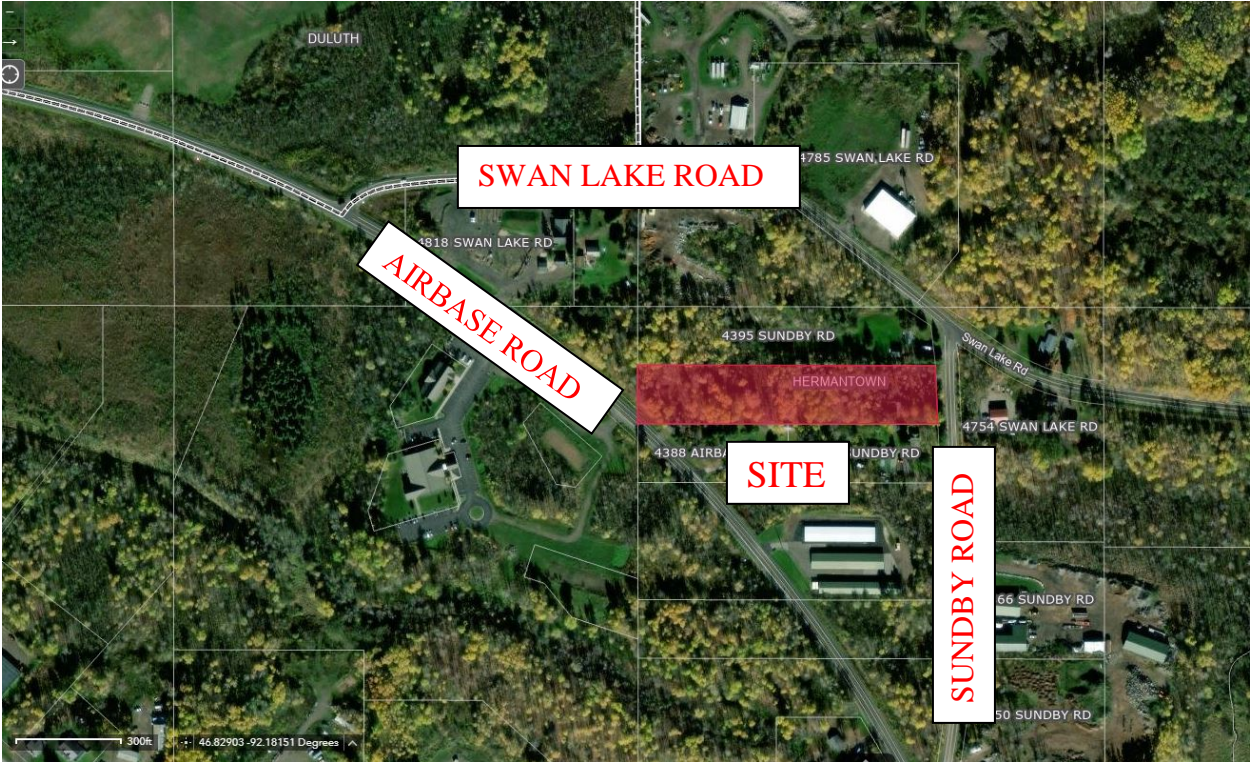
1. The applicant is seeking to construct a 71,400 square feet of warehouse space with associated site improvements. The lot coverage associated with these buildings is 51% and requires a Special Use Permit. Upon City staff approval of the final site engineering and architectural plans, staff will then issue a Special Use Permit (SUP).
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 with wetland impacts requiring approval by the Hermantown Technical Evaluation Panel.
5. The applicant is required to plant and maintain the proposed landscape materials associated with the Special Use Permit application.
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.

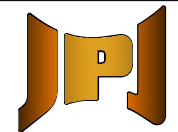
#### **ATTACHMENTS:**

- Site Location Map
- Proposed Site Plan
- Proposed Landscape Plan



**Location Map**



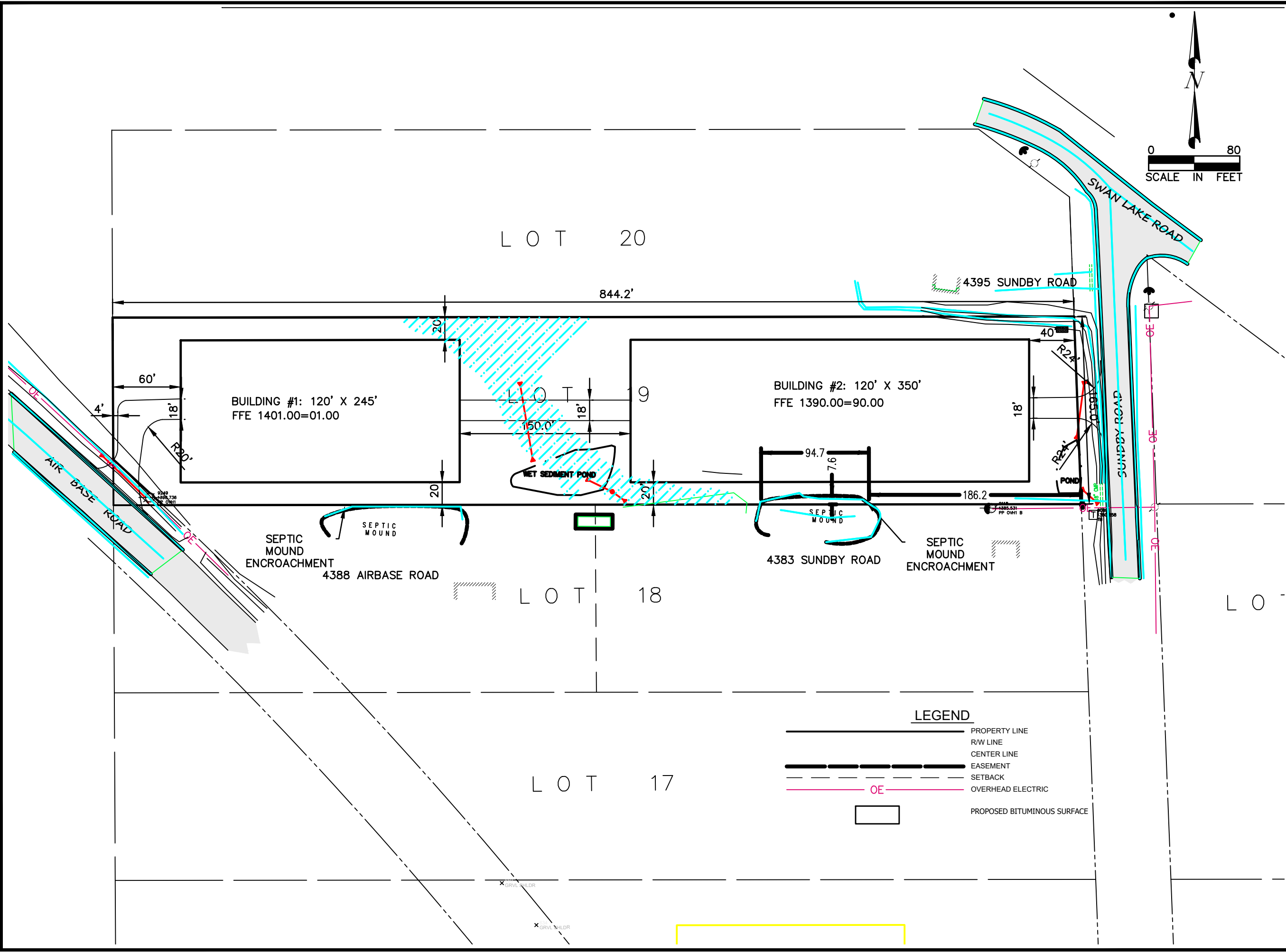
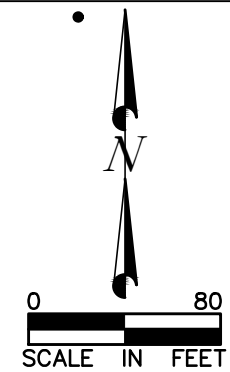


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HERMANTOWN, MINNESOTA

SITE PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED	JDP
DESIGNED	JDP
DRAWN	AAP
CHECKED	

I hereby certify that this plan 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.

**PRELIMINARY**

DATE \_\_\_\_\_ LIC. NO. \_\_\_\_\_

23-160 PROJECT NO. C1.00

**LEGEND**

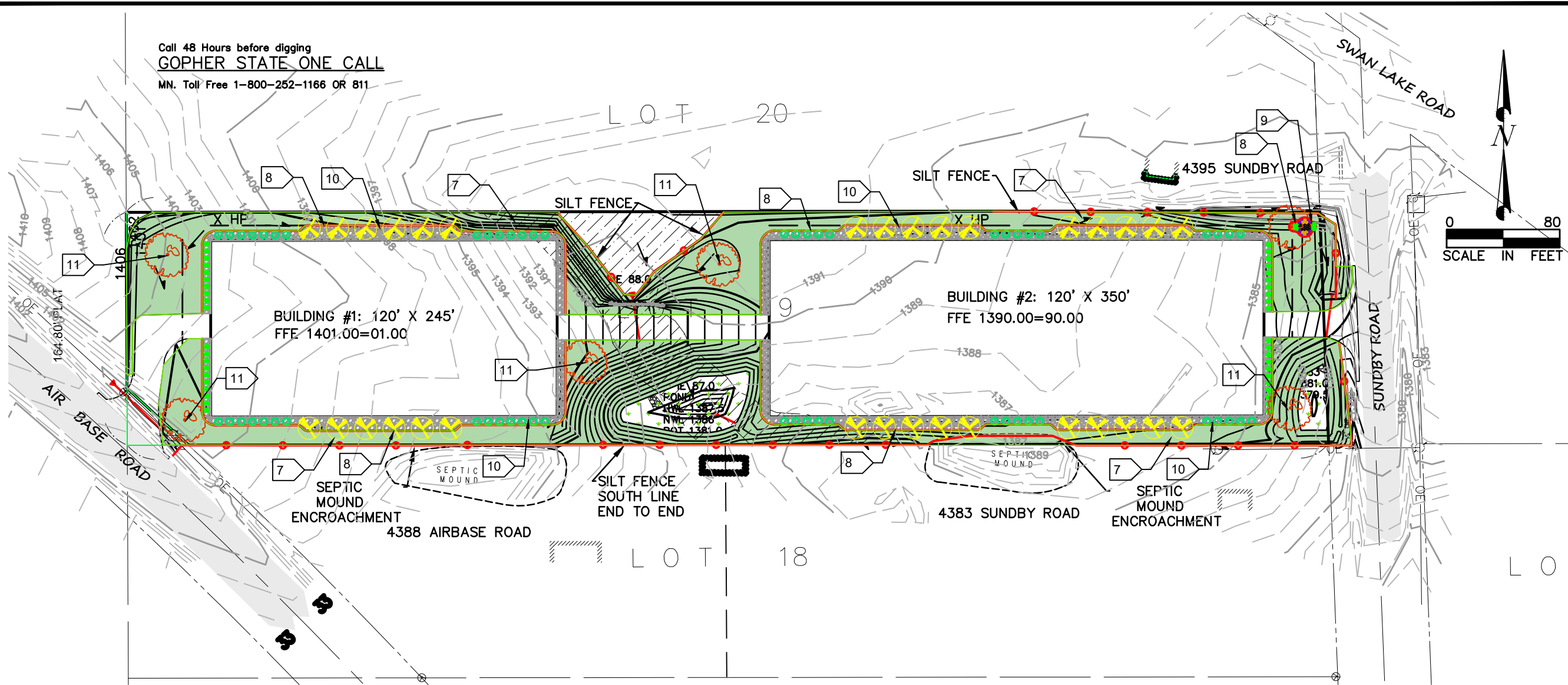
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SWPPP  
EROSION CONTROL  
LANDSCAPE PLAN

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**PRELIMINARY**  
JOSEPH D. PELAWA P.E.

DATE 6-19-2023 LIC. NO. 42603

23-160 PROJECT NO. C6.00

LANDSCAPE NOTES

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- PLACE PLANTS ACCORDING TO LAYOUT WITH PROPER NOMINAL SPACING.
- SPREAD A MINIMUM OF 6 INCHES OF TOPSOIL AND SEED/SOD ALL TURF AREAS DISTURBED BY CONSTRUCTION.
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EROSION CONTROL AND LANDSCAPE LEGEND

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	DECORATIVE ROCK		SEDIMENT CONTROL LOG
	SHREDDED BARK MULCH		18"-36" LANDSCAPE BOULDER

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**6A. Zoning Text Amendment to Chapter 5 – Hermantown Business park**

**Case No.:** 2023-55 Zoning Text Amendment to Chapter 5, Section 590 – Hermantown Business Park

**Staff Contact:** Eric Johnson, Community Development Director

**Request:** Recommend zoning ordinance text amendments to Chapter 5, Section 590 – Hermantown Business Park

---

**REQUESTED ACTION**

Recommend zoning ordinance text amendments to Chapter 5, Section 590 – Hermantown Business Park.

---

**BACKGROUND**

The City has been working with the property owner along Highway 53, Lavaque Bypass and Abrahamson Road on the creation of a 120 acre business park. To date, the City has engaged Braun Intertec to facilitate a concept master plan and environment scoping documents. The next stage for this is the creation of a Hermantown Business Park zoning district.

The Hermantown Business Park zoning district is intended as a transition between more industrial uses and business uses. This district is appropriate for manufacturing, warehousing, and similar industrial uses because of access to thoroughfares, the full complement of urban services such as sewer and water, and distance from residential districts. These areas are intended to encourage the development of industrial uses which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. These industries shall be compatible with each other and with surrounding land uses.

The 120 acre land area is currently comprised of three different zoning districts: C, Commercial; C-1, Office/Light Industrial and C-1A, Office/Light Industrial/Adult Uses. In addition, there are the Airport Safety Zones 2 and 3 associated with this 120 acre area.

Once specific zoning code language is adopted, City staff will continue work with the property owners to determine the extent of the 120 acres that the new zone district will encompass.

The Hermantown Planning and Zoning Commission voted to table this item in order to review further and discuss at the December 19, 2023 Planning and Zoning Commission meeting.

**ATTACHMENTS:**

- Section 590 Hermantown Business Park draft ordinance

## **Section 590 – BP – Hermantown Business Park**

**590.01 Purpose.** The Hermantown Business Park zone district is intended as a transition between more industrial uses and business uses. This district is appropriate for manufacturing, warehousing, and similar industrial uses because of access to thoroughfares, the full complement of urban services such as sewer and water, and distance from residential districts. These areas are intended to encourage the development of industrial uses which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. These industries shall be compatible with each other and with surrounding land uses.

**590.02 Permitted Uses.** The following uses shall be permitted after the issuance of a Commercial Industrial Development Permit.

**590.02.1.** Office warehouse, office showroom;

**590.02.2.** Warehouses;

**590.02.3.** Distribution centers;

**590.02.4.** Light manufacturing;

**590.02.5.** Laboratories for research and development;

**590.02.6.** Manufacturing, assembly, packaging or fabrication;

**590.02.7.** Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or special uses elsewhere in the ordinance.

**590.03 Permitted With Conditions.** The following uses shall be permitted upon issuance of a Zoning Certificate finding that the use is in compliance with the applicable development guidelines and performance standards identified in this Section, as well as any specific conditions included for each particular use.

**590.03.1. Gasoline service station.**

**590.03.1.1.** All on-site utility service installations shall be placed underground.

**590.03.1.2.** Canopy and canopy support systems shall be compatible with the design of the principal structure.

**590.03.1.3.** All portions of the site designed for vehicle travel or storage shall be paved.

**590.03.1.4.** Outdoor storage may only take place in locations so designated and screened on the site plan approved as part of the Zoning Certificate.

**590.03.2. Industrial equipment sales, service, storage and repair.**

**590.03.2.1.** Any elements of the business operated outside a building, including storage of items for sale, long-term storage, and sales/display areas shall be located on an improved, paved surface. Screening may be required as part of the Zoning Certificate.

**590.03.3. Retail sales.**

**590.03.3.1.** Parking areas shall be paved.

**590.03.3.2.** Site access must be from a paved street.

**590.03.4. Restaurants.**

**590.03.4.1.** The gross floor area shall not exceed 2,500 square feet in size.

**590.03.4.2.** Parking areas shall be paved.

**590.03.4.3.** Site access must be from a paved street.

**590.03.4.4.** Restaurants may operate as an accessory use.

**535.03.5. Contractor's Shop and Storage Yard.**

**590.03.5.1.** Outdoor storage areas shall be permitted only in areas depicted on an officially approved site plan as part of a Zoning Certificate approval.

**590.03.5.2.** Designated outdoor storage areas shall be fully screened from off-site views.

**590.03.5.3.** Outdoor storage areas shall be maintained in a neat and orderly manner.

**590.04 Special Use Permit Required.** The following uses shall be permitted upon issuance of a Special Use Permit. These uses must meet all requirements required under Chapter 7 of this Code, as well as any additional requirements listed below.

**590.04.1. More than one principal building.**

**590.04.1.1.** The site circulation and traffic patterns shall be reviewed to determine adequacy.

**590.04.1.2.** The specific use for each principal building on the site shall be identified and found to be compatible.

**535.04.2. Well drilling equipment; storage and repair.**

**590.04.2.1.** Outdoor storage areas shall be maintained in a neat and orderly manner.

**590.05 Accessory Uses.**

**590.05.1. Outdoor storage.**

**535.05.1.1.** Outdoor storage areas shall be permitted only in areas depicted on an officially approved site plan as part of a Zoning Certificate approval.

**535.05.1.2.** Designated outdoor storage areas shall be fully screened from off-site views.

**590.05.2. Refuse and recycling.**

**590.05.3. Uses incidental to primary use.**

**590.06 Dimensional Standards**

**535.06.1.**

Dimension Type	Requirement
1. Minimum lot area	1 acre – within Airport Safety Zone 3 2.5 acres – within Airport Safety Zone 2
2. Minimum lot width	100 feet
3. Minimum depth of front yard (from R.O.W.)	20 feet
4. Minimum depth of corner yard (from R.O.W.)	20 feet
5. Minimum side yard setbacks	20 feet
6. Minimum rear yard setbacks	20 feet
7. Maximum lot coverage	65%
8. Maximum building height	60 feet

**590.07 Performance Standards.** No structure or premises within the HBP district shall be used for one or more of the uses allowed under this Section unless its use complies with the following regulations.

**590.07.1.** Processes and equipment employed in production of goods or any other use of the land shall conform to the following standards:

**590.07.1.1.** Vibration. Any vibration discernable beyond the property line to the human sense of feeling for five minutes or more duration (cumulative) in any one hour and any vibration producing a particle velocity of more than 0.035 inch per second are prohibited.

**590.07.1.2.** Glare and heat. Any operation producing intense glare or heat shall be performed within an enclosure so as not to be perceptible at the property line.

**590.07.1.3.** Industrial Waste Material. All liquid and solid wastes shall be identified in all processes and operations and approved disposal methods identified, and all governmental standards met.

**590.07.1.4.** Noise. Noise levels inside and outside of all buildings must meet federal, state, and local requirements as may be amended from time to time.

**590.07.1.5.** Air pollution. All emissions shall meet federal, state, and local requirements as may be amended from time to time, and all governmental standards met.

**590.07.2.** Manufacture of a product which decomposes by detonation or produces dioxin will not be permitted.

**590.07.3.** All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in a minimally visible location on the site. Whenever possible, such containers shall be located in a location behind buildings and out of view from the public right-of-way. If such containers cannot be sited behind the buildings on the site, they shall be fully screened by a fence.

**590.07.4.** There shall be no access to a property which is within 50 feet of the intersection of the nearest curb cut of any public streets unless it can be demonstrated that adherence to this standard will cause undue hardship to the property owner.

**590.07.5.** Areas to be paved. Prior to issuance of a Zoning Certificate for any uses where a paved parking area is required, a cash escrow or other financial instrument in a form acceptable to the City shall be provided, to be fully refundable upon completion of the paved area. The cash escrow or financial guarantee shall be in the amount of 25% of the cost of the paving improvements, or \$10,000, whichever is more.

**590.08. Design Guidelines.** All buildings erected shall be a type of construction as defined in the Minnesota Building Code

**590.08.01. Building Design (Architecture).**

**590.08.01.1 Materials.** The following standards shall apply to all sides of any building and all sides of a building shall be finished with the same materials.



**590.08.01.1.1** Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, pre-cast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials

**590.08.01.1.2** Prohibited primary building materials include, Masonite, asphaltic exterior wall or roof material, aluminum or steel siding, non-architectural sheet metal, non-textured concrete block, and vinyl.

**590.09.01. Site Planning.**

**590.09.01.1 Parking and circulation.**

**590.09.01.1.1 Automobile spaces.** The number, size, and design of parking spaces and aisles shall conform to the standards for uses set in the C – Commercial zone district.

**590.09.01.1.2 Pedestrian circulation.** Clearly defined pedestrian walkways or paths shall be provided from parking areas to primary building entrances. Walkways and parking lots shall be designed so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

**590.09.01.1.3 Screening.**

**590.09.01.1.3.1** Landscape plans shall be developed with an emphasis upon the boundary or perimeter of the proposed site, to the immediate perimeter of the structure, parking areas, and along areas to be screened

**590.09.01.1.3.2** All parking lots shall be screened from the adjacent properties. The height and depth of the screening shall be consistent with the height and size of the area for which screening is required. All walls and fences shall be architecturally harmonious with the principal structure.

**590.09.01.1.4 Parking lot lighting.**

**590.09.01.1.4.1** The type and location of parking lot lighting shall prevent direct glare onto adjoining property, streets, or skyward.

**590.09.01.1.4.2** Parking lot lighting shall be consistent with pedestrian scale and shall be between 18 and 30 feet high.

**590.09.01.2 Loading and delivery areas.**

**590.09.02.2.1** Loading and delivery facilities shall generally be located at the rear of the site. When this portion of the site is adjacent to residential uses, loading and delivery facilities shall be screened from view by appropriate setbacks and screening.

**590.09.01.3 Utilities and mechanical equipment.**

**590.09.02.3.1** Utilities, electrical boxes and mechanical equipment shall be screened from the view of public streets and neighboring properties and located away from the primary site and building entrances.

**590.09.02.3.2** Mechanical equipment shall be concealed by building elements that are designed as an integral part of the building or site design, unless prohibited by local utility practices.

**590.09.02.3.3** Utilities shall be buried when feasible.

**590.09.01.4 Trash and storage areas.**

**590.09.02.4.1** Whenever possible, trash enclosures shall be architecturally integrated into the design of the structure, at the rear of the building.

**590.09.02.4.2** Trash enclosures shall be architecturally and aesthetically compatible with the building and site design.

**590.09.02.4.3** All trash enclosures shall be screened from public view to the greatest extent possible.

**590.09.02. Landscaping.**

**590.09.02.1** Landscaping is encouraged to play an integral, functional part in on-site stormwater management and traffic circulation. Stormwater ponds, rain gardens and other appropriate stormwater management methods will count as landscaping.

**590.09.02.2** Plants used in landscape plans shall be resistant to drought, disease, and insects and shall be hardy to the area.

**590.09.02.3** Landscape plans shall be developed with an emphasis upon the boundary or perimeter of the proposed site, to the immediate perimeter of the structure, parking areas, and along areas to be screened

**590.09.03. Specific Use Standards.** In addition to the standards presented elsewhere in this ordinance additional standards shall apply to the following special uses:

**590.09.03.1 Fueling stations.**

**590.09.03.1.1** All structures shall be architecturally and aesthetically consistent to an overall architectural theme.

**590.09.03.1.2** The roof design of all structures, including roof canopies and car washes, shall be architecturally and aesthetically consistent to an overall architectural theme.

**590.09.03.1.3** A traffic circulation plan shall be developed and approved. The plan shall, at a minimum, minimize potentially dangerous traffic movements, provide adequate and safe access to the site, separate pedestrian and auto circulations where practical, and minimize curb cuts.

**590.09.04. Signage.**

**590.09.04.1** Sign size and placement shall be regulated the same as signage in the C-Commercial Zoning District as established by Chapter 14 in the Hermantown Zoning Regulations.

**590.10. Off-Street Parking & Loading.** The following minimum requirements shall apply to all uses within the HBP District.

**590.10.1.** Upon a determination by the City Council based on verifiable information pertaining to parking demand, the off-street parking requirements of this Section may be revised upward or downward as part of a Special Use Permit application.

**590.10.2.** For unlisted uses, off-street parking requirements shall be set by the Zoning Administrator based on the closest comparable listed use.

**590.10.3.** Table 590.10.1, Off-Street Parking Requirements:

<b>Table 590.10.1</b>	
<i>Use</i>	Minimum number of parking spaces required
Gas station and automotive repair	Three spaces, plus four spaces per each service bay.
Manufacturing facilities	Five spaces plus one per each 500 square feet floor area.
Medical office or veterinary clinic	1 space per 200 square feet of floor space.
Office or laboratory	1 space per 250 square feet of floor space.
Restaurant	1 space per 100 square feet of floor space.
Retail	1 space per 250 square feet of floor space.

Warehouse or distribution	The lesser of 1 space per 1,500 square feet of floor space, or 1 for each employee on the maximum working shift.
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**590.10.4.** All off-street parking areas shall be maintained in good repair.

**590.10.5.** Loading docks, berths and facilities.

**590.10.5.1. Loading dock.** A minimum of one loading dock shall be provided for nonresidential buildings with 20,000 square feet or more in floor area

**535.10.5.2. Loading facility.** A loading facility includes the dock, the berth for the vehicle, maneuvering areas, and the necessary screening walls.

**535.10.5.3. Location.** All loading berth curb cuts shall be located 25 feet or more from the intersection of two street rights-of-way. No loading berth shall be located less than 50 feet from any parcel that is zoned residential and used or subdivided for residential use, or has an occupied institutional building. Loading facilities shall not occupy the required front yard.

**535.10.5.4. Size.** A loading dock shall have a berth area at least 12 feet wide and 55 feet long.

**535.10.5.5. Access.** Each loading berth location shall permit vehicular access to a street or public alley in a manner which will least interfere with traffic.

**535.10.5.6. Surfacing.** All loading facilities and access ways shall be paved with bituminous or concrete paving to control the dust and drainage.