



Hermantown Planning & Zoning Meeting – January 17, 2024

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

Revised Agenda
January 17, 2024
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - 3A. December 19, 2023 regular meeting.
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
 - 5A. An application by Arola Architects for a Commercial Industrial Development Permit for the construction of a 3,139 square foot dental clinic and associated site improvements. The property is located at 48xx W. Arrowhead Road and is located in a C, Commercial zoning district.
6. **CONTINUING BUSINESS**
 - 6A. Update from HKGI on Hermantown Comprehensive Plan
7. **NEW BUSINESS**
 - 7A. Discussion on Accessory Dwelling Units (ADU)
8. **COMMUNICATIONS**
9. **COMMISSION MEMBER REPORTS**
 - Joe Peterson
 - Corey Kolquist
 - Valerie Ouellette
 - Beth Wentzlaff
 - Buckley Simmons
 - Dante Tomassoni
 - John Geissler

ADJOURN



5A. 48xx W. Arrowhead Road – Commercial Industrial Development Permit (CIDP)

Applicant: Arola Architecture Studio
Case No.: 2024-02-CIDP
Staff Contact: Eric Johnson, Community Development Director
Request: Approve a Commercial Industrial Development Permit with conditions for a 3,139 square foot dental office

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to develop an existing 1.0 acre site located at 48xx W. Arrowhead Road. The applicant is proposing to develop the property for a 3,139 square foot dental office.

DESCRIPTION OF REQUEST:

The applicant (Arola Architecture Studio) is working with the owners of M Dental to develop the property in order to construct a 3,139 square foot dental office with 23 parking spaces. The project involves the construction of the building along with a shared driveway onto W. Arrowhead Road; a paved bituminous parking lot with 23 spaces with room for future expansion of an additional 14 spaces; new landscaping and stormwater facilities. In addition, a 1,500 square foot building expansion may be constructed at a future date.

A CIDP for this property was previously approved in 2022. CIDP approvals are valid for 1 year with the approved project needing to commence within that time period. The previous approval of a 2,750 square foot building was not acted upon with the 1 year period. In addition, the property owner is now proposing a larger building along with architecture that differs from the previous approval.

SITE INFORMATION:

Parcel Size: 1.0 acres
Legal Access: 48xx W. Arrowhead Road
Wetlands: N/A
Existing Zoning: C, Commercial
Airport Overlay: Zone 3, height restrictions only
Shoreland Overlay: N/A
Comprehensive Plan: Commercial

ZONING ANALYSIS:

Zoning District: C, Commercial		
Type	Required	Proposed
Min Lot Area	None	1.0 acres
Lot Width	None	208 feet along W. Arrowhead Road
Front Yard	35 feet ROW	87 feet from W. Arrowhead Road right of way
Rear Yard	40 feet	72 feet
Side Yard	10 feet	15 feet minimum
Lot coverage	50%	10.6%
Maximum Building Height	65 feet	21 feet
Parking	15 spaces (1/employee and 5/dentist)	23 with future expansion of 14 spaces
Airport Safety Zone: 3		
Maximum Building Elevation	1580'	< 1420'

Stormwater Management

The property is 1.0 acres in size. The proposed impervious surface consists of the 3,139 square foot building with future expansion of 1,500 square feet, 12,541 square feet of bituminous parking lot (with expansion), 1,110 square feet of concrete sidewalk for a total of 18,290 square feet of impervious area (42%).

The plan proposes a detention basin on site for the treatment of stormwater. The applicant has submitted preliminary engineering plans locating the basin and it's 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 property is accessed from W. Arrowhead Road by way of a shared access with the adjoining property to the west. This location was discussed with the City Engineer and Public Works Director with the determination that a shared access should be utilized in order to reduce the number of driveways connecting to W. Arrowhead Road.

The applicant anticipates that there will be approximately 6 passenger vehicles per hour at peak operating times with the potential for up to 100 daily trips into and out of the proposed facility.

Utilities

The project will access the existing water and sewer mains in the W. Arrowhead Road right of way. The applicant will need to coordinate with the City in order to connect into the lines and will have to pay the sewer and water connection and availability fees. The applicant will need to submit final engineering plans to the City Engineer before issuance of the Commercial Industrial Development Permit.

Building Architecture

The proposed building is 3,139 square feet in size and approximately 21 feet in height. The building is to be constructed of wood framed modular units clad in composite wood siding with metal accent panels. The main portion of the building has a flat roof with the entry feature having a peak roof at the main entry and reception area.

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

There will be a dumpster enclosure located within the parking lot area. The enclosure will be constructed of similar materials as the building.

Park Dedication Fees

The property owner has already paid the park dedication fees for this property at the time of its subdivision.

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:

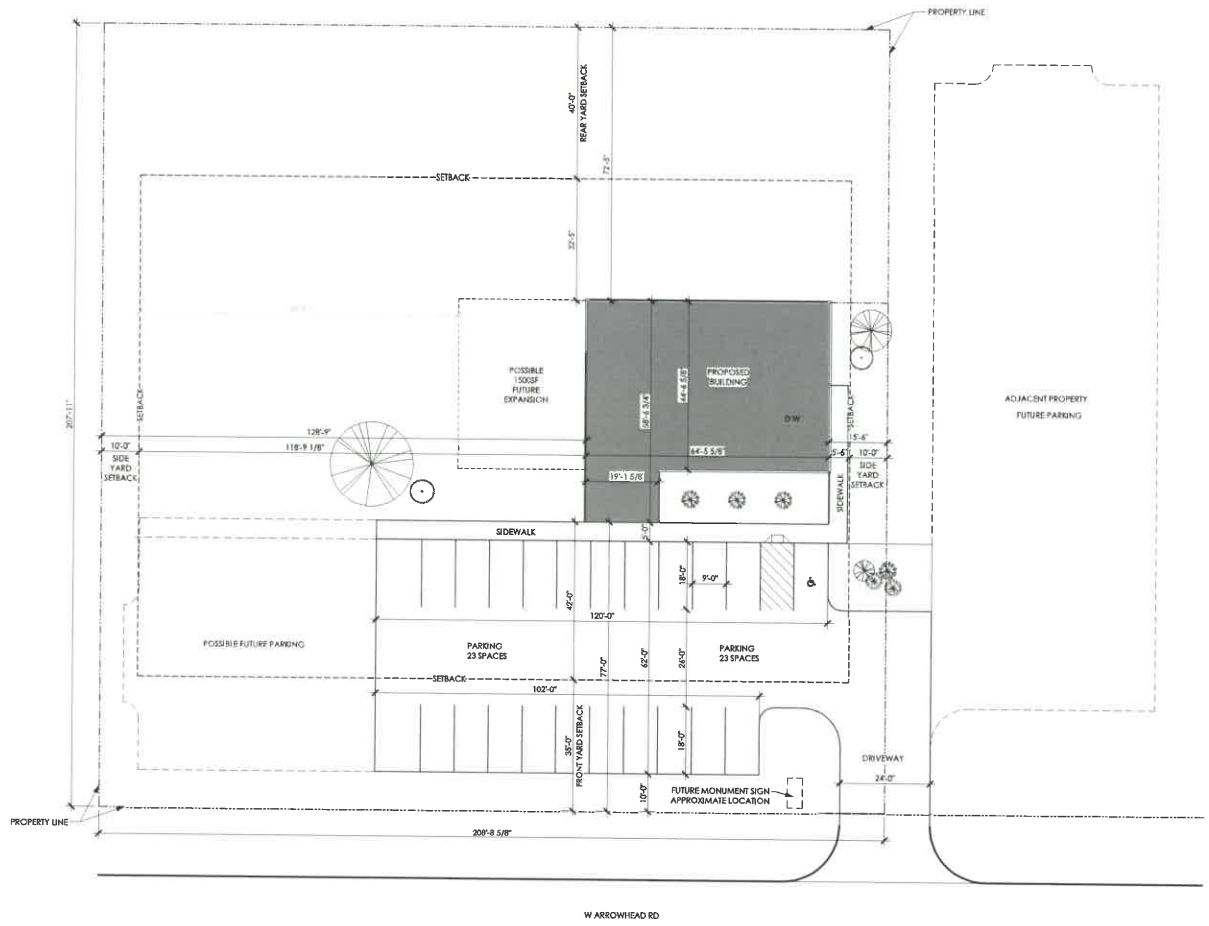
1. The applicant is seeking to construct a 3,139 square foot, one-story building with a 1,500 square foot expansion for a dental office. The applicant will need to supply final site engineering and architectural plans prior to the issuance of the Commercial Industrial Development Permit (CIDP).
2. The proposal meets the requirements of Section 520, "C, Commercial" of the Hermantown Zoning Ordinance.
3. The proposal meets the requirements of Chapter 8, "Commercial-Industrial Development Permits" of the Hermantown Zoning Ordinance.
4. There are no wetlands located on the site.
5. Prior to issuance of the CIDP, the applicant shall submit final Stormwater and Erosion and Sediment Control Plans and computations as well as receive a MS4 Statement of Compliance from the City Engineer.
6. Applicant shall pay City water availability and sewer and water connection fees.
7. The applicant shall sign a consent form assenting to all conditions of this approval.
8. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Site Location Map
- Proposed Site Plan
- Proposed Grading and Utility Plan
- Proposed Floor Plan
- Proposed Building Elevations

Location Map





① SITE PLAN
1/16" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: Project Status

M DENTAL
4876 W ARROWHEAD RD
HERMANTOWN, MN 55811

ISSUE DATE
Issue Date

PROJECT NO.
2358

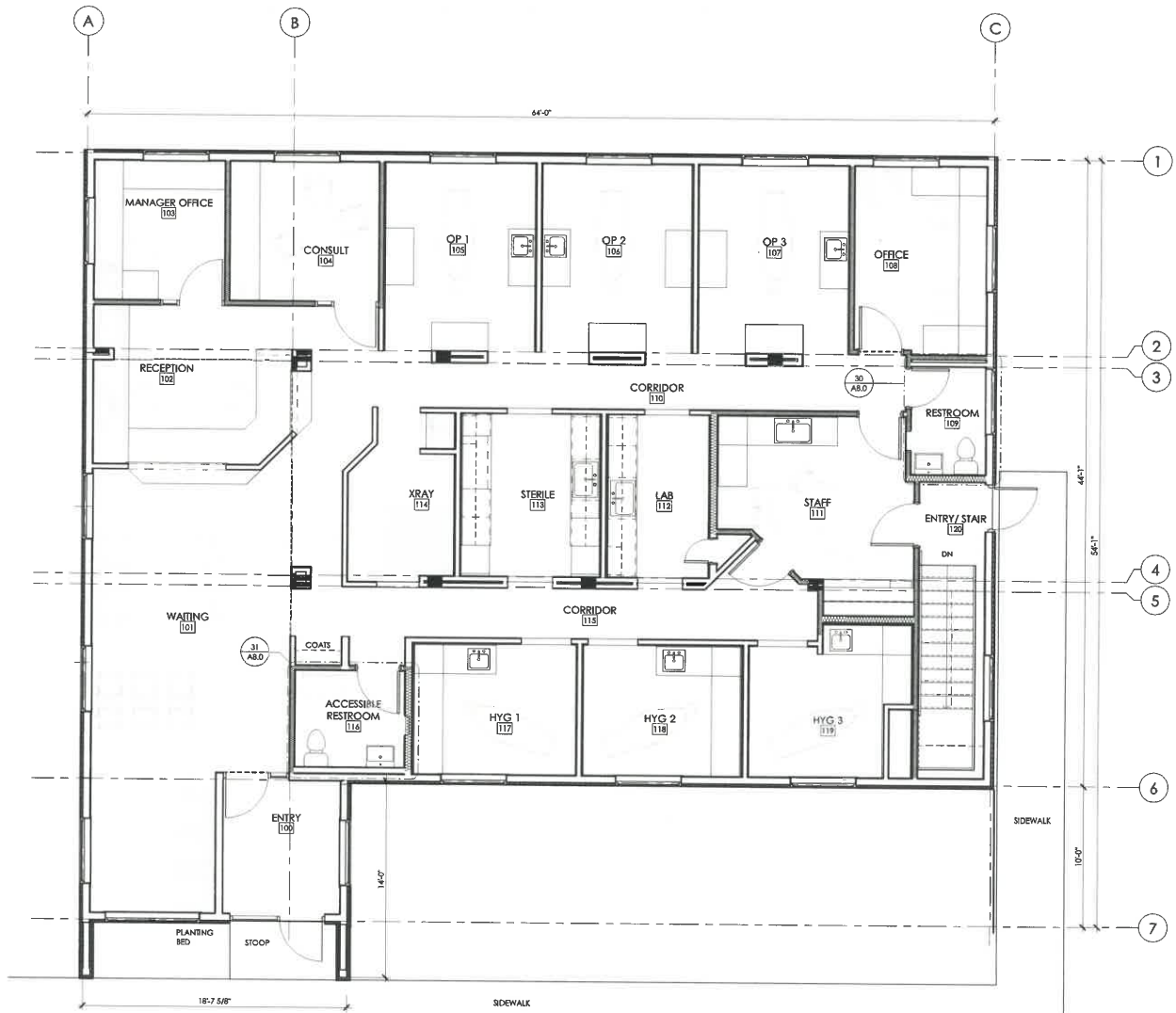
REVISIONS

SHEET NO.

SITE

GENERAL NOTES

1. DIMENSIONS ARE FROM (UNLESS NOTED OTHERWISE)
 - A. EXISTING CONSTRUCTION -OUTSIDE FACE
 - B. NEW CONSTRUCTION -FACE OF STUD/BLOCK
 - C. PLUMBING FIXTURES -CENTER LINE
 - D. DOORS -CENTER LINE
 - E. WINDOWS -CENTER LINE
2. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS. NOTIFY ARCHITECT OF ANY DISCREPANCY IMMEDIATELY.
3. CONTRACTOR TO NOTIFY ARCHITECT OF ANY UNEXPECTED CONDITIONS THAT IS UNCOVERED DURING CONSTRUCTION. ANY UNSAFE CONDITIONS WILL NEED TO BE SHORED UP IMMEDIATELY SO THAT THE EXISTING CONDITIONS CAN BE EVALUATED BY THE ARCHITECT AND/OR STRUCTURAL ENGINEER.
4. CONTRACTOR ASSUMES THE RISK OF ERRORS IN MATERIAL QUANTITIES WHEN RELYING ONLY ON THE DRAWINGS - FIELD VERIFICATION IS REQUIRED FOR WORK IN EXISTING BUILDINGS.
5. MECHANICAL AND PLUMBING DESIGN BY OTHERS. ALL MECHANICAL AND PLUMBING TO MEET MN ENERGY DESIGN CODE REQUIREMENTS.
6. ELECTRICAL DESIGN BY OTHERS. ALL ELECTRICAL AND LIGHTING TO MEET MN ENERGY DESIGN CODE REQUIREMENTS. ALL EXTERIOR LIGHTING TO MEET HERMANTOWN ORDINANCE REQUIREMENTS FOR LIGHT POLLUTION.
7. MECHANICAL AND ELECTRICAL CONTRACTOR TO PROVIDED SCREENING AS REQUIRED BY HERMANTOWN ORDINANCES.
8. SPRINKLER SYSTEM DESIGN BY OTHERS.
9. FIRE ALARM SYSTEM DESIGN BY OTHERS.
10. LANDSCAPE DESIGN BY OTHERS.
11. FURNITURE AND FIXTURE DESIGN BY OTHERS.
12. INTERIOR FINISH SELECTIONS BY OWNERS.
13. EXTERIOR FINISH SELECTIONS TO BE BY OWNER.
14. SITE INFORMATION IS NOT AN ACTUAL SURVEY. SITE INFORMATION OBTAINED FROM ST. LOUIS COUNTY GIS.



① LEVEL 1 FLOOR PLAN
1/4" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: Project Status

M DENTAL
4876 W ARROWHEAD RD
HERMANTOWN, MN 55811

ISSUE DATE
Issue Date

PROJECT NO.
2358

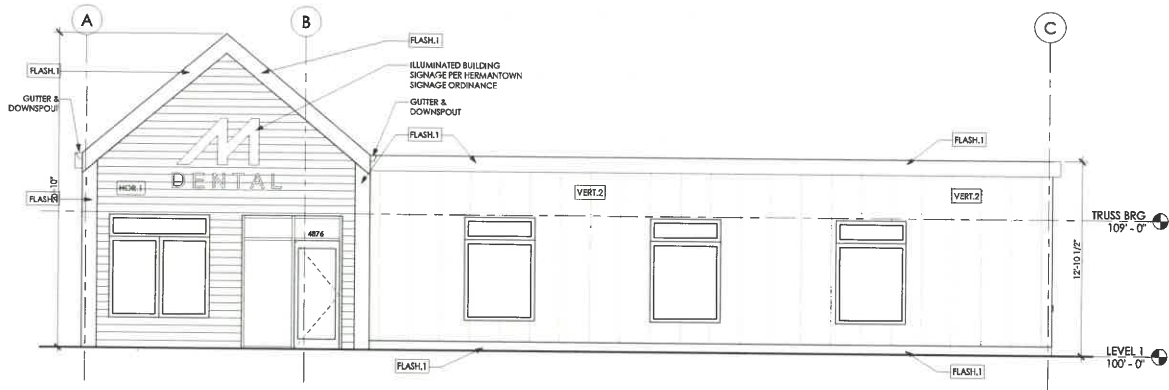
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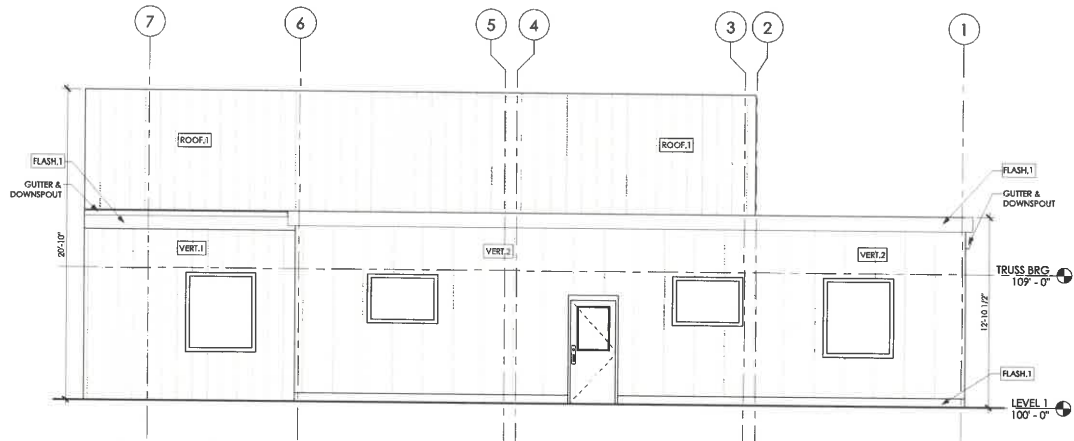
A2.0

EXTERIOR FINISHES

HOR.1	HORIZONTAL SIDING
PROFILE:	4" TONGUE & GROOVE
COLOR:	CEDAR-TONE
MATERIAL:	TBD
VERT.2	VERTICAL SIDING
MFR:	LP SMARTSIDE
PROFILE:	CEDAR TEXTURE PANEL W/ 2-1/2" BATTEN
COLOR:	STANDARD COLOR - TBD
VERT.1	VERTICAL METAL SIDING
MFR:	TBD
PROFILE:	12" FLUSH PANEL
COLOR:	BLACK
FLASH.1	METAL FLASHING
MFR:	TBD
COLOR:	BLACK
ROOF.1	STANDING SEAM METAL ROOFING
MFR:	TBD
PROFILE:	12" COVERAGE
COLOR:	BLACK



① PLAN SOUTH ELEVATION
1/4" = 1'-0"



② PLAN EAST ELEVATION
1/4" = 1'-0"



PRELIMINARY
NOT FOR CONSTRUCTION
DATE: Project Status

M DENTAL
4876 W ARROWHEAD RD
HERMANTOWN, MN 55811

ISSUE DATE
Issue Date

PROJECT NO.
2358

REVISIONS

SHEET NO.

A2.4



① 3D View - SW



② 3D View - SE



PRELIMINARY
NOT FOR CONSTRUCTION
DATE: Project Start

M DENTAL
4876 W ARROWHEAD RD
HERMANTOWN, MN 55811

ISSUE DATE
Issue Date

PROJECT NO.
2358

REVISIONS

SHEET NO.

A3.2



① 3D View - PLAN NE



② 3D View - PLAN NW

PRELIMINARY
 NOT FOR CONSTRUCTION
 DATE: Project Status

M. DENTAL
 4876 W ARROWHEAD RD
 HERMANTOWN, MN 55811

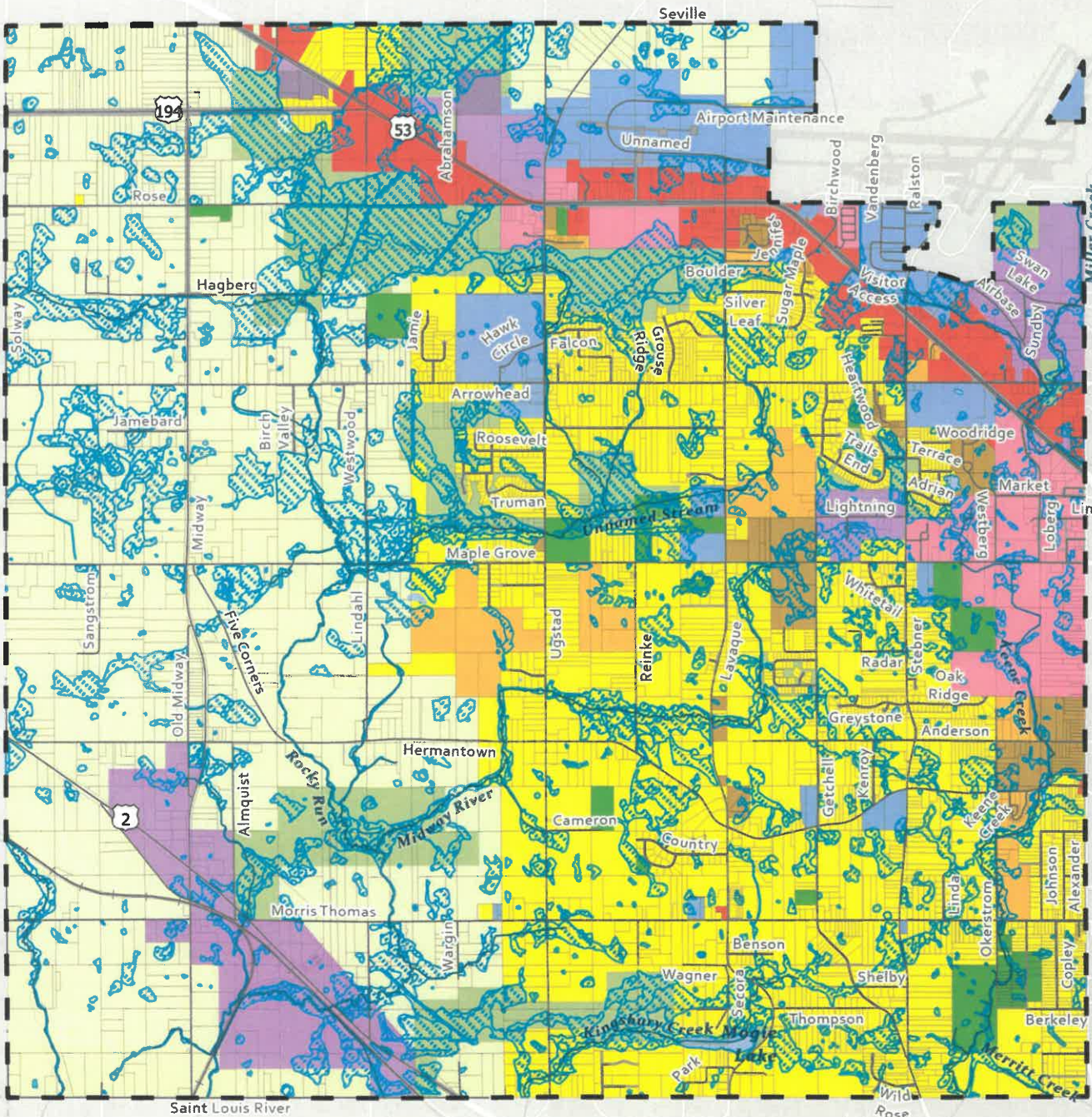
ISSUE DATE
 Issue Date

PROJECT NO.
 2358

REVISIONS

SHEET NO.

A3.3



Future Land Use

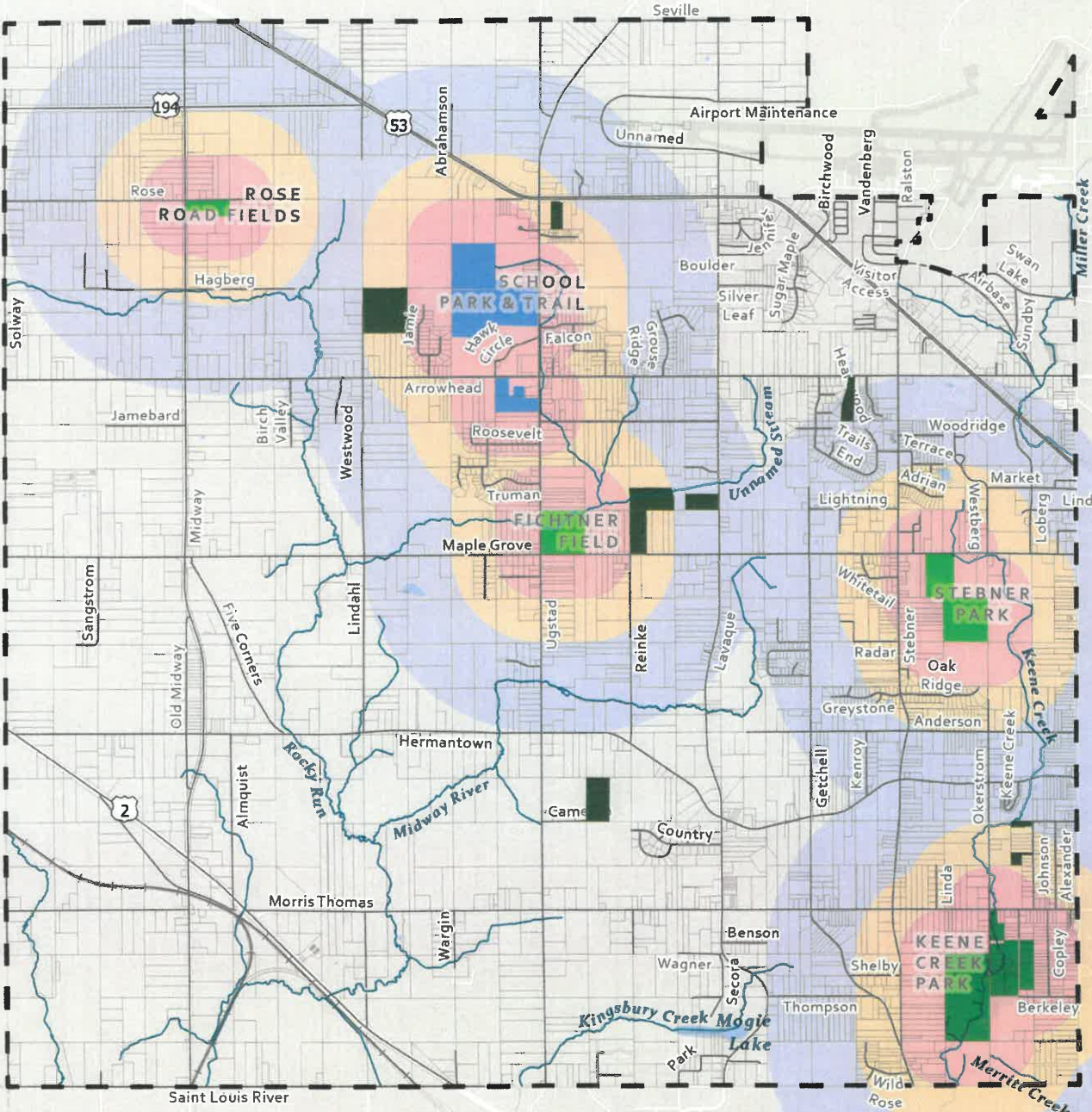
- City Boundary
- Rail Lines
- Roadways
- Parcels
- Rivers and Streams
- Lakes
- Wetlands
- Future Land Use
 - Open Space
 - Park
 - Rural Residential
 - Suburban Residential
 - Neighborhood Residential
 - Urban Residential
 - Mixed-Use
 - Commercial
 - Business & Light Industrial
 - Heavy Industrial
 - Public/Institutional
 - ROW





Future Land Use

- City Boundary
- Rail Lines
- Roadways
- Parcels
- Rivers and Streams
- Lakes
- Park Type**
 - Community Athletic Fields
 - Community Park
 - School/Community Parks
- Parks Buffers**
 - Parks Buffer 1/4 Mile
 - Parks Buffer 1/2 Mile
 - Parks Buffer 1 Mile
 - City owned property for undeveloped parkland



Hermantown Future Land Use Plan Designations - DRAFT

Rural

Land guided for agricultural and rural large lot residential uses not connected to urban services with a maximum residential density of one dwelling unit per ten acres.

Suburban Residential

Land guided for single-unit detached homes, two-unit dwellings, and accessory dwelling units, connected to urban services with a maximum density of four units per net acre (minimum lot size of 1/4 acre).

Neighborhood Residential

Land guided for a mix of single-unit detached dwellings, multi-unit dwellings (up to four units), courtyard cottage/bungalow dwellings, townhomes, and accessory dwelling units, connected to urban services.

Urban Residential

Land guided for multi-unit dwellings (up to four units), townhomes, and apartment buildings connected to urban services.

Mixed Use

Land within the Hermantown Marketplace area is guided for the integration of more than one land use either vertically (e.g. multi-story buildings with residential, office, and/or hospitality uses above and commercial uses at street level) or horizontally as a planned development designed to integrate complementary and uses. Land uses allowed are commercial, office, high density residential, park, and institution. Development should generally achieve a floor area ratio (FAR) greater than 1.0 and a minimum residential density of sixteen units per acre.

Commercial

Land guided for large and small-scale commercial business providing goods and services. This includes food and beverage, entertainment, offices, and regional-scale malls, shopping centers of various sizes, freestanding large-format stores, freestanding smaller businesses, multi-story office buildings, automobile dealerships, and institutions. Buildings should be scaled appropriately to the surrounding neighborhood with appropriate buffers and pedestrian connections provided between Commercial areas and adjacent residential neighborhoods. Commercial areas are located in places with visibility and access from the regional highway system.

Business & Light Industrial

Land guided for the integration of commercial and industrial land uses which are compatible with each other, including office, light industrial, and retail/service uses. The intent of this land use category is to provide additional flexibility that supports the creation of significant employment centers, generally characterized by a broader diversity of jobs, higher development densities and jobs per acre, higher quality site and architectural design, and increased tax revenues.

Industrial

Land guided primarily for manufacturing, assembly, processing, packaging, warehousing, storage, distribution, or research and development of products, in order to provide employment opportunities and increase the city's tax base.

Public/Institutional

Land guided for public, semi-public, and private government, educational, religious, social, and healthcare facilities.

Park

Land guided for public parks (local, county, regional, state, and federal), playgrounds and playfields.

Open Space

Land, both publicly and privately owned, preserved for open space uses and recognition of vital environmental resources including waterways, steep slopes, wetlands, and floodplains.

Right of Way

Land preserved for public and semi-public infrastructure such as road right-of-way, railroad right-of-way, energy plants, sanitary sewer facilities, water utilities, and similar uses.

Accessory Dwelling Units

Duluth, MN

Accessory dwelling units are secondary or subordinate dwelling units added to an existing one or two family dwelling; these are often called granny flats, mother-in-law homes, or carriage houses. These must be located on the same platted lot or tax parcel as a primary residential structure and must be owned by the same owner, but may be rented (with an approved rental permit from the Life Safety Division of the City of Duluth Fire Department).

Accessory dwelling units must provide the basic requirements for living, sleeping, cooking, eating, and sanitation, and are constructed on compliant permanent footings or foundation, with permanent connections to public sanitary sewer and water (which may be stubbed from the primary dwelling).

No recreational vehicle, or structure on a chassis, can be an accessory dwelling unit. Only one accessory dwelling unit is allowed per one or two family dwellings.

The city does not require that the owner of a primary residential structure with an accessory dwelling unit live on site. Traditionally that has been common, with the owner living on site in the primary residential structure and renting out the accessory dwelling to family or non-family members. But residency is not a requirement in the zoning code. The owner of the parcel that contains the primary and accessory dwellings may live outside the city or state.

Accessory dwelling units must not exceed 800 square feet of total floor space, nor shall it exceed the total floor area square footage of the principal structure. It should be designed and built consistent in character and design with the primary dwelling, and shall not exceed the height of the principal residential structure or 20 feet, whichever is greater. In addition, at least one off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling.

Minneapolis, MN

ADUs are accessory to both owner-occupied and non-owner-occupied single- and two-family dwellings.

Minimum ADU size is 300 sq. ft.; maximum is 800 sq. ft. Maximum building height is 21 feet.

Eaves/overhangs shall not extend closer than two feet to the lot line (exception for alley side). Openings (windows, doors, vents, etc.) are not permitted within three feet of side (shared) property line (exception for alley side).

Habitable space in the ADU and hallways, bathrooms, toilet rooms, laundry rooms shall have a ceiling height of not less than seven feet.

Water and sewer connections are specific to a PID number. A detached ADU is an accessory structure to the primary dwelling and is typically served through water and sewer service extensions from the primary structure to the ADU. However, dedicated water and/or sewer services to a detached ADU may be allowed in special circumstances. The layout and design of any new services shall be in accordance with engineering design standards and governing ordinances as well as the Minnesota Plumbing Code.

Richfield, MN

- No more than one ADU shall be allowed on a lot.
- ADU must be attached to a garage or to the primary residential structure. Standalone units are not allowed
- The lot must meet current width and depth requirements.
- The creation of an ADU shall not create a separate tax parcel.
- An owner of the property must live on the lot. Proof of homesteading shall be required, and a rental license is required for the non-owner-occupied unit.
- ADUs must have a minimum floor area of 300 square feet, and cannot exceed 800 square feet.
- Total area of accessory structures on a lot must not exceed 1,200 square feet (or 13% of the lot, for lots over 15,000 square feet). This includes all floor space in a garage, an ADU, and any sheds or greenhouses on the property.
- On smaller lots (less than 75 feet wide), the garage+ADU height cannot exceed the height of the principal residence or 18 feet, whichever is less.
- On lots 75 feet more in width, the height of the garage+ADU cannot exceed the height of the principal residence.
- Exterior materials for new ADU construction must match the structure to which the ADU is attached.
- On the main residential structure, no additional entrances facing the public street may be added.
- No exterior stairways constructed with raw or unfinished lumber may be added to access an ADU.
- Excess garage space may be converted to an ADU without replacement so long as at least two auto parking spaces are preserved.
- A minimum of three off-street parking spaces are required in order to add an ADU of any kind.

Northfield, MN

- ADU's are listed as accessory structures in our Land Development Code.
- One ADU is allowed per lot, you can have up to 3 accessory structures on your lot.
- Churches and all residential zoning districts are allowed to have ADUs.
- ADUs are not subject to the 20% rental density restriction.
- ADUs do not count towards the allowed amount of lot coverage.
- ADUs can be located as part of a detached garage or can be their own separate structure. If the ADU is part of a garage, then the garage regulations should be followed.
- Limit on size: cannot exceed 50% of the gross floor area of the main home or 1,000 square feet, whichever is less.
- Constructed to be compatible with the main home and neighborhood.
- Must be at least 10 feet from the main home.
- Parking is not required, but have to provide unrestricted, improved access must be provided from the street to the ADU entrance.
- Must have a kitchen, bathroom, sanitary and water services.

- The ADU or main home may be rented if the owner of the property lives resides on the property.

Burnsville, MN

- Allowed only on residential property with a minimum 10,000-square-foot lot
- Only one ADU is permitted on any lot, and ADUs must meet all setback requirements

Both attached and detached ADUs must:

- be built and maintained with a consistent look/style of the primary home
- be constructed on a permanent foundation with no wheels
- contain no more than two bedrooms
- be a minimum of 300 square feet
- not exceed more than 50% of the primary home's square footage

Garage Conversion: A garage cannot be converted into an ADU unless a new 440-square-foot (or larger) garage is built without the need for a variance

Entry Door: If the exterior door for the ADU is on the same wall as the primary residence front door, the doors must be at least 20 feet apart

Both attached and detached ADUs must be connected to and served by the same municipal water, sanitary sewer, gas and electric utility, private well and/or septic system as the primary home. Temporary water, sewer and electrical connections are not allowed.

Properties that contain an ADU must provide one additional off-street parking space (in addition to the two spaces required for the primary home). An additional garage may be constructed if it complies with all state and City regulations.

All dwellings must be built and maintained to comply with all City Codes, and residents must adhere to the following:

Property owner must live in either the primary residence or ADU as their permanent home a minimum of 185 days each year

An ADU cannot be subdivided or sold separately from the primary home

Park Dedication fees are required when adding an ADU. These, and any additional utility connection fees will be collected if and when a building permit is issued for renovations

White Bear Lake, MN

Begins with the homeowner submitting a [Land Use Application](#), including plans, to the Community Development Department

1. City staff brings the application to the Planning Commission and makes a recommendation for approval as-is, approval with additional conditions or denial. In turn, the Planning Commission hears the case and makes one of the above recommendations to City Council

2. City Council hears the case and has the final authority in approving or denying the application

The process typically takes 2-3 months and requires a non-refundable [application fee](#).

- ADUs shall be located in existing single family structures (principal or accessory), with the owner of the single family structure residing in the principal structure. Separate ownership of the accessory unit is not permissible
- Exterior modifications which detract from the single family character of the neighborhood will not be permitted
- ADUs shall not exceed 880 square feet or 40% of the habitable area within the single family home, whichever is less
- Where conditions or circumstances of a specific property make implementation of the zoning code standards impractical, City Council *may* alter the conditions of the section for the specific property in question
- If you are renting an ADU to a non-relative you are required to have a [rental license](#)

Golden Valley, MN

- One ADU per lot. An ADU is only allowed in conjunction with a single-family home.
- The property owner must reside in either the principal dwelling or ADU as either their sole or primary residence.
- Minimum floor area: 250 square feet
- Maximum floor area: 950 square feet or 35 percent of the home's livable floor area, whichever is less
- Height: 12 feet measured from the structure floor to the top plate or highest horizontal component of the frame building.
- Setbacks: 35' – Front yard; 10' – side yard; 25' – rear yard; 10' minimum from existing home
- Designed and use materials that complement and match the principal dwelling.
- Entrances shall only face the side or rear yard.
- One additional off-street parking space is required for the ADU above the minimum required for single-family homes. The creation of an ADU by conversion of garage space shall not reduce the home's provide off-street parking below the minimum requirements.
- Utility connections for the ADU shall be provided from the existing principal structure so long as adequate capacity exists or can be provided.