



Hermantown Planning & Zoning Meeting – April 16, 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

Agenda
April 16, 2024
7:00 PM

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES**
 - 3A. March 19, 2024 regular meeting.
- 4. PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
- 5. PUBLIC HEARINGS**
 - 5A. An application by the City of Hermantown. for a rezoning of a 65-acre parcel located at 4860 Maple Grove Road associated with parcels 395-0010-06630 and 395-0010-06740. The parcels are currently zoned P, Public with a proposed rezoning to HM, Hermantown Marketplace.
 - 5B. An application by the City of Hermantown for a Preliminary and Final Plat for the creation of an 8.1-acre lot, 2 outlots and associated right of way located at 4860 Maple Grove Road associated with parcels 395-0010-06630 and 395-0010-06740. The parcels are currently zoned P, Public.
 - 5C. An application by Jamie Foreman and Duane Lahti for a Commercial Industrial Development Permit for the construction of a 75-foot-tall, 125,000 square foot sports dome, 10,000 square foot clinic with associated site and stormwater improvements. The property is located at 4860 Maple Grove Road and is located in a P, Public zoning district.
 - 5D. An application by Jamie Foreman and Duane Lahti for a Special Use Permit for the construction of a 75-foot-tall, 125,000 square foot sports dome, 10,000 square foot clinic with associated site and stormwater improvements. The property is located at 4860 Maple Grove Road and is located in a P, Public zoning district.
 - 5E. An application by the City of Hermantown for a Special Use Permit for grading and filling within a shoreland area. The project is located at 4118 Ugstad Road and is located within a Natural Environment Shoreland Area.

PLANNING & ZONING COMMISSION

April 16, 2024

6. CONTINUING BUSINESS

7. NEW BUSINESS

8. COMMUNICATIONS

Logged correspondence 24-32 and 24-34

9. COMMISSION MEMBER REPORTS

Joe Peterson

Corey Kolquist

Valerie Ouellette

Beth Wentzlaff

OPEN

OPEN

Matthew Fournier

John Geissler

ADJOURN



PLANNING & ZONING COMMISSION

March 19, 2024 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Beth Wentzlaff; Matthew Fournier; and Councilor John Geissler

Members Absent: Valerie Ouellette and Buckley Simmons

Others Present: Eric Johnson, Community Development Director; Pat Malley, 4691 Vaux Rd.; and Mark & Jacqueline Carlson.

2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the March 19, 2024 agenda as presented. Seconded by Matthew Fournier. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Beth Wentzlaff to approve the February 27, 2024 minutes as presented. Seconded by Corey Kolquist. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application for a Preliminary Planned Unit Development (PUD) Amendment by Jay Zierden/BMAX for a 10 building/20 total unit twinhome/duplex development on 10 acres. The property is located at 399x Stebner Road and is located in a R-3, Residential zoning district. **THIS ITEM HAS BEEN REMOVED FROM THE AGENDA**

5B. An application by ABDO Marketplace LLC. for a Commercial Industrial Development Permit for the construction of a 10,640 square foot retail/commercial building with associated site and stormwater improvements. The property is approximately 2.75 acres in size and is located at 559x Miller Trunk Highway and is located in a C-1, Office/Light Industrial zoning district.

Eric Johnson, Community Development Director set forth that the applicant, Abdo Marketplace, LLC, is working to develop the property located at 5598x Miller Trunk Highway, in order to construct a 10,640 square foot retail/commercial building with 35 parking spaces. The project involves the construction of the building along with a driveway onto Vaux Road; a paved bituminous parking lot with 35 spaces and stormwater facilities.

The following residents spoke about their concerns regarding this project. The main issues were, stormwater, traffic concerns and nature of Vaux Road in relation to truck traffic.

Pat Malley, 4691 Vaux Rd.

Mark Carlson, 3988 Stebner Rd.

Jacqueline Carlson, 3988 Stebner Rd.

Motion made by Corey Kolquist to approve the application by ABDO Marketplace LLC. for a Commercial Industrial Development Permit for the construction of a 10,640 square foot retail/commercial building with associated site and stormwater improvements. Seconded by Beth Wentzlaff. Motion carried 4 to 0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Corey Kolquist – None

Valerie Ouellette – Absent

OPEN –

Beth Wentzlaff – None

Buckley Simmons – Absent

Matthew Fournier – None

John Geissler – None

ADJOURN

Motion made by Matthew Fournier to adjourn the meeting. Seconded by Beth Wentzlaff. Meeting adjourned at 7:32 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. 4860 Maple Grove Road – Zoning Map Amendment

Applicant: City of Hermantown
Case No.: 2024-18 ZM
Staff Contact: Eric Johnson, Community Development Director
Request: Rezone Parcels 395-0010-06630 and 395-0010-06740 from P, Public to HM, Hermantown Marketplace

RECOMMENDED ACTION:

Staff recommends that the Planning Commission recommend approval of the proposed change to the Hermantown Zoning Map by rezoning the 65 acres associated with Stebner Park from P, Public to HM, Hermantown Marketplace. The property is located at 4860 Maple Grove Road.

SITE DATA

Address: 4860 Maple Grove Road
Comprehensive Plan: Concept Area 1: Maintain Suburban Character, Preserve Critical Natural Features, Phase Residential Development, Develop Existing and New Park Areas
Zoning: P, Public
Lot Size: 65 acres
Wetlands: Delineated in 2022
Shoreland Overlay: No
Airport Zoning: None

DESCRIPTION OF REQUEST:

Requested is the proposed change to the Hermantown Zoning Map by rezoning the 65 acres associated with Stebner Park from P, Public to HM, Hermantown Marketplace. The property is located at 4860 Maple Grove Road. The purpose of the rezoning is to facilitate the future transfer of 8 acres of land within the park to a private developer in order to construct a sports dome.

BACKGROUND:

The City was approached by Excel North Physical Therapy and Performance (Excel), who currently has an existing business in the Hermantown Marketplace. Excel expressed the desire to construct a 100,000 square foot sports dome along with a physical therapy clinic and inquired about City owned land in order to utilize for the project. City staff discussed the potential of using a portion of land within Stebner Park for the sports dome and then facilitated a meeting between Excel and Hermantown Youth Soccer Association (HYSA). HYSA is the primary user group of Stebner Park, so staff wanted to insure that the

field needs of HYSA would continue to be met should a dome be constructed on one of the existing soccer fields.

HYSA and Excel have since entered into an agreement for use of the dome which will provide the opportunity for year round field availability for HYSA on both the existing outdoor soccer fields and indoor turf within the dome. Excel will also utilize the dome for their physical therapy and performance business as well as rent the dome for year round sports activities, events and recreational activities.

Utilities

There is public water within the park and in 2023, the City extended sanitary sewer from Maple Grove Road south into the park approximately 1700 feet. Any future development will be required to connect to the public utilities and pay any applicable connection and availability fees.

Wetlands

Stebner Park was delineated in 2022 with the delineation being reviewed and approved by the Hermantown Technical Evaluation Panel at that time. Any proposed wetland impacts within the property will require review and approval by the Hermantown Technical Evaluation Panel.

Zoning

Applicant is requesting a rezoning from P, Public to HM, Hermantown Marketplace. The purpose of the rezoning is to facilitate the future transfer of 8 acres of land within the park to a private developer in order to construct a sports dome. Both a sports dome (indoor entertainment and recreation over 7,500 square feet) and a public park are allowed within the Hermantown Marketplace zoning district.

Dimensional standards would change as follows:

Dimensional Standards	P	HM
Height	50 feet	45 feet, up to 75 feet with a Special Use Permit
Setbacks		
<i>Front</i>	35 feet	5 feet
<i>Side (abutting street)</i>	35 feet	5 feet
<i>Side</i>	15 feet	5 feet
<i>Rear</i>	25 feet	5 feet
Minimum lot area	None	None
Minimum lot width	None	None
Maximum lot coverage	35%	50%

Land Subdivision

Assuming the Stebner Park property is rezoned, then a preliminary and final plat will be utilized to create 2 outlots, a public right of way and an 8.03 acre parcel for the proposed sports dome. The preliminary and final plat will require a separate public hearing at the Planning and Zoning Commission and review and approval by the City Council.

Comprehensive Plan

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

The majority of the Hermantown Marketplace zoning district is within Area 1. The proposed rezoning of the property is in keeping with adjacent land uses.

SUMMARY & JUSTIFICATION:

The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance. The 65 acre land area is currently used as a park and both a public park and a sports dome are permitted uses within the HM, Hermantown Marketplace zoning district. Staff recommends approval of the rezoning based on the following findings:

1. The property is included in the suburban development concept area (Area 1) of the Comprehensive Plan within which residential development is currently allowed.
2. A public park and a sports dome are permitted uses within the HM, Hermantown Marketplace zoning district.

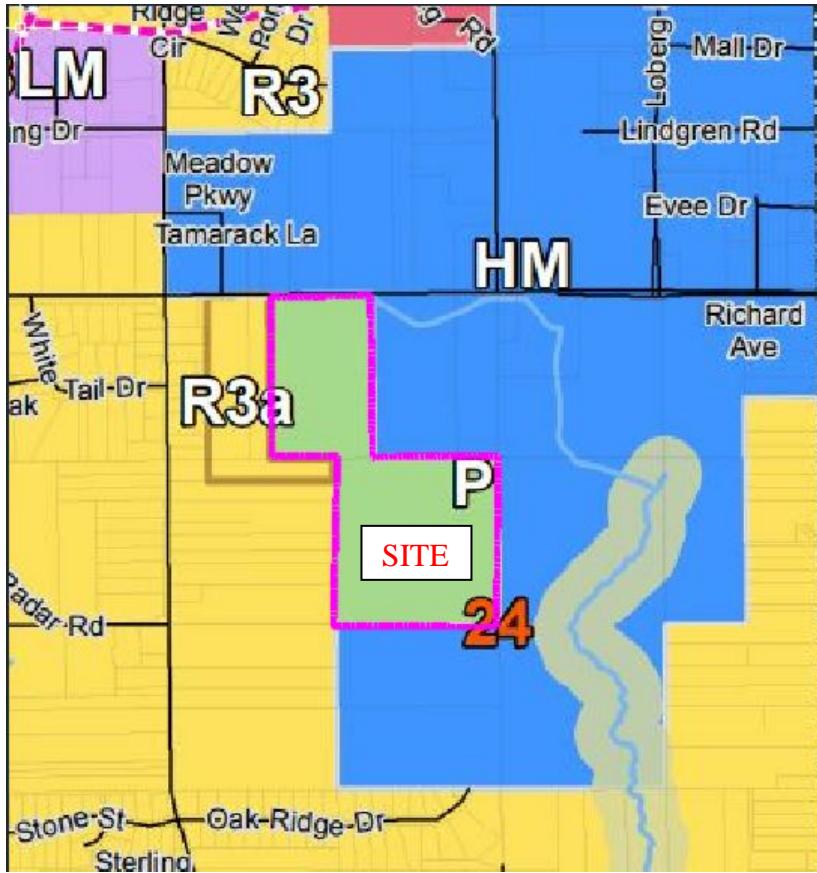
ATTACHMENTS

- Location Map
- Existing Zoning Map
- Proposed Zoning Map

Location Map



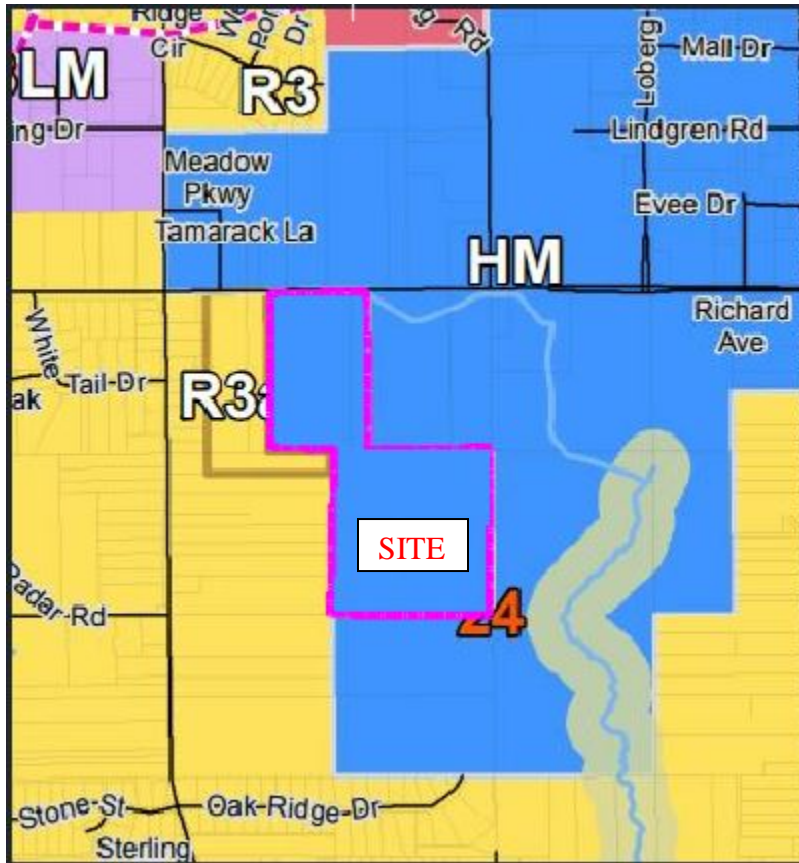
Existing Zoning Map



Hermantown Zoning Districts

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

Proposed Zoning Map



Hermantown Zoning Districts

- 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



5B. 4860 Maple Grove Road - Stebner Park Preliminary and Final Plat

Applicant: City of Hermantown
Case No.: 2024-18-ZM/SUB-P
Staff Contact: Eric Johnson, Community Development Director
Request: Approval of a Preliminary and Final Plat

DESCRIPTION OF REQUEST:

Applicant is requesting approval of a Preliminary and Final Plat for subdivision of a 65 acre parcel (Stebner Park) into 2 outlots, a public right of way and an 8.03 acre lot.

SITE INFORMATION:

Parcel Size: 65 acres
Legal Access: 4860 Maple Grove Road
Wetlands: Yes, delineation approved in 2022
Existing Zoning: P, Public (Rezoning to HM, Hermantown Marketplace)
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Suburban

BACKGROUND:

The City was approached by Excel North Physical Therapy and Performance (Excel), who currently has an existing business in the Hermantown Marketplace. Excel expressed the desire to construct a 100,000 square foot sports dome along with a physical therapy clinic and inquired about City owned land in order to utilize for the project. City staff discussed the potential of using a portion of land within Stebner Park for the sports dome and then facilitated a meeting between Excel and Hermantown Youth Soccer Association (HYSA). HYSA is the primary user group of Stebner Park, so staff wanted to insure that the field needs of HYSA would continue to be met should a dome be constructed on one of the existing soccer fields.

HYSA and Excel have since entered into an agreement for use of the dome which will provide the opportunity for year round field availability for HYSA on both the existing outdoor soccer fields and indoor turf within the dome. Excel will also utilize the dome for their physical therapy and performance business as well as rent the dome for year round sports activities, events and recreational activities.

Zoning Analysis

Applicant is requesting a rezoning from P, Public to HM, Hermantown Marketplace. The purpose of the rezoning is to facilitate the future transfer of 8 acres of land within the park to a private developer in order

to construct a sports dome. Both a sports dome (indoor entertainment and recreation over 7,500 square feet) and a public park are allowed within the Hermantown Marketplace zoning district.

Lot Size

The proposed preliminary and final plat meets the HM, Hermantown Marketplace dimensional standards for development within the zoning district.

Utilities

There is public water within the park and in 2023, the City extended sanitary sewer from Maple Grove Road south into the park approximately 1700 feet. Any future development will be required to connect to the public utilities and pay any applicable connection and availability fees.

Stormwater

Excel has submitted an application for a Commercial Industrial Development Permit (CIDP) for construction of a 100,000 square foot sports dome along with a physical therapy clinic and subsequent site improvements. This application which will require a separate public hearing at the Planning and Zoning Commission. Development plans for the proposed sports dome will require review, comment and approval by the City Engineer for the site design and stormwater system.

Roadway

The City has plans for the construction of a 1700 linear foot, 28' wide public roadway from Maple Grove Road to the proposed development lot. This right of way and road will provide access to the newly created development lot. This road is proposed to be constructed in the summer of 2024.

Wetlands

The wetlands in Stebner Park were delineated in 2022 with the delineation being reviewed and approved by the Hermantown Technical Evaluation Panel at that time. Any proposed wetland impacts within the property will require review and approval by the Hermantown Technical Evaluation Panel.

Summary:

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

1. The proposed final plat meets the intent of the HM, Hermantown Marketplace Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed final plat meets the Comprehensive Plan criteria for development.
3. The proposed lot will be served by public water and sewer which will be constructed by the City prior to any development on the proposed lot.

ATTACHMENTS:

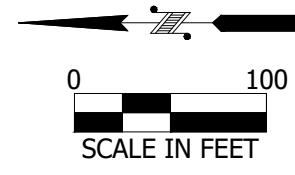
- Location Map
- Preliminary Plat

Location Map



CONCEPT PLAN FOR STEBNER FIELDS

LOCATED IN PART OF NW 1/4 OF SECTION 24, TOWNSHIP 50 NORTH, RANGE 15 WEST ST. LOUIS COUNTY MINNESOTA



LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 315077
W 1/2 of W 1/2 of NE 1/4 of NW 1/4 Section 24 Township 50 North Range 15 West of the Fourth Principal Meridian
AND
E 1/2 of E 1/2 of NW 1/4 of NW 1/4 and E 1/2 of W 1/2 of E 1/2 of NW 1/4 of NW 1/4 Section 24 Township 50 North Range 15 West of the Fourth Principal Meridian
SUBJECT to an easement recorded in the office of the County Recorder as Document No. 419628

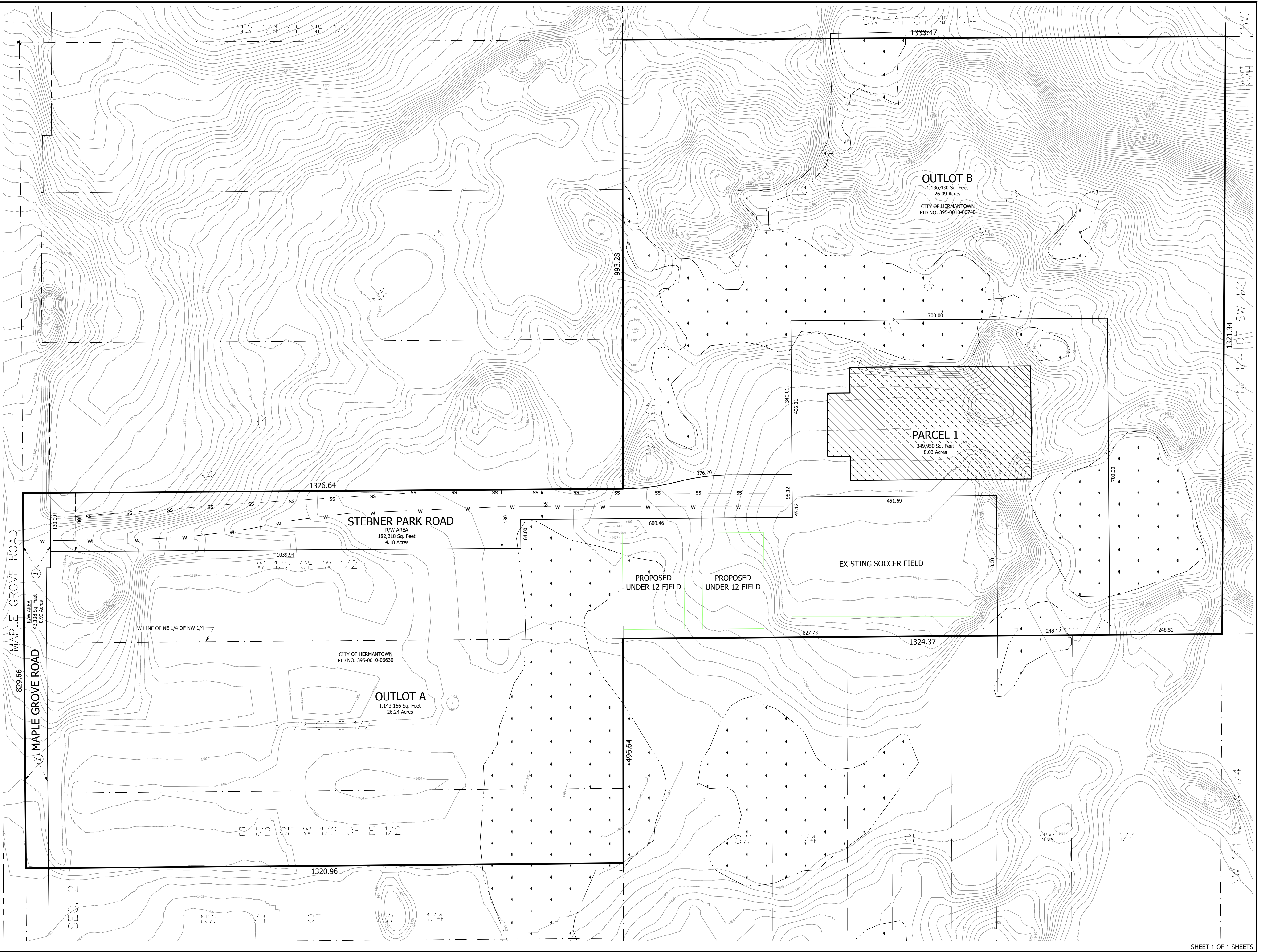
LEGAL DESCRIPTION PER DOC. NO. 1086124
Southeast Quarter of Northwest Quarter (SE 1/4 of NW 1/4), Section Twenty-four (24), Township Fifty (50) North of Range Fifteen (15) West of the Fourth Principal Meridian, according to the United States Government Survey thereof.

LEGEND

- WETLAND BY OTHERS
- PROPOSED BUILDINGS
- R/W-RIGHT OF WAY**
- SS SANITARY SEWER
- W WATER MAIN
- WETLAND LINE PER OTHERS
- SECTION SUBDIVISION LINE
- EXISTING RIGHT OF WAY LINE
- PROPOSED RIGHT OF WAY LINE
- BOUNDARY LINE AS SURVEYED
- EXISTING PARCEL LINE
- PROPOSED PARCEL LINE
- REFER TO SURVEYOR'S NOTES

SURVEYOR'S NOTES

1. HIGHWAY EASEMENT PER DOCUMENT NO. 419628.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCLUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY. THIS IS NOT A BOUNDARY SURVEY.
3. CONTOUR DATA SHOWN HEREON WAS PROVIDED BY LIDAR DATA OBTAINED FROM THE MNDNR MNTPO WEBSITE.



5C. 4860 Maple Grove Road – Commercial Industrial Development Permit (CIDP)

<u>Applicant:</u>	Jamie Foreman and Duane Lahti
<u>Case No.:</u>	2024-12-CIDP/SUP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approve a Commercial Industrial Development Permit with conditions for a 100,000 square foot sports dome and 11,993 square foot clinic and support building

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to develop a newly created 8.03 acre lot located at 4860 Maple Grove Road. The applicant is proposing to construct a 100,000 square foot sports dome and 11,993 square foot clinic and support building along with subsequent site improvements.

BACKGROUND:

The City was approached by Excel North Physical Therapy and Performance (Excel), who currently has an existing business in the Hermantown Marketplace. Excel expressed the desire to construct a 100,000 square foot sports dome along with a physical therapy clinic and inquired about City owned land in order to utilize for the project. City staff discussed the potential of using a portion of land within Stebner Park for the sports dome and then facilitated a meeting between Excel and Hermantown Youth Soccer Association (HYSA). HYSA is the primary user group of Stebner Park, so staff wanted to insure that the field needs of HYSA would continue to be met should a dome be constructed on one of the existing soccer fields.

HYSA and Excel have since entered into an agreement for use of the dome which will provide the opportunity for year round field availability for HYSA on both the existing outdoor soccer fields and indoor turf within the dome. Excel will also utilize the dome for their physical therapy and performance business as well as rent the dome for year round sports activities, events and recreational activities.

SITE INFORMATION:

Parcel Size:	8.03 acres
Legal Access:	4860 Maple Grove Road
Wetlands:	Yes, delineated in 2022
Existing Zoning:	P, Public
Proposed Zoning:	HM, Hermantown Marketplace
Airport Overlay:	None
Shoreland Overlay:	None

ZONING ANALYSIS:

Zoning District: HM, Hermantown Marketplace		
Type	Required	Proposed
Min Lot Area	None	8.03 acres
Lot Width	None	406 feet minimum
Front Yard	5 feet	80 feet from front property line
Rear Yard	5 feet	170 feet minimum
Side Yard	5 feet	10 feet minimum
Lot coverage	50%	32%
Maximum Building Height	45 feet	75 feet – allowed with a Special Use Permit
Parking	Clinic: 5 per doctor, etc. and 1 per employee. Dome: undefined	57 along with shared parking agreement with City

Stormwater Management

The property is 8.03 acres in size. The proposed impervious surface consists of the 100,000 square foot sports dome, 11,993 square foot clinic/support building, 18,650 square feet of bituminous parking lot, and 37,958 square feet of concrete sidewalk for a total of 168,601 square feet of impervious area (48.2%).

The plan proposes a stormwater basin on the south side of the site for the treatment of stormwater. Stormwater would be directed to the basin via vegetated swales along the east and west sides of the dome/building. The applicant has submitted preliminary engineering plans locating the basin 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 City has plans for the construction of a 1700 linear foot, 28' wide public roadway from Maple Grove Road to the proposed development lot. This right of way and road will provide access to the newly created development lot. This road is proposed to be constructed in the summer of 2024.

Utilities

There is public water within the park and in 2023, the City extended sanitary sewer from Maple Grove Road south into the park approximately 1700 feet. Any future development will be required to connect to the public utilities and pay any applicable connection and availability fees.

Special Use Permit

The proposed dome is 75 feet in height. The HM, Hermantown Marketplace zoning district allows for a 45 foot height structure with the ability to increase to 75 feet with a Special Use Permit. The Special Use Permit will require a separate public hearing at the Planning and Zoning Commission and review and approval by the City Council.

Building Architecture

The proposed project consists of three elements, a 100,000 square foot dome; a 4,691 square foot support building consisting of locker rooms, offices and restrooms; and a future 7,302 square foot physical therapy and performance clinic. The proposed dome is 75 feet in height with the clinic/support building

being approximately 22 feet in height. The sports dome is an inflated structure which will be utilized tear round. The clinic/support building is to be constructed of a wood framed building with a combination of EIFS, masonry wainscoting and composite wood siding. The support building and future clinic will have separate entrances but will have a shared interior doorway at a future date.

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 wood material and will screen the trash area.

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:

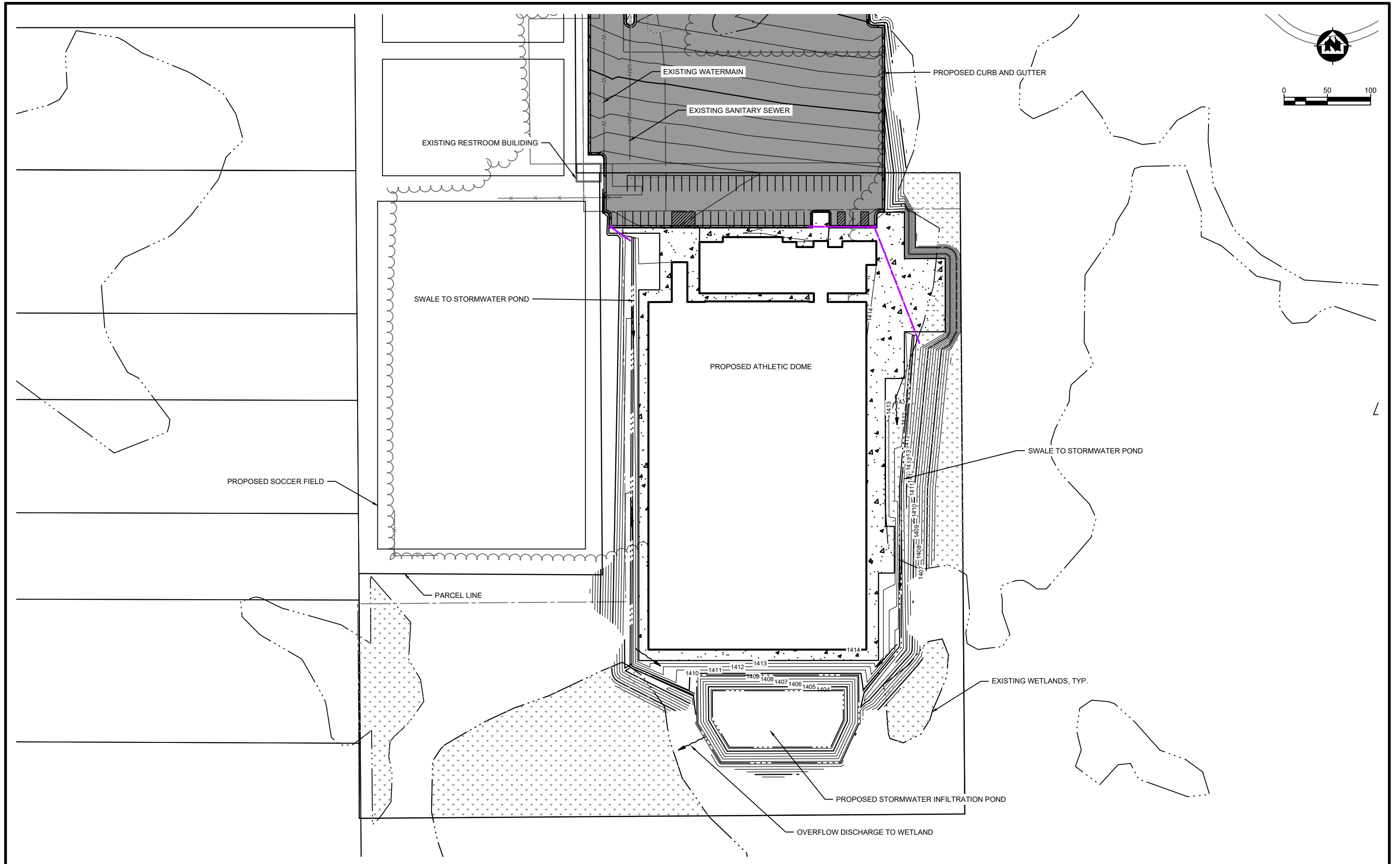
1. The applicant is seeking to construct a 100,000 square foot sports dome, 11,993 square foot clinic/support building and subsequent site improvements. The applicant will need to supply final site engineering and architectural plans prior to the issuance of the Commercial Industrial Development Permit (CIDP).
2. The proposal meets the requirements of Section 570, "HM, Hermantown Marketplace" of the Hermantown Zoning Ordinance.
3. The proposal meets the requirements of Chapter 8, "Commercial-Industrial Development Permits" of the Hermantown Zoning Ordinance.
4. Excel enter into a Development Agreement for the use of the City land associated with the dome development.
5. Excel obtain the land from the City for the purpose of constructing the 100,000 square foot sports dome, 11,993 square foot clinic/support building and subsequent site improvements.
6. There are existing wetlands located on the site. Wetland impacts are required to be reviewed and approved by the Hermantown Technical Evaluation prior to issuance of CIDP.
7. 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.
8. Applicant shall pay any City sewer availability and connection fees.
9. The applicant shall sign a consent form assenting to all conditions of this approval.
10. 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
- Proposed Floor Plan
- Proposed Building Elevation

Location Map

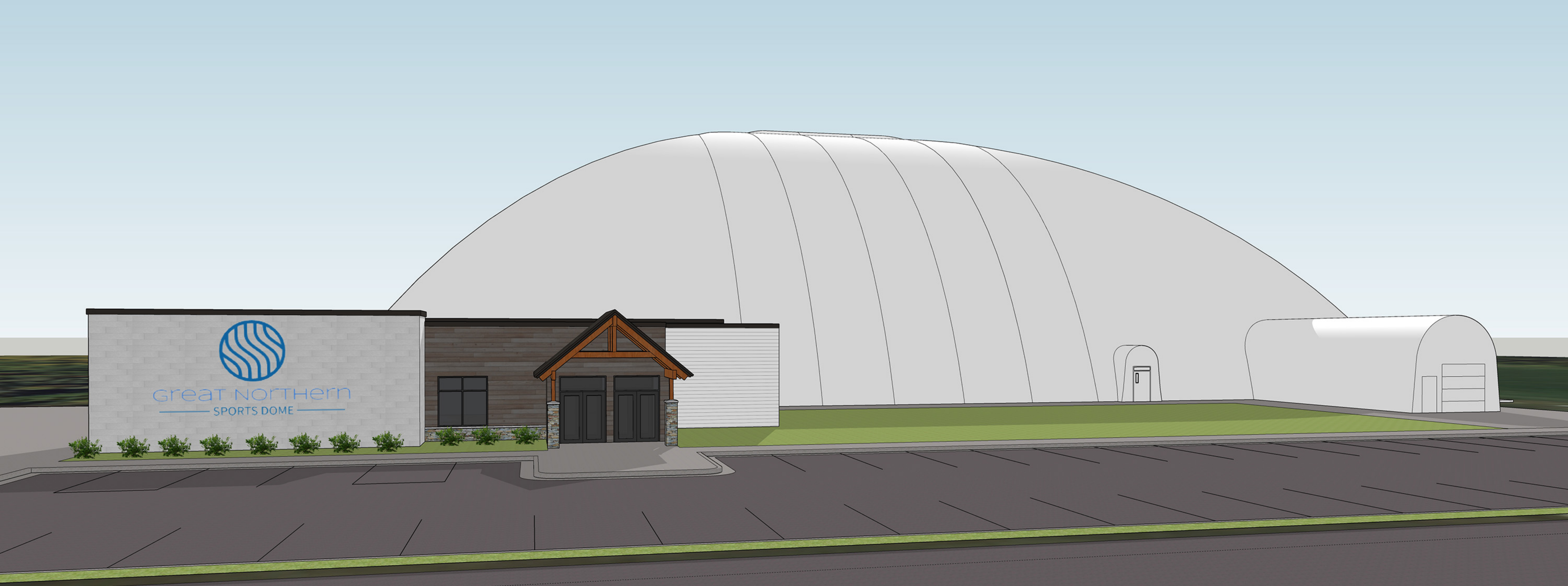




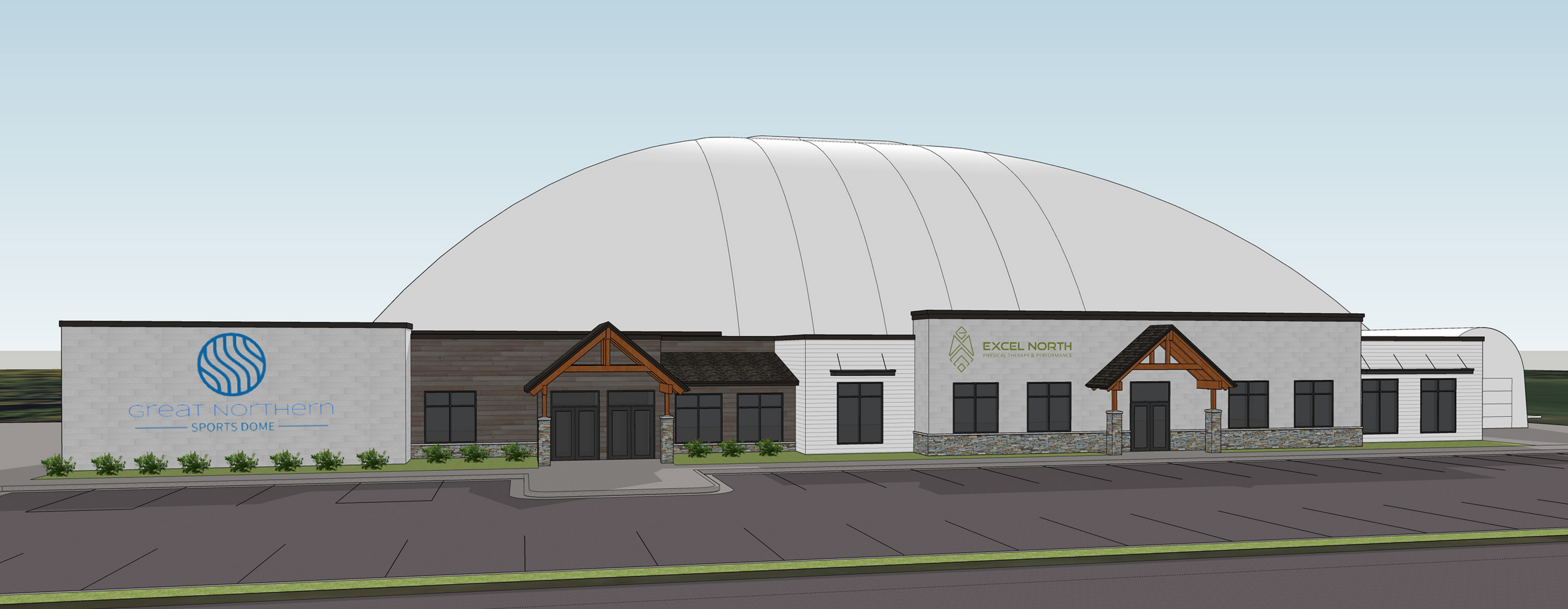
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HERMANTOWN ATHLETIC DOME
 HERMANTOWN, MN

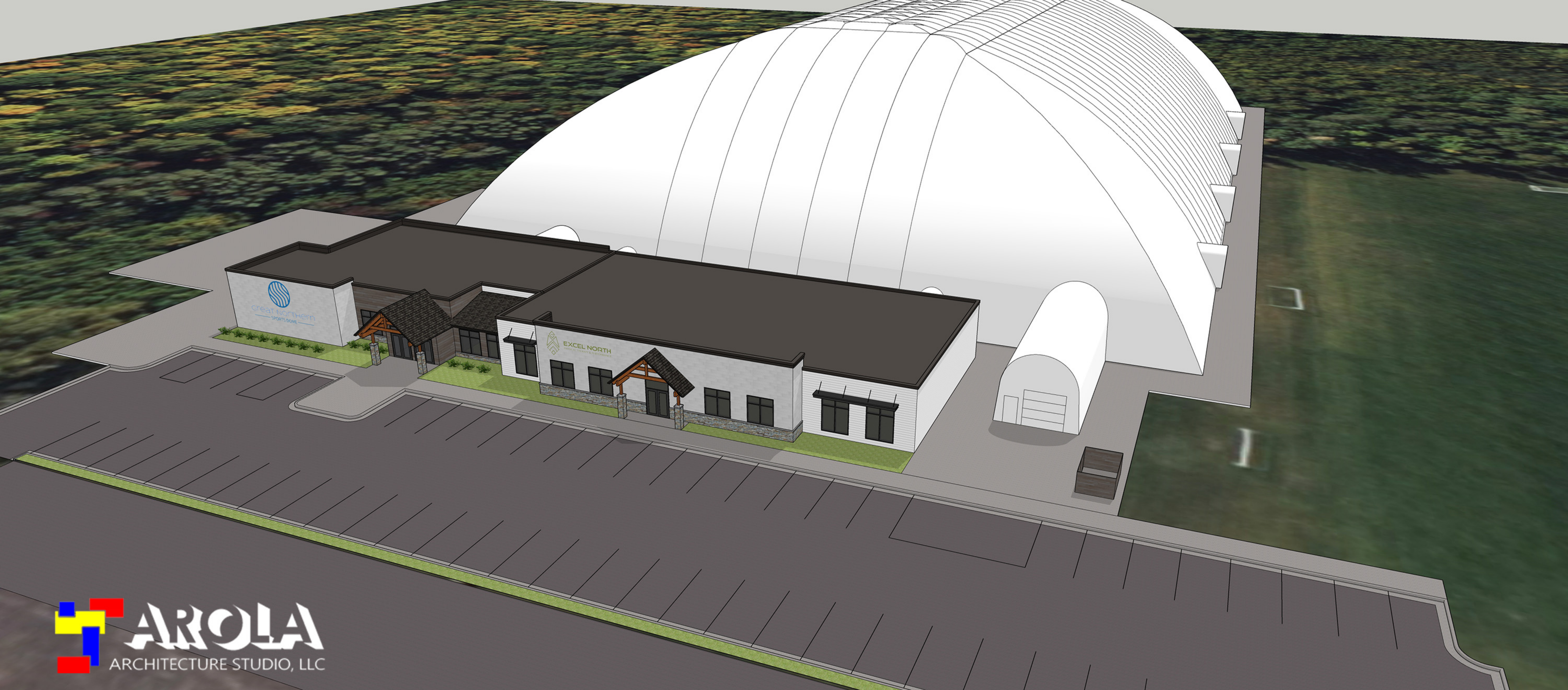
PRELIMINARY SITE PLAN

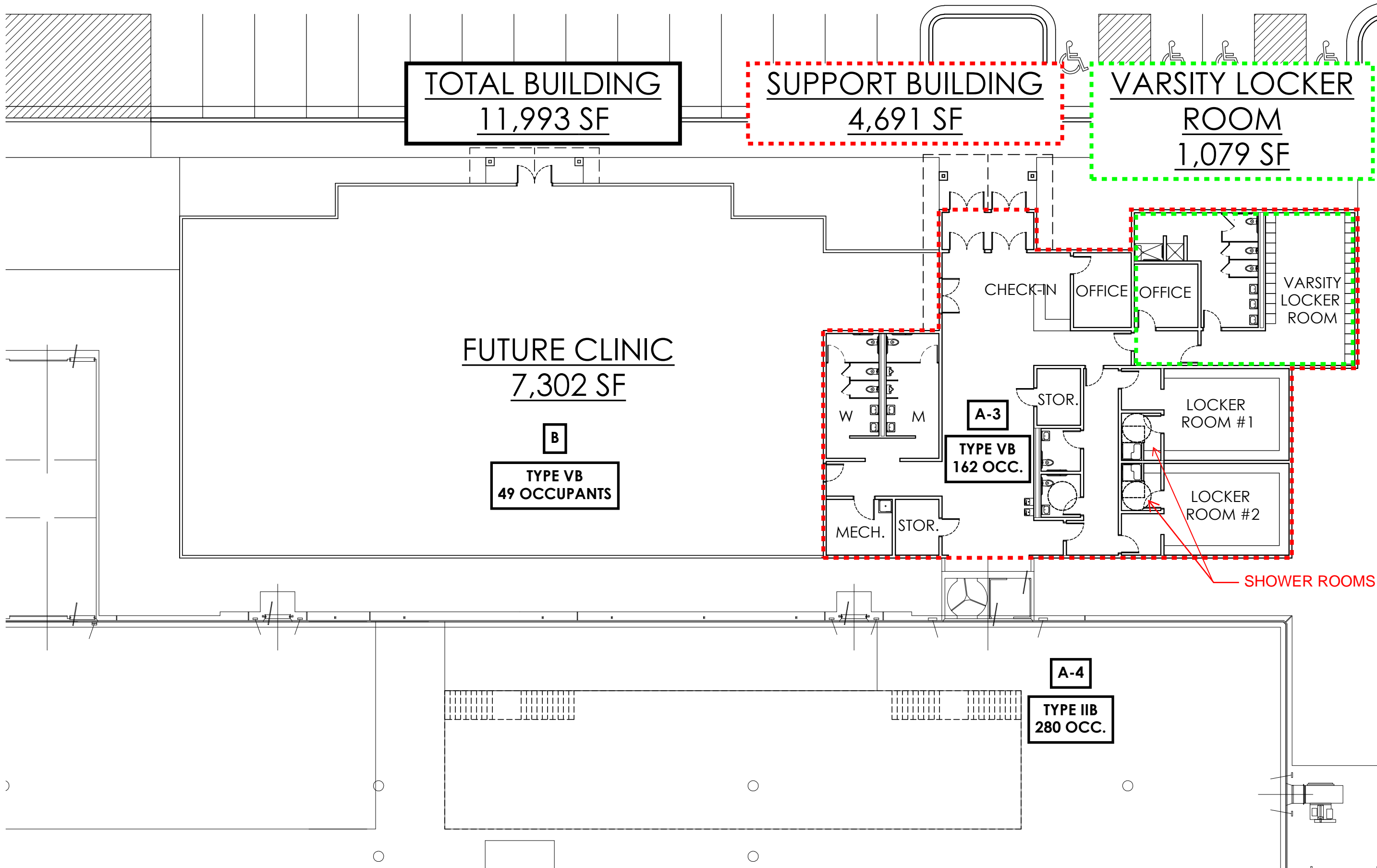



Great Northern
SPORTS DOME





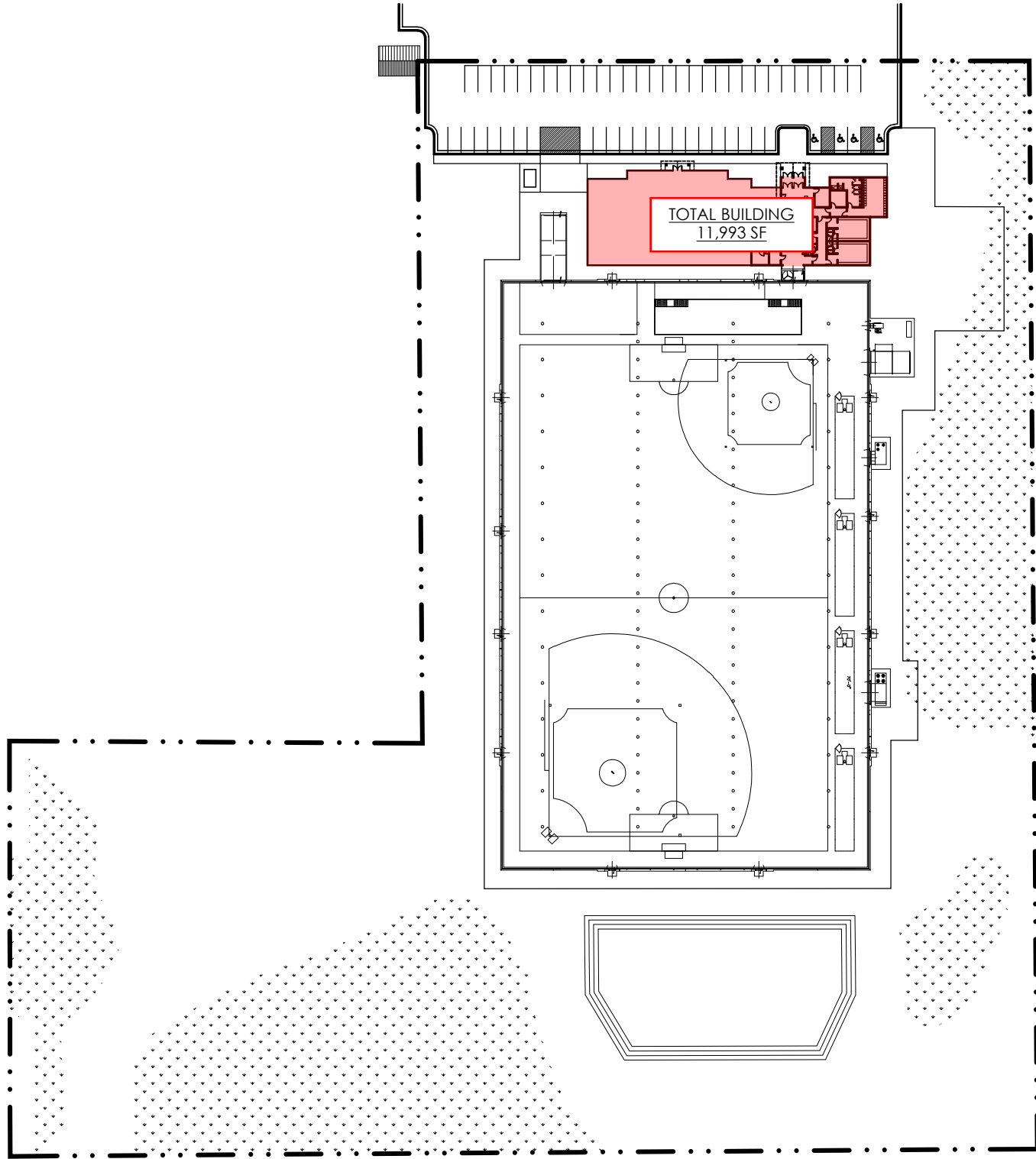




1

CONCEPT FLOOR PLAN - SUPPORT BUILDING

1/16"=1'-0"



1

PRELIMINARY ARCHITECTURAL SITE PLAN

1:100

Preliminary
 04/04/2024

GREAT NORTHERN SPORTS DOME

ISSUE DATE
 XX/XX/XXXX

PROJECT NO.
 2415

REVISIONS

SHEET NO.

SITE

5D. 4860 Maple Grove Road – Special Use Permit (SUP)

<u>Applicant:</u>	Jamie Foreman and Duane Lahti
<u>Case No.:</u>	2024-12-CIDP/SUP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approve a Special Use Permit with conditions for a 75 foot tall, 100,000 square foot sports dome and 11,993 square foot clinic and support building with associated site improvements.

RECOMMENDED ACTION:

Approve a Special Use Permit with conditions in order to develop a newly created 8.03 acre lot located at 4860 Maple Grove Road. The applicant is proposing to construct a 100,000 square foot sports dome and 11,993 square foot clinic and support building along with subsequent site improvements. The Special Use Permit is required as the proposed dome structure is greater than 45 feet in height.

BACKGROUND:

The City was approached by Excel North Physical Therapy and Performance (Excel), who currently has an existing business in the Hermantown Marketplace. Excel expressed the desire to construct a 100,000 square foot sports dome along with a physical therapy clinic and inquired about City owned land in order to utilize for the project. City staff discussed the potential of using a portion of land within Stebner Park for the sports dome and then facilitated a meeting between Excel and Hermantown Youth Soccer Association (HYSA). HYSA is the primary user group of Stebner Park, so staff wanted to insure that the field needs of HYSA would continue to be met should a dome be constructed on one of the existing soccer fields.

HYSA and Excel have since entered into an agreement for use of the dome which will provide the opportunity for year round field availability for HYSA on both the existing outdoor soccer fields and indoor turf within the dome. Excel will also utilize the dome for their physical therapy and performance business as well as rent the dome for year round sports activities, events and recreational activities.

SITE INFORMATION:

Parcel Size:	8.03 acres
Legal Access:	4860 Maple Grove Road
Wetlands:	Yes, delineated in June 2022
Existing Zoning:	P, Public
Proposed Zoning:	HM, Hermantown Marketplace
Airport Overlay:	None
Shoreland Overlay:	None

ZONING ANALYSIS:

Zoning District: HM, Hermantown Marketplace		
Type	Required	Proposed
Min Lot Area	None	8.03 acres
Lot Width	None	406 feet minimum
Front Yard	5 feet	80 feet from front property line
Rear Yard	5 feet	170 feet minimum
Side Yard	5 feet	10 feet minimum
Lot coverage	50%	32%
Maximum Building Height	45 feet	75 feet – allowed with a Special Use Permit
Parking	Clinic: 5 per doctor, etc. and 1 per employee. Dome: undefined	57 along with shared parking agreement with City

Special Use Permit

The Special Use Permit is for increasing the height o the proposed dome structure from 45 feet to 75 feet. The HM, Hermantown Marketplace allows for this increase with a submission of a Special Use Permit. 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 a sports dome (Indoor entertainment and recreation, including theaters, over 7,500 square feet of gross floor space) in the HM, Hermantown Marketplace 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 proposed dome is located approximately 1650 feet from the nearest residential structure and 1720 feet from Maple Grove Road. The land to the east is within the Hermantown Marketplace zoning district and is projected to be a mixed use development in the future.

There is an existing church to the NW of the proposed dome which is approximately 1570 feet from the proposed dome.

- 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 site is in Area 1 on the Hermantown Comprehensive Plan Concepts Map. The goal for Area 1 is to maintain suburban character, preserve critical natural features, phase residential development, and develop existing and new park areas.

The majority of the Hermantown Marketplace zoning district is within Area 1. The proposed rezoning of the property is in keeping with adjacent land uses.

- 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 land to the east is within the Hermantown Marketplace zoning district and is projected to be a mixed use development in the future.

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

None.

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 100,000 square foot sports dome and a 11,993 square foot clinic and support building with associated site improvements. The dome height is 75 feet 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 570, "HM, Hermantown Marketplace" 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 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.

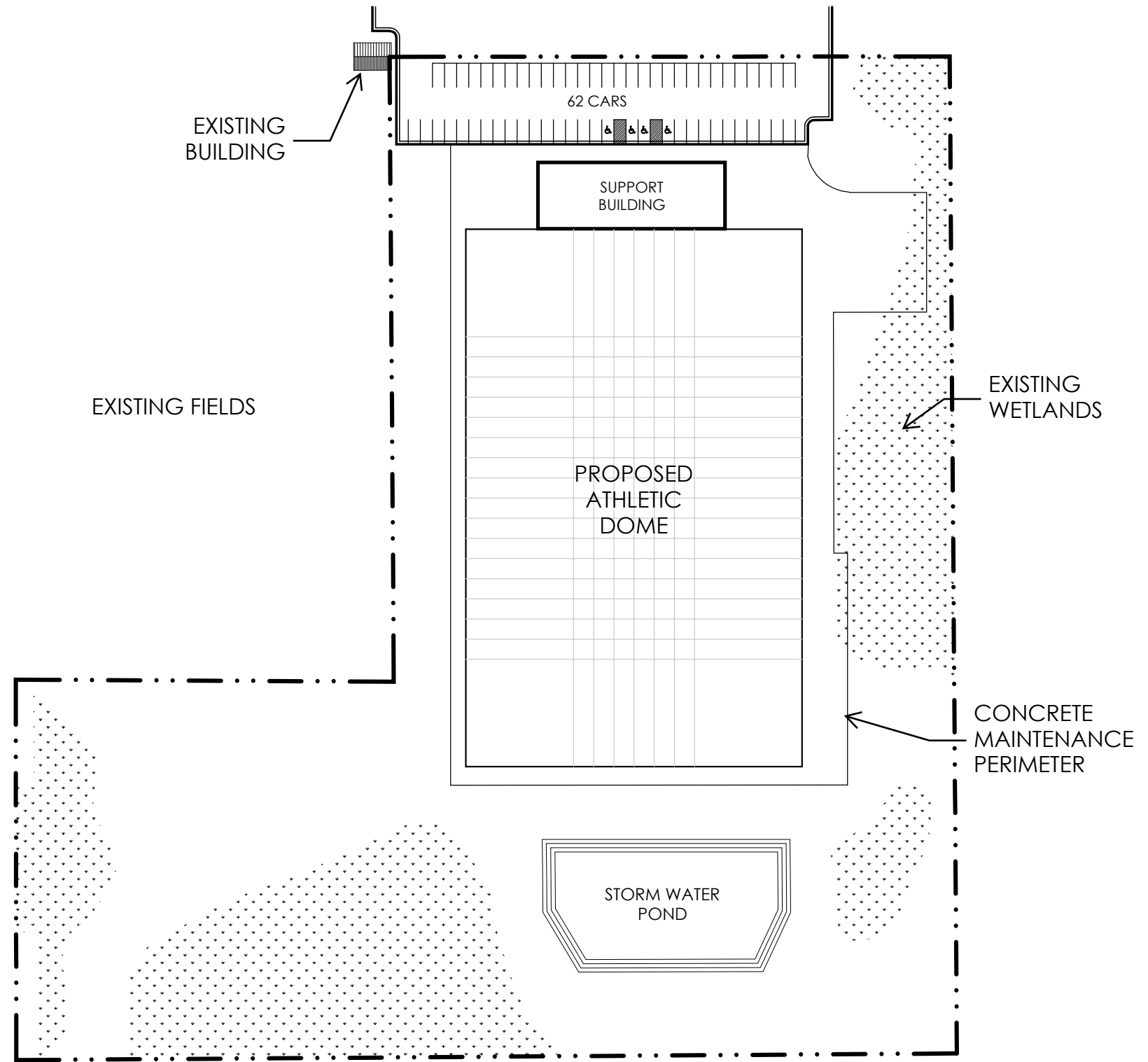
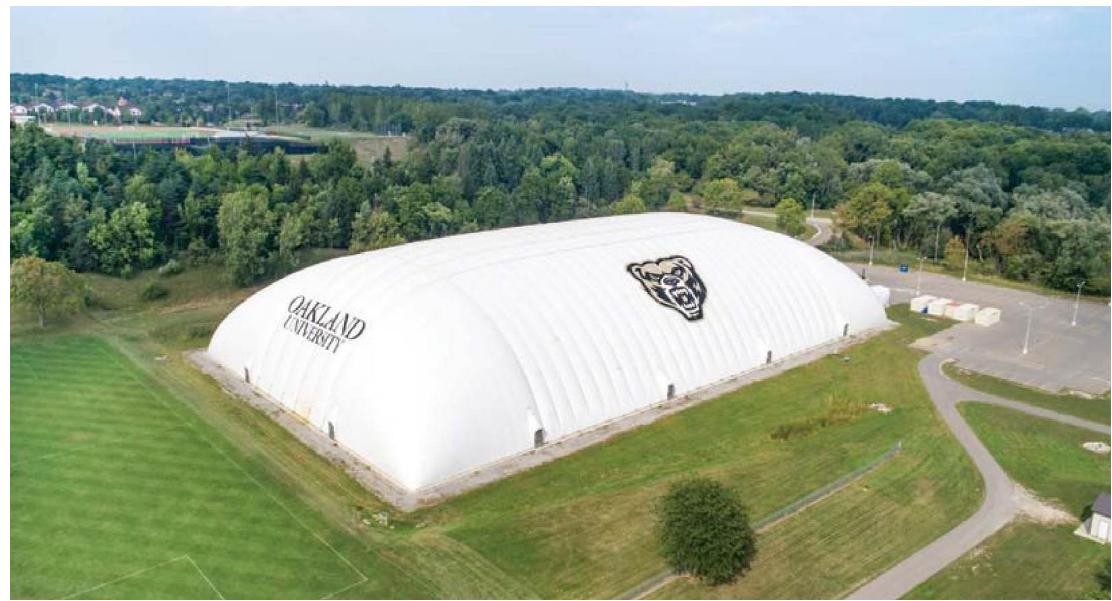
ATTACHMENTS:

- Site Location Map
- Proposed Site Plan/Image

Location Map



SIGNAGE/ADVERTISING EXAMPLES



1

PRELIMINARY ARCHITECTURAL SITE PLAN

1:100

Preliminary
 03/13/2024

GREAT NORTHERN SPORTS DOME

ISSUE DATE
 XX/XX/XXXX

PROJECT NO.
 2415

REVISIONS

SHEET NO.

SITE

5E. 4118 Ugstad Road 9(Fichtner Park)– Special Use Permit - Filling and grading within a Natural Environment Shoreland Overlay Zone

Applicant: City of Hermantown
Case No.: 2024-17 SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Issue a special use permit for filling and grading within a Natural Environment Shoreland Overlay for grading activities associated with Fichtner Park

RECOMMENDED ACTION:

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

DESCRIPTION OF REQUEST:

The City is undertaking two projects in 2024. The first is the reconstruction of Fichtner Park and the second is the placing of fill to raise the grade on the former football field north of reconstructed park area. Both of these projects are within a Natural Environment Shoreland Area and will require filling and grading within an approximately 2.8 acre area in the former football field and 3.5 acres as part of the park reconstruction project.

SITE INFORMATION:

Parcel Size: 38 acres
Legal Access: 4118 Ugstad Road
Wetlands: Yes, delineated in 2022
Existing Zoning: P, Pulic
Airport Overlay: None
Shoreland Overlay: Yes – Natural Environment Shoreland – Rocky Run Creek
Comprehensive Plan: Residential

BACKGROUND

As part of the Community Recreation Initiative, the City is utilizing sales tax funds for the reconstruction of Fichtner Park. Work on the existing park, south of Rocky Run will commence in the spring of 2024 with work running through the summer.

A second City project is the reconstruction of hermantown Road. The City is proposing to place excess soil material from the excavation of the existing road bed onto the former football field located north of

Rocky Run Creek. The purpose of this grading and filling activity is to prepare the land for future park development at as of yet undetermined date.

Wetlands

The park property was delineated in 2022 with the delineation being reviewed and approved by the Hermantown Technical Evaluation Panel. No wetland impacts are proposed as part of this project.

Shoreland Area

Approximately half of the park property is located within a Natural Environment Shoreland Area and is subject to the requirements of the City's Shoreland Ordinance as it pertains to grading a filling within a shoreland area.

Special Use Permit

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

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

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

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

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

Conditions placed on the SUP to minimize the clearing and grading within the shoreland area meet the intent of the zoning ordinance to protect natural resources. Public parks are an allowed use within the P, Public zoning district.

The reconstruction of the park and potential future park will benefit the residents of Hermantown.

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

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

- 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 two proposed projects are in keeping with the existing nature of the park.

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

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

Findings of Fact and Recommendations

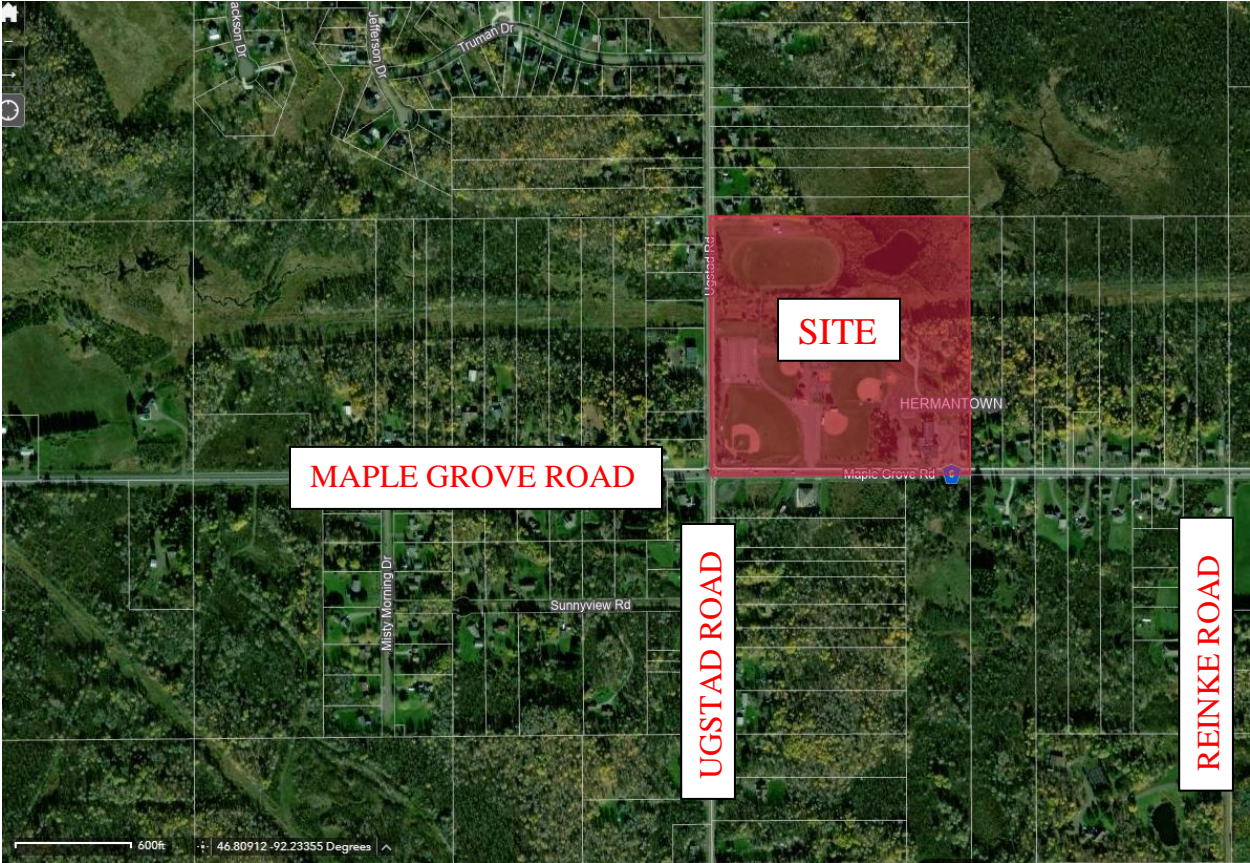
Staff recommends approval of the special use application to conduct grading and filling activity within a Natural Environment Shoreland Area, subject to the following:

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

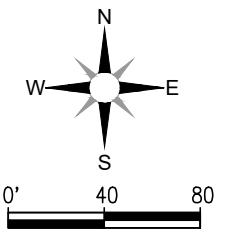
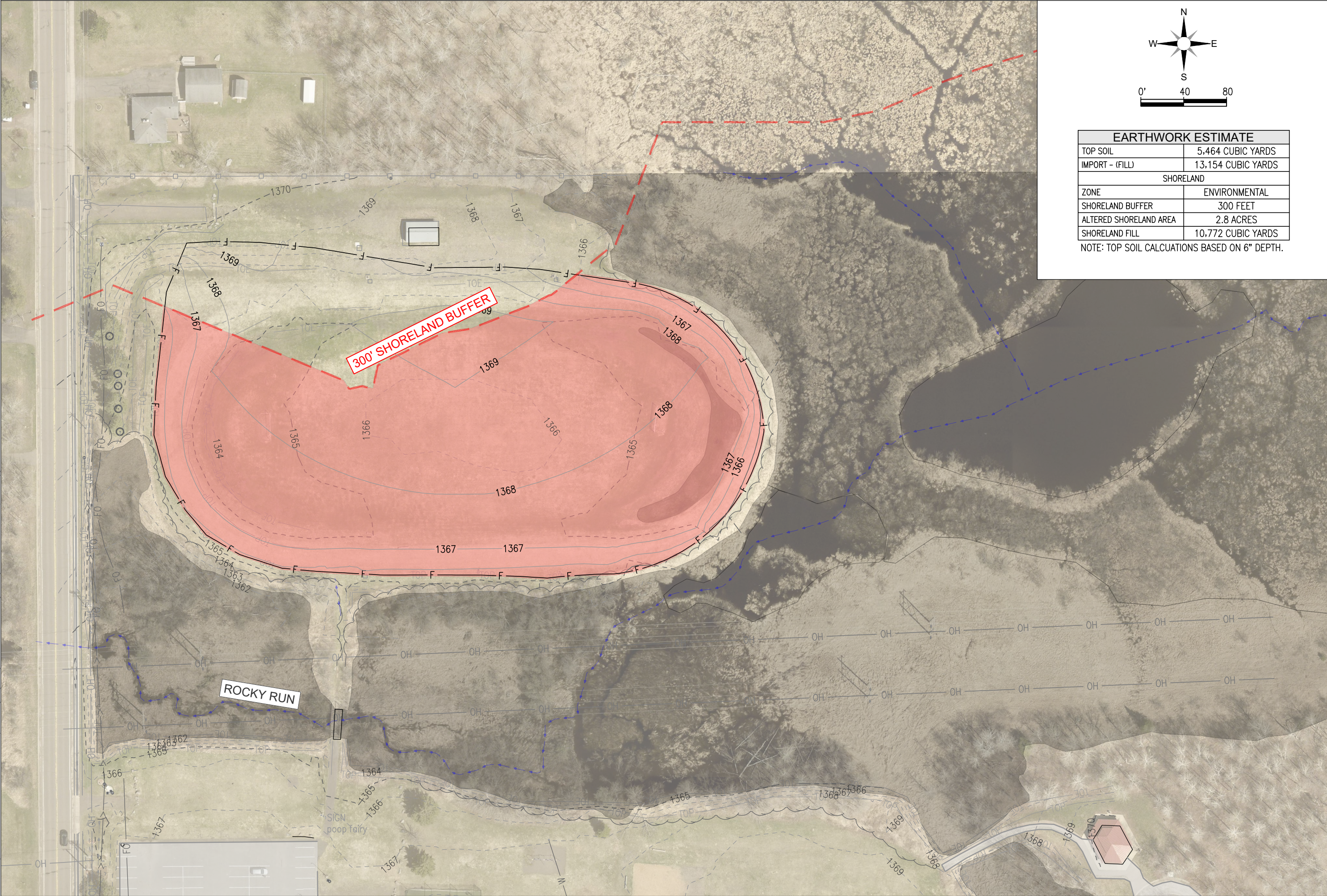
ATTACHMENTS

- Location Map
- Proposed Grading Plan – North of Rocky Run Creek
- Proposed Grading Plan – South of Rocky Run Creek
- Shoreland Overlay Map

Location Map



W:\Projects\23-8007 - Hermantown Road and Old Midway Road\Design Engineering\DWG\Football Field Grading Plan.dwg Mar 29, 2024 - 1:38pm Tryve



EARTHWORK ESTIMATE	
TOP SOIL	5,464 CUBIC YARDS
IMPORT - (FILL)	13,154 CUBIC YARDS
SHORELAND	
ZONE	ENVIRONMENTAL
SHORELAND BUFFER	300 FEET
ALTERED SHORELAND AREA	2.8 ACRES
SHORELAND FILL	10,772 CUBIC YARDS
NOTE: TOP SOIL CALCATIONS BASED ON 6" DEPTH.	

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering Services
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Fax: (612) 777-7779

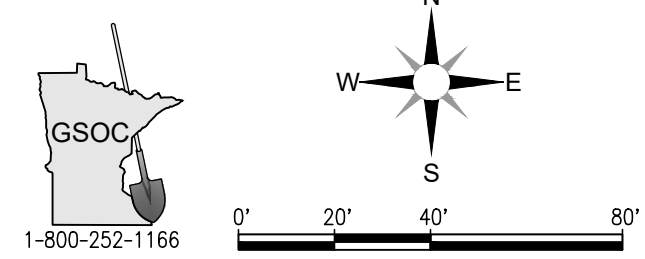
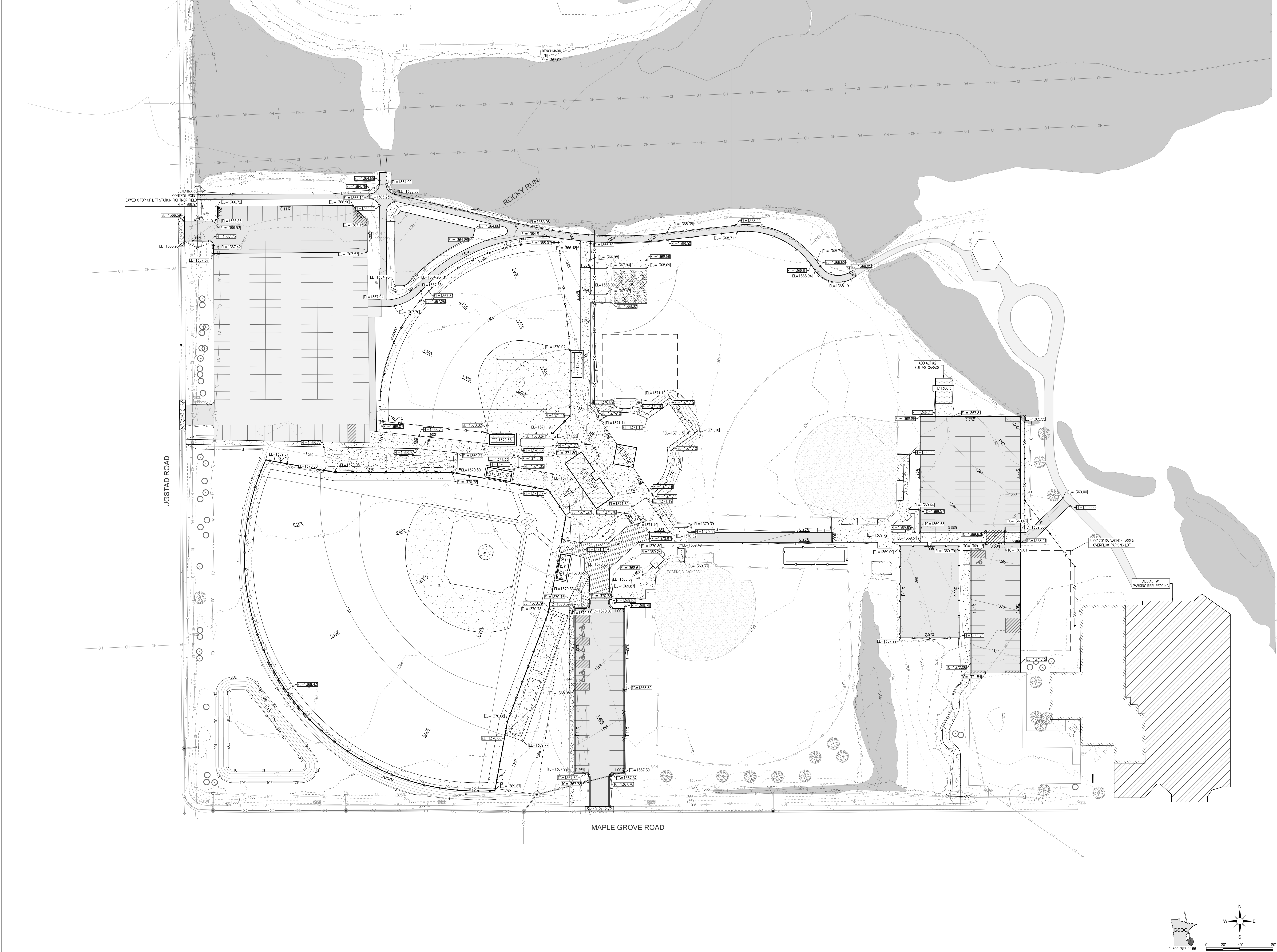
HERMANTOWN ROAD AND OLD MIDWAY ROAD
ROAD RECONDITIONING
HERMANTOWN, MN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
Engineer: DAVID G. BULLF, P.E.
3/7/24 Lic. No: 40926

revision
REV 1 - MUCK
REV 2 - TURF

Proj: 23-8007
Date: 3/7/24
Drawn: TLL
Checked: DGB

FITCHNER
FIELD
GRADING
PLAN
Sheet Title
Sheet Number



Shoreland Map



CH-Mary Melde

From: CH-Eric Johnson
Sent: Tuesday, March 19, 2024 9:43 AM
To: CH-Mary Melde
Subject: FW: Simmons Planning and Zoning

FYI

From: BUCKLEY SIMMONS <simmonsbuckley@gmail.com>
Sent: Friday, March 15, 2024 4:25 PM
To: CH-Eric Johnson <eric.johnson@hermantownmn.com>
Cc: CH-John Mulder <jmulder@hermantownmn.com>
Subject: Simmons Planning and Zoning

Dear Eric,

Due to an unforeseen medical condition I am writing this letter to serve as my resignation from the City of Hermantown Planning and Zoning Commission effective March 15th, 2024.

I would like to thank the Mayor, City Council, and yourself for the opportunity to serve on the commission.

Sincerely,

Buckley Simmons
Hermantown MN
218-340-8056

From: Robert and Delores Levander <bobdeloreslevander@gmail.com>
Sent: Wednesday, March 20, 2024 11:04 AM
To: CH-Eric Johnson <eric.johnson@hermantownmn.com>
Subject: building to be built at the corner of Vaux Rd and Highway 53

Mr. Johnson

We understand that the Hermantown Planning commission is working on placing a Dollar General Store at the corner of Vaux Rd and Highway 53. As a long-time resident of the Vaux Rd along with my husband and many of our neighbors, we want to let you know that we are not happy with this development. We understand that the entrance will actually be off the Vaux Rd...Are you aware of how much traffic there is on our small Township Rd? We have had an increase in our traffic since the SuperAmerica station, now Speedway, was built, and this will increase it more making it increasingly more dangerous. Our road is used by many walkers and it does not have any aprons on the side so the walking is on the pavement. Also, there is a large truck ban already in place. Many of the houses have been grandfathered in since they were built close to the road when it was permitted, so many problems.

I am not sure if there are any further meetings on this issue, or if you notified any Canosia Township Board member. The majority of the Vaux Rd is in Canosia Township and all homes and again a number of young children. A Dollar General Store is a very inappropriate business to be placed here.

Thank you for your attention,

Delores Levander for Robert and me