



Hermantown Planning & Zoning Meeting – May 21, 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
May 21, 2024
7:00 PM

1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

3A. April 16, 2024 regular meeting.

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

5. PUBLIC HEARINGS

5A. An application by 3W Properties, Inc. for a Special Use Permit for the construction of a two-family home located at 405x Misty Morning Drive. The property is located in an R-3 zoning district.

5B. An application by PPT LLC for a Commercial Industrial Development Permit for the construction of a 10,130 square foot retail building with associated site and stormwater improvements. The property is located at 4716 Lindgren Road and is located in a HM, Hermantown Marketplace zoning district.

5C. An application for a Final Planned Unit Development (PUD) by Jay Zierden/BMAX for a 10 building/20 total unit townhome development on 10 acres. The property is located at 399x Stebner Road and is located in a R-3, Residential zoning district.

5D. An application by the City of Hermantown for a Commercial Industrial Development Permit for the construction of a new indoor sheet of ice/arena expansion with associated site and stormwater improvements. The property is located at 4307 Ugstad Road and is located in a P, Public zoning district.

5E. An application for a Special Use Permit by the City of Hermantown for grading and filling in a Recreational Shoreland Area for the purpose of constructing a new indoor sheet of ice/arena expansion with associated site and stormwater improvements. The property is located at 4307 Ugstad Road and is located in a P, Public zoning district.

6. CONTINUING BUSINESS

7. NEW BUSINESS

8. COMMUNICATIONS

9. COMMISSION MEMBER REPORTS

Joe Peterson

Corey Kolquist

Valerie Ouellette

Beth Wentzlaff

OPEN

OPEN

Matthew Fournier

John Geissler

ADJOURN



PLANNING & ZONING COMMISSION

April 16, 2024 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Valerie Ouellette; and Matthew Fournier

Members Absent: Beth Wentzlaff and Councilor John Geissler

Others Present: Eric Johnson, Community Development Director; Douglas Lane, 5340 Sunnyview Rd.; John Stauber, 4234 Lavaque Rd.; Todd Mell, 4460 Midway Rd.; Jamie Foreman, 4945 Trails End Dr.; and Duane Lahti, 4302 Fayre Rd.

2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the April 16, 2024 agenda as presented. Seconded by Valerie Ouellette. Motion carried.

3. APPROVAL OF MINUTES

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

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

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.

Eric Johnson, Community Development Director presented that City staff is requesting from the Planning Commission 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.

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 ensure 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.

Matthew Fournier asked if HYSA (Hermantown Youth Soccer Association) has been involved and support this action.

According to Eric, yes, HYSA has been involved and support this action.

John Stauber, 4234 Lavaque Rd., stated that the Commission should consider just rezoning a portion of it for that project.

Jill Levin, from Lovett Texas, asked would there be any obstruction to Peyton Acres.

Eric stated it is undetermined at this time.

Motion made by Valerie Ouellette to approve the 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. Seconded by Joe Peterson. Motion carried 4 to 0.

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.

As noted in item 5A, Eric brought forth a request for 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.

City 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.

Motion made by Matthew Fournier to approve the 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. Seconded by Corey Kolquist. Motion carried 4 to 0.

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.

Eric introduced the application for 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.

Eric also noted that 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.

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 year-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.

Motion made by Corey Kolquist to approve the application 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. Seconded by Valerie Ouellette. Motion carried 4 to 0.

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.

Eric is seeking approval from the Commission of a Special Use Permit with conditions in order to develop a newly created 8.03-acre lot located at 4860 Maple Grove Road. The applicants are 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 for increasing the height of 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.

Jamie Foreman, 4945 Trails End Dr., and Duane Lahti, 4302 Fayre Rd., the applicants, stated that they have been working with the dome provider for the past two years and that 75 feet is the standard dome height they like to use.

Valerie Ouellette is curious as to what is going to happen in that dome.

Jamie Foreman stated that the primary use will be for field sports, soccer, baseball, softball, there will be batting cages, and pickleball. Ultimate uses will be determined when they have a capacity allowed within the dome.

Valerie asked about the fee structure associated with the dome.

Jamie stated that you can rent to entire field for a fee, there will be a fee to play pickleball, and there will be a fee associated with the use of the batting cages. Fees will be charged by the hour. Construction would start spring of 2025, and finish September, 2025.

Motion made by Corey Kolquist to approve the 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. Seconded by Matthew Fournier. Motion carried 4 to 0.

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.

Eric advised the Commission that 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.

Matthew asked why the two projects were not presented as two separate applications.

Eric stated that both are associated with the Ugstad Road address.

Matthew asked if there are any wetlands on the site, and if the fill material coming in will be tested for contamination.

Eric stated that yes, there are a couple remnant wetlands on the extreme left side, and those have been delineated.

Eric noted the fill testing would be handled by Braun Intertec and another company.

Steven Grazier, 4143 Ugstad Road asked about the extent of the work associated with the project.

Motion made by Matthew Fournier to approve the 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. Seconded by Corey Kolquist. Motion carried 4 to 0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

Logged correspondence 24-32 and 24-34

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Corey Kolquist – None

Valerie Ouellette – None

OPEN –

Beth Wentzlaff – Absent

OPEN –

Matthew Fournier – None

John Geissler – Absent

ADJOURN

Motion made by Valerie Ouellette to adjourn the meeting. Seconded by Corey Kolquist. Meeting adjourned at 8:05 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant



5A. 405x Misty Morning Drive – Special Use Permit - Construction of a two-family residential structure in a R-3, Residential Zoning District

Applicant: 3W Properties, Inc.
Case No.: 2024-27 SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Issue a special use permit for construction of a two-family residential structure in a R-3, Residential District

RECOMMENDED ACTION:

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

DESCRIPTION OF REQUEST:

3W properties, Inc. (Applicant) requests a special use permit to construct a two-family dwelling unit in an R-3 Residential zone.

SITE INFORMATION:

Parcel Size: 1.14 acres
Legal Access: 405x Misty Morning Drive
Wetlands: None per the National Wetland Inventory
Existing Zoning: R-3, Residential
Airport Overlay: N/A
Shoreland Overlay: N/A
Comprehensive Plan: Residential

BACKGROUND

The Applicant is acting on the behalf of the property owner at 4058 Misty Morning Drive. This existing 2.1 acre parcel will be administratively split to form a 0.96 acre parcel with the existing home and a 1.14 acre parcel for the two-family home.

ZONING ANALYSIS

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

Table 1. Twin Home Requirements	Requirement	Provided
Minimum lot area	1.0 acre	+/-1.14 acres
Minimum lot width	150 feet	176 feet
Minimum depth of front yard	50 feet	50 feet minimum
Minimum side yard	40 feet	40 feet minimum
Minimum rear yard	40 feet	+/- 100 feet
Minimum distance from nearest condominiums, town homes, two-family dwellings	200 feet	Greater than 200 feet.
Minimum living area per unit	792 sq. ft.	+/- 1,680 sq. ft.

Utilities

There are existing water and sanitary sewer services in the Misty Morning right of way. The Applicant will be required to stub the new utilities to the new lot in order to provide service to the two-family home. The Applicant is required to obtain the necessary permits and pay any/all connection/availability fees for to the City for these utilities.

Wetlands

Per the National Wetland Inventory (NWI) there are no wetlands located on this property.

Parcel Split

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

Special Use Permit

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

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

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

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

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

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

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

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

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

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

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

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

Findings of Fact and Recommendations

Staff recommends approval of the special use application to construct a two-family dwelling in a R-3, Residential zoned property, subject to the following:

1. The applicant shall connect to public sewer and water services at their own cost and be responsible for any connection or availability fees.
2. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the two-family residence relative to the side lot lines.
3. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
4. Prior to issuance of a building permit, all necessary permits shall be obtained.
5. The approval is for a Special Use Permit for the purpose of constructing a two-family structure. The Community Development Director may approve minor variations as long as the variations do not result in any wetland impacts or setback infringements.
6. The applicant shall sign a consent form assenting to all conditions of this approval.
7. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

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

Location Map



MISTY MORNING

2

CARLSON PHILLIP & DIANE
PID NO. 395-0102-00060

N89°39'04"E 298.49



0 40
SCALE IN FEET

MISTY MORNING DRIVE

66

S00°21'18"E 256.90

PUBLIC ROAD
EASEMENT PER
DOC. NO. 427341

PARCEL A
41,786 Sq. Feet
0.96 Acres

W 17 FT

S 48 FT

PUBLIC ROAD
EASEMENT PER
DOC. NO. 427342

N 50 FT

W 17 FT

116.90

STOKKE DAVID & PAMELA
PID NO. 395-0102-00070

PARCEL B
49,534 Sq. Feet
1.14 Acres

N89°19'08"E
50.00

S 60 FT

S 60 FT

W 50 FT

CITY OF
HERMANTOWN
PID NO.
395-0102-00082

S00°21'18"E
60.00

10 FT MP&L
EASEMENT PER
DOC. NO. 613121

RENFIELD LAND COMPANY INC
PID NO. 395-0010-05610

FOUND 2 INCH PIPE
N70°24'30"E 2.15 FT FROM
COMPUTED LOCATION AND
FOUND REBAR IN PIPE LAYING ON
SIDE NEAR COMPUTED LOCATION

STOKKE DAVID & PAMELA
PID NO. 395-0102-00070

10

140.00

MCGOVERN DAVID T
PID NO. 395-0140-00120

N00°20'22"W 315.17

175.17

10

N89°19'08"E 248.41

ACRES

PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 221704
Lot 3 Block 2 MISTY MORNING ACRES

PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO 266389
Lot 4 EXCEPT the W'ly 50.00 feet of the S'ly 60.00 feet thereof, Block 2
MISTY MORNING ACRES

LEGAL DESCRIPTION OF PARCEL A
Lot 3, Block 2 MISTY MORNING ACRES, according to the recorded plat
thereof, St. Louis County, Minnesota, EXCEPT the Southerly 16.75 feet
thereof. Said parcel contains 41,786 square feet or 0.96 acres.

LEGAL DESCRIPTION OF PARCEL B
Lot 4 EXCEPT the W'ly 50.00 feet of the S'ly 60.00 feet thereof, Block 2
MISTY MORNING ACRES
AND
The Southerly 16.75 feet of Lot 3, Block 2 MISTY MORNING ACRES,
according to the recorded plat thereof, St. Louis County, Minnesota. Said
parcel contains 49,534 square feet or 1.14 acres.

LEGEND

	CONCRETE SURFACE		RIGHT OF WAY LINE
	GRAVEL SURFACE		EXISTING EASEMENT LINE
	EXISTING BUILDINGS		BOUNDARY LINE AS SURVEYED
	PROPOSED BUILDING		EXISTING PLAT LINE
			PROPOSED PARCEL LINE
			FOUND T-STAKE MONUMENT
			SET CAPPED REBAR RLS. NO. 49505

SURVEYORS NOTES

1. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.
2. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
3. 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 ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson

Date: April 19, 2017

MN Lic. No. 49505

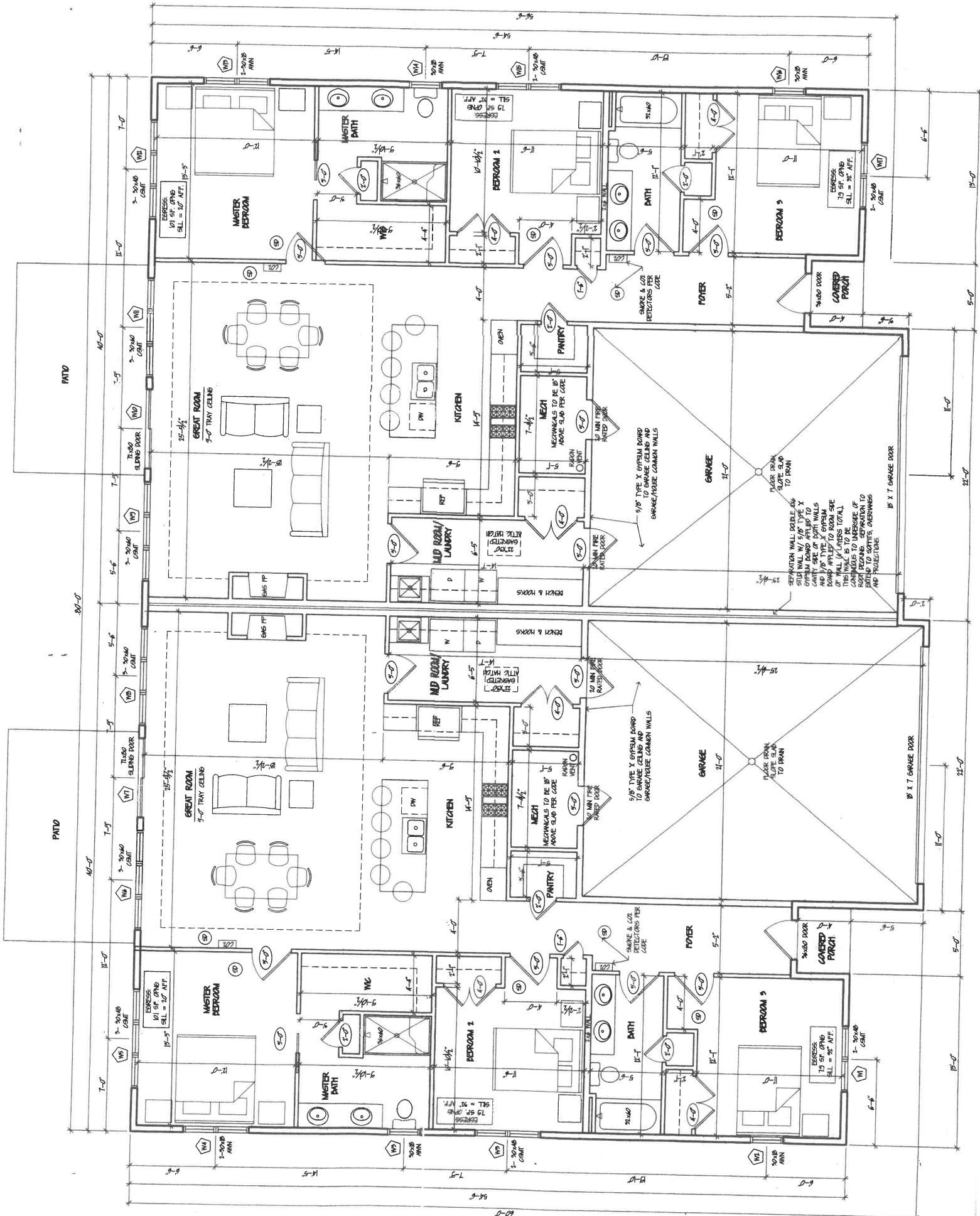
CERTIFICATE OF SURVEY

CLIENT: DAVID AND PAM STOKKE	REVISIONS: 5-02-2024 REVISE PARCEL SPLIT, ADD PROPOSED BLDG.
DATE: APRIL 19, 2017	
ADDRESS: 4058 MISTY MORNING DRIVE HERMANTOWN, MN 55811	
JOB NUMBER: 17-091	

LAND SURVEY COMPANY

- * LAND SURVEYING
 - * LAND DEVELOPMENT
 - * PLATTING
 - * LEGAL DESCRIPTIONS
 - * CONSTRUCTION STAKING
- PHONE: 218-727-5211
LICENSED IN MN & WI
CERTIFIED FEDERAL SURVEYOR
WWW.ALTLANDSURVEYDULUTH.COM





5B. 4716 Lindgren Road – Commercial Industrial Development Permit (CIDP)

<u>Applicant:</u>	PPT LLC
<u>Case No.:</u>	2024-23-CIDP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approve a Commercial Industrial Development Permit with conditions for a 10,130 square foot retail building and associated site improvements

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to construct a 10,130 square foot retail building along with subsequent site improvements.

BACKGROUND:

PPT LLC (Applicant) has been involved on multiple parcels within the Hermantown Marketplace. This newest proposal is for the construction of a 10,130 square foot retail building and subsequent parking lot and stormwater improvements. The property is located at 4716 Lindgren Road which previously had a residential structure located on it.

The proposed project has 43 parking spaces and has access from Richard Avenue and Lindgren Road. The project proposes underground stormwater treatment and detention. The building is comprised of 6,666 square feet of retail space, 2,800 square feet of storage/warehouse space and 665 square feet of office/support related space.

SITE INFORMATION:

Parcel Size:	1.0 acre
Legal Access:	4716 Lindgren Road
Wetlands:	None per the National Wetland Inventory
Zoning:	HM, Hermantown Marketplace
Airport Overlay:	None
Shoreland Overlay:	None

ZONING ANALYSIS:

Zoning District: HM, Hermantown Marketplace		
Type	Required	Proposed
Min Lot Area	None	1.0 acre
Lot Width	None	132 feet minimum
Front Yard	5 feet	28 feet from Richard Avenue 78 feet from Lindgren Road
Rear Yard	5 feet	88 feet minimum
Side Yard	5 feet	10 feet minimum
Lot coverage	50%	23.3%
Maximum Building Height	45 feet	24 feet
Parking	1 per 200 square feet of floor space 6,666 SF – floor space = 34 spaces	43 spaces

Stormwater Management

The property is 1.0 acres in size. The proposed impervious surface consists of the 10,130 square foot retail building, 21,312 square feet of bituminous parking lot, and 1,906 square feet of concrete sidewalk for a total of 33,348 square feet of impervious area (76.5%).

The plan proposes an underground stormwater system on the south side of the site for the treatment of stormwater. Stormwater would be directed to the underground system via roof drains and storm pipes within the parking lot. The applicant has submitted preliminary engineering plans locating the 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 via the newly constructed Richard Avenue and Lindgren Roads.

Utilities

There is City water within Richard Avenue. There is an existing sanitary sewer main with 30' easement running south of the proposed building. The Applicant is proposing to connect into this existing main. The Applicant is responsible for the private connections as well as any applicable connection and availability fees.

Building Architecture

The proposed building is 10,130 square feet in size and 24 feet in height. The building is to be constructed of a wood framed building with a combination of EIFS, masonry wainscoting and composite wood siding. The proposed materials are similar to the other buildings previously constructed to the south along Richard Avenue.

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:

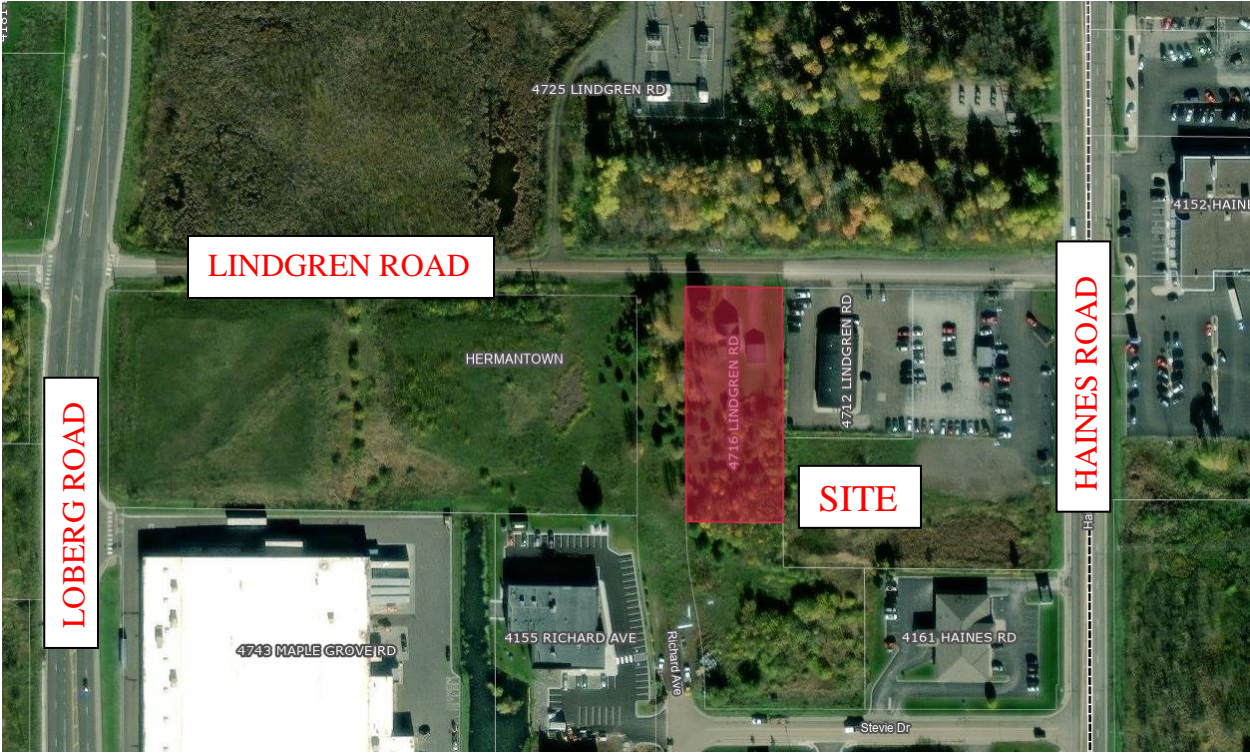
Staff recommends approval of the Commercial Industrial Development Permit based on the findings set forth in the Staff report, subject to the following conditions:

1. The applicant is seeking to construct a 10,130 square foot retail 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. 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. Applicant shall pay any City sewer availability and connection fees.
6. The applicant shall sign a consent form assenting to all conditions of this approval.
7. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

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

Location Map



May 01, 2024 3:57pm
C:\Patriot Properties of Hermantown\24-299 Richard Ave-Lindgren Road Dev\3_dwg\300\24-299boc.dwg

Call 48 Hours before digging
GOPHER STATE ONE CALL
Twin Cities Area 651-454-0002
MN. Toll Free 1-800-252-1166



Engineering
Land Surveying
Site Development

JPJ ENGINEERING, INC
425 Grant Street
Hibbing, MN 55746
(218) 262-5528

5670 Miller Trunk Hwy
Duluth, MN 55811
(218) 720-6219

www.jpjeng.com



CB
RIM: 1353.60
S INV: 1349.40

CB
RIM: 1353.38
N INV: 1348.90
E INV: 1348.85

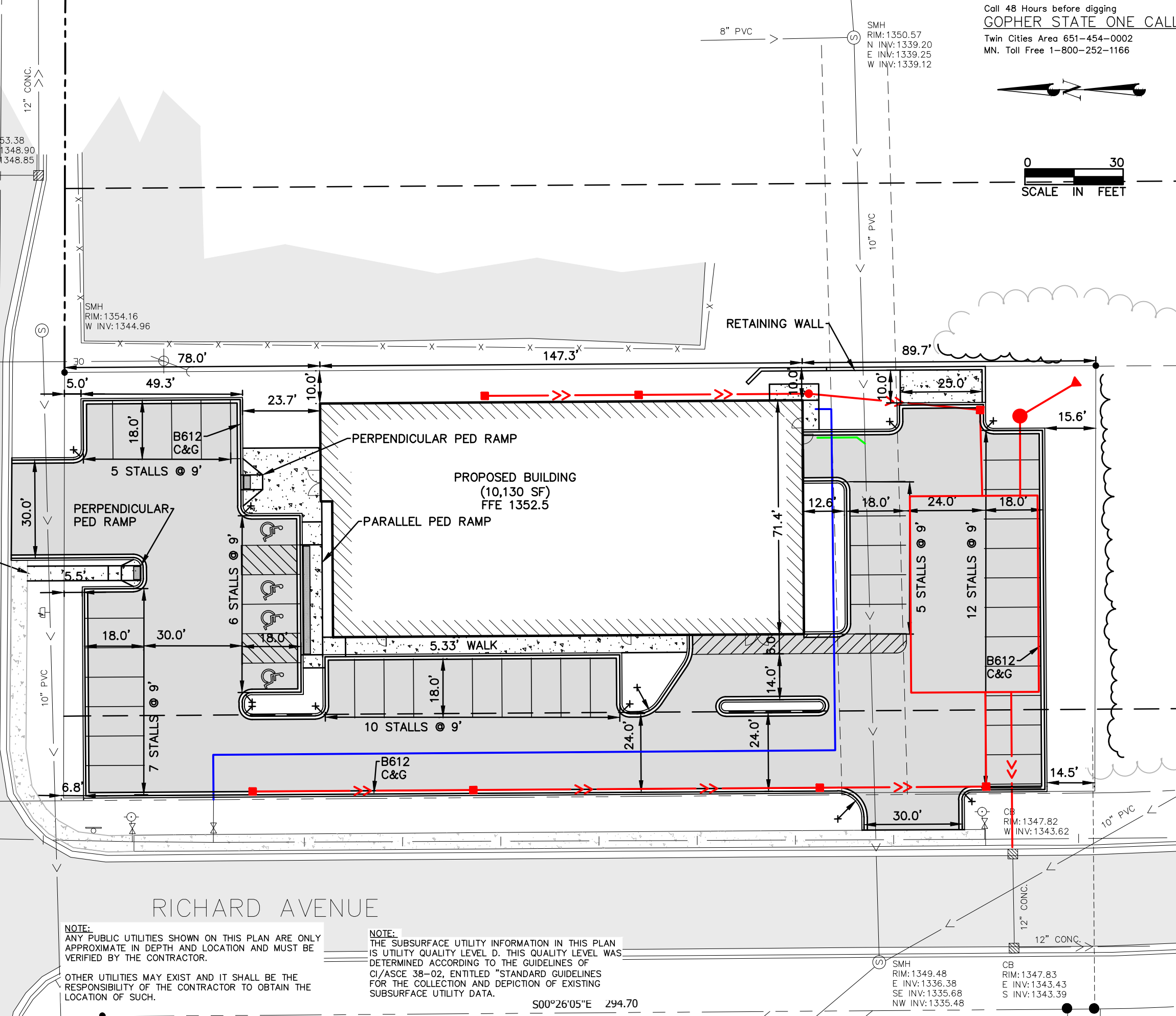
SMH
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W INV: 1344.96

SMH
RIM: 1350.57
N INV: 1339.20
E INV: 1339.25
W INV: 1339.12

LINDGREN ROAD

RICHARD AVENUE

MATCH TO
FUTURE WALK
± 54.45



NOTE:
ANY PUBLIC UTILITIES SHOWN ON THIS PLAN ARE ONLY APPROXIMATE IN DEPTH AND LOCATION AND MUST BE VERIFIED BY THE CONTRACTOR.

OTHER UTILITIES MAY EXIST AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN THE LOCATION OF SUCH.

NOTE:
THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

S00°26'05"E 294.70

SMH
RIM: 1349.48
E INV: 1336.38
SE INV: 1335.68
NW INV: 1335.48

CB
RIM: 1347.83
E INV: 1343.43
S INV: 1343.39

REVISION DATE:	DESCRIPTION:

SURVEYED	SB
DESIGNED	DCP
DRAWN	DCP
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

JOHN P. JAMNICK, P.E.

DATE _____ LIC. NO. 19907

24-299
PROJECT NO.

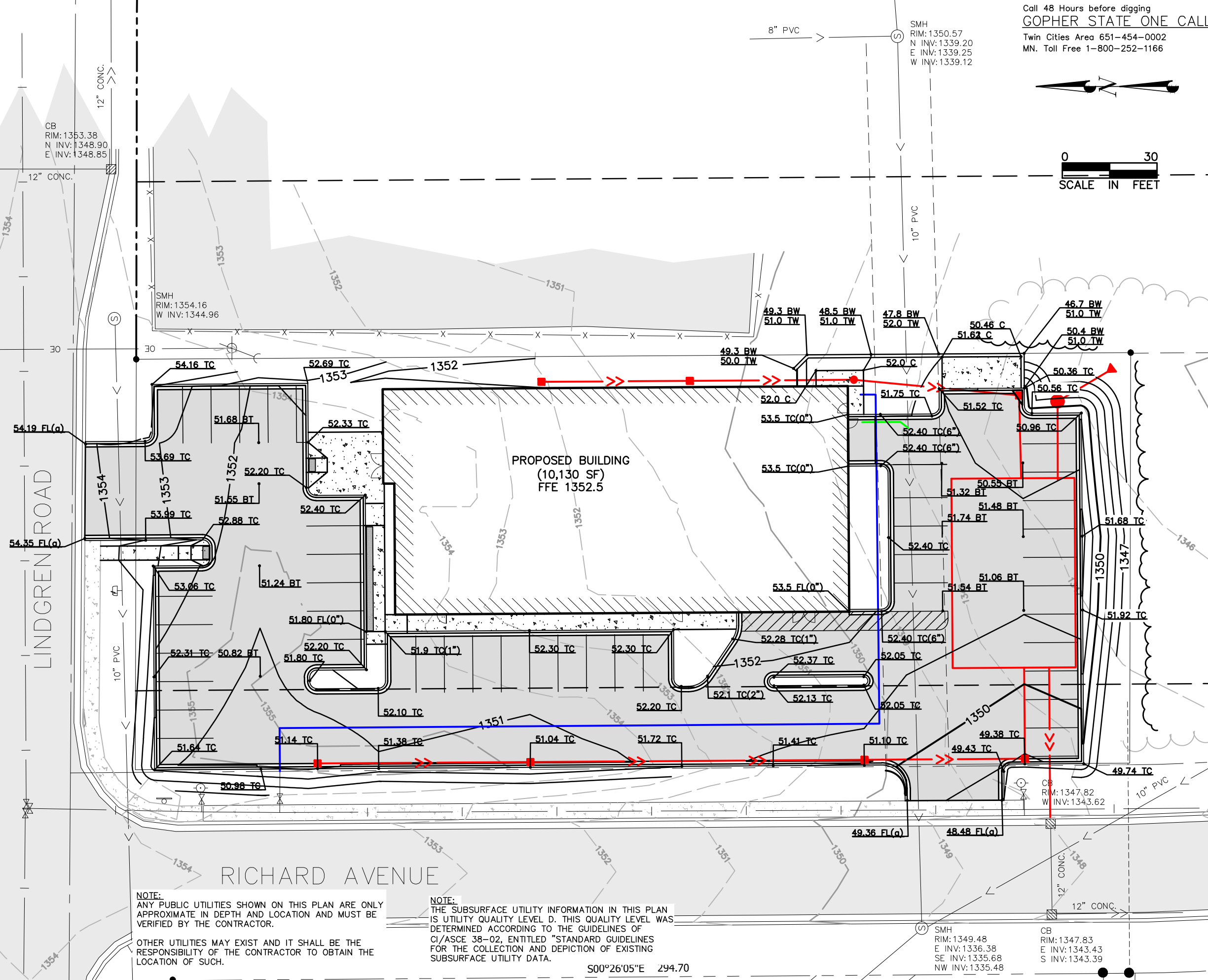
May 01, 2024 3:57pm
C:\Patriot Properties of Hermantown\24-299 Richard Ave-Lindgren Road Dev\3_dwg\300\24-299boc.dwg

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Duluth, MN 55811
(218) 720-6219
www.jpjeng.com



PROPOSED BUILDING
(10,130 SF)
FFE 1352.5

NOTE:
ANY PUBLIC UTILITIES SHOWN ON THIS PLAN ARE ONLY APPROXIMATE IN DEPTH AND LOCATION AND MUST BE VERIFIED BY THE CONTRACTOR.

OTHER UTILITIES MAY EXIST AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN THE LOCATION OF SUCH.

NOTE:
THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

S00°26'05"E 294.70

PATRIOT PROPERTIES
THE GOODWILL PROJECT
HERMANTOWN, MINNESOTA

GRADING PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED	SB
DESIGNED	DCP
DRAWN	DCP
CHECKED	

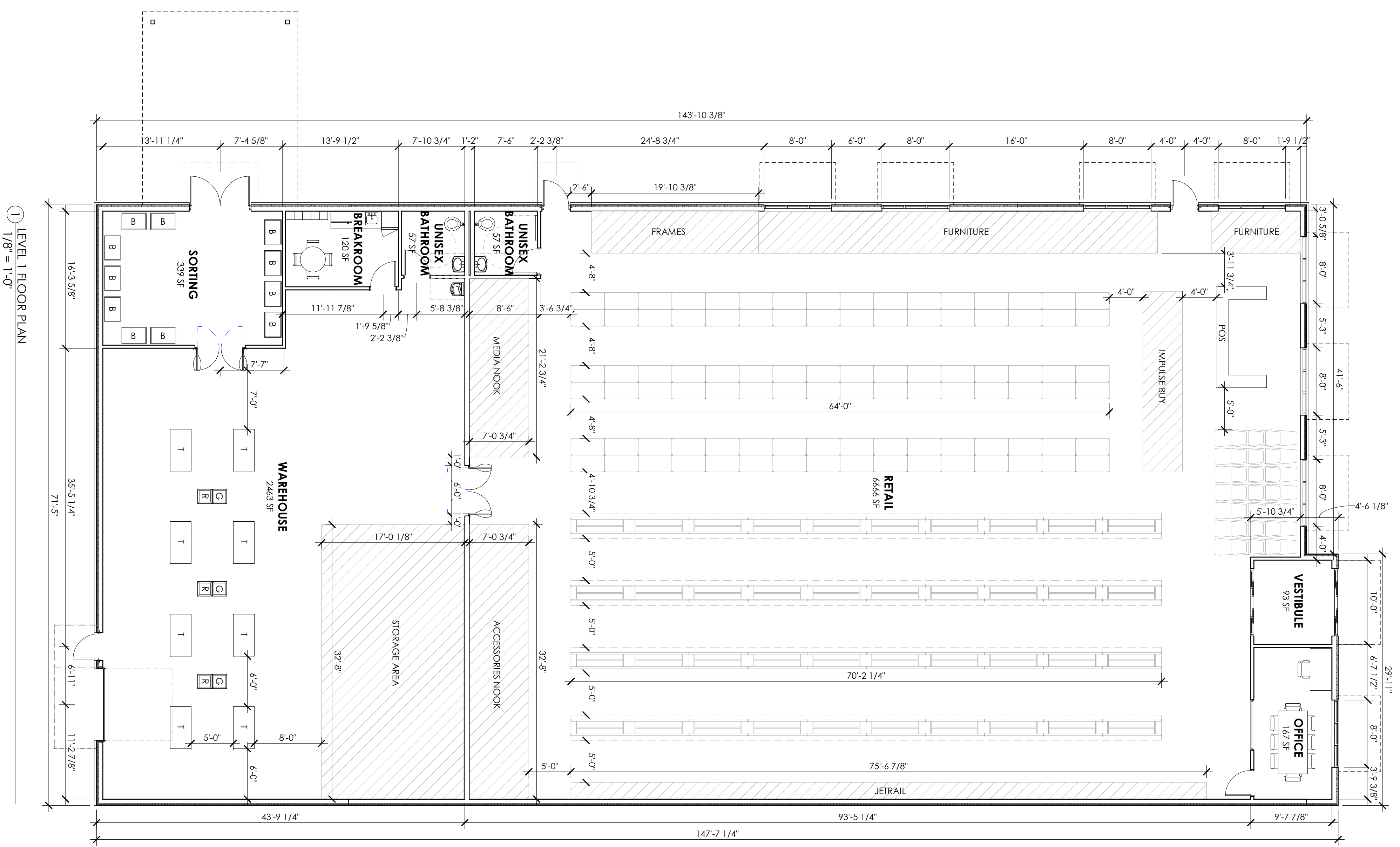
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PRELIMINARY

JOHN P. JAMNICK, P.E.

DATE _____ LIC. NO. 19907

24-299
PROJECT NO.



FLOOR PLAN KEYED NOTES
 1 XXXX



PRELIMINARY
 NOT FOR CONSTRUCTION
 DATE: 4/15/2024

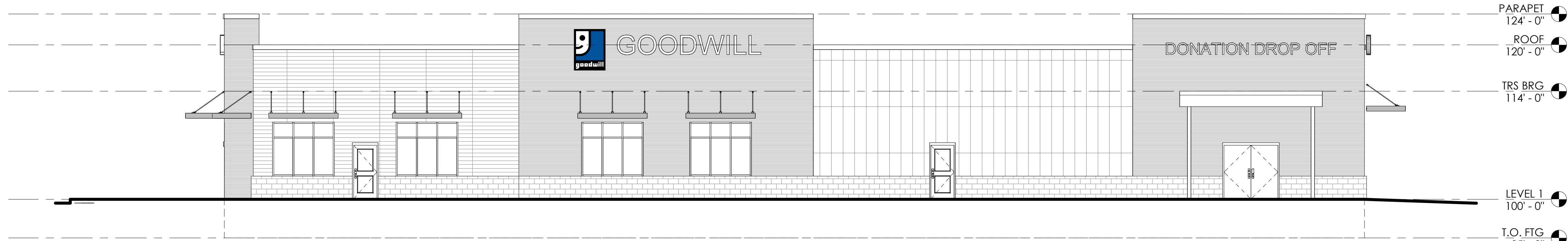
Goodwill - Hermantown
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ISSUE DATE
 Issue Date
 PROJECT NO.
 2410
 REVISIONS

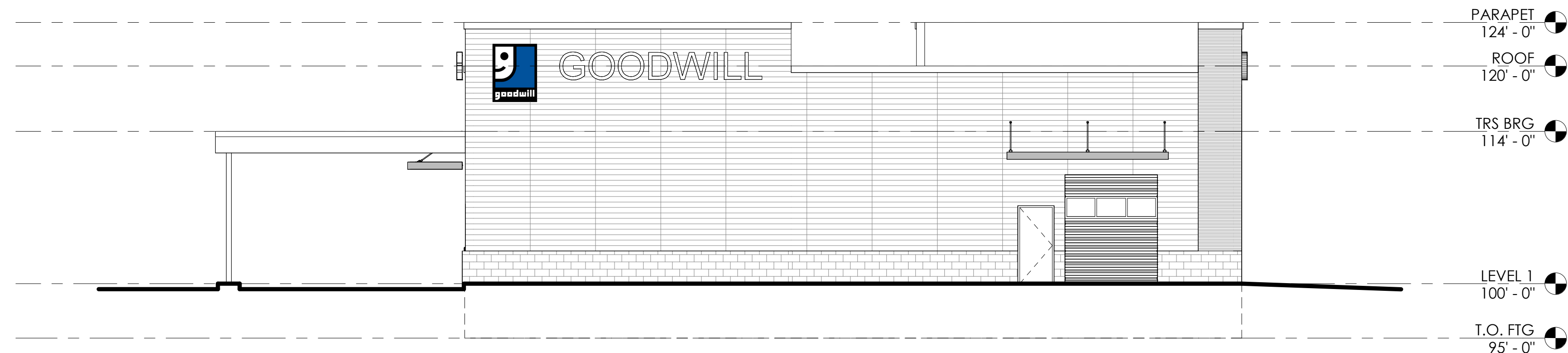
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A2.0



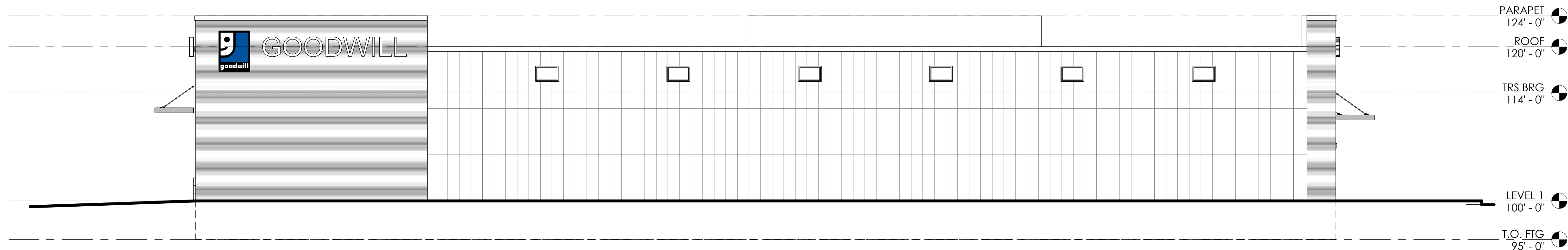
④ NORTH ELEVATION
1/8" = 1'-0"



③ WEST ELEVATION
1/8" = 1'-0"



② SOUTH ELEVATION
1/8" = 1'-0"



① EAST ELEVATION
1/8" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 4/15/2024

Goodwill - Hermantown
Enter address here

ISSUE DATE
Issue Date

PROJECT NO.
2410

REVISIONS

SHEET NO.

A3.0



5C. Stebner Road – Final Planned Unit Development

Applicant: Jay Zierden/BMAX, Inc.
Case No.: 2024-01-PUD
Staff Contact: Eric Johnson, Community Development Director
Request: Approval of a Final Planned Unit Development (PUD)

DESCRIPTION OF REQUEST:

Applicant (Jay Zierden/BMAX, Inc.) is requesting approval of a Final Planned Unit Development (PUD) for construction of a 10 twinhome (20 units total) on a 10 acre parcel located at 399x Stebner Road. The property is located in an R-3 zoning district.

SITE INFORMATION:

Parcel Size: 10 acres
Legal Access: Stebner Road
Wetlands: Yes, delineation approved in 2019
Existing Zoning: R-3, Residential
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Suburban

Development Details

The Applicant is proposing to construct a 10 twinhome buildings (20 units total) on an existing 10 acre lot with access to Stebner Road. The proposed development consists of a 1050’ feet of public street with a 66’ right of way; a 5’ wide sidewalk on the north side of the street; a 4,800 square foot accessory/storage building and two pickleball courts.

For the Preliminary PUD, a public hearing for this proposed project was held on February 27, 2024. Planning and Zoning Commission unanimously recommended the application with the recommended changes of increasing the space between units from 7’ to 10’ and for relocating the proposed pickleball courts away from the units, to the City Council for their review and approval.

The Preliminary PUD was approved by the City Council at the March 18, 2024 meeting. The developer has submitted updated plans which have shortened the road length and cul-de-sac location in order to minimize wetland impacts and relocated the pickleball courts. The Applicant has kept the 7’ minimum side yard setback but has staggered the units in order to provide a visual variety along the road frontage.

In addition, there has been discussions with the Applicant as well as the adjoining property owner of Peyton Acres to build a connecting road between the two projects which would eventually connect to Stebner Park. This road connection will provide vehicular and pedestrian access at multiple locations as well as provide access to Stebner Park. If this occurs, the pickleball courts will be relocated to either another location on this property or potentially to another location in a City park.

PUD Process:

The City’s zoning regulations governing PUD’s require that each PUD obtain preliminary and final approval. The City’s Planned Unit Development ordinance states that PUDs over 4 units/acre and/or 5 acres in size are required to make separate Preliminary and Final PUD submissions.

The PUD review and approval process include a public hearing by the Planning Commission and a recommendation to the City Council. A PUD order will be issued by the City setting project specific development standards. Following completion of the development contract the applicant will be granted final Zoning approval and can begin construction, pending approval of the associated building permits.

Per Section 1105 of the Planned Unit Development section of the Zoning Ordinance, it requires that a PUD must provide public benefits to the surrounding neighborhood and to the city above and beyond what can be reasonably achieved by application of the zoning provisions applicable to the underlying zoning district. The nature and scale of public benefit shall be determined by the City and include, but not be limited to:

- 1.1 Preservation and enhancement of natural systems and resources, topography, vegetation, and other natural features. – This project proposes to preserve 3.4 acres of existing wetland on the property. The road design and building placement minimizes wetland impacts required for the project.
- 1.2 Provision of a variety of housing and community types. – The project proposes twinhome buildings which there is a general shortage of within the City.
- 1.3 Provision of recreational amenities including trails and parks. – The Project proposes two pickleball courts for the residents of the proposed community. There is also the ability to provide soft surface trails along the wetland areas for residents to walk on in addition to the proposed 5’ foot wide sidewalk.

Zoning Analysis:

The property is zoned R-3, Residential. The applicant has applied for a Planned Unit Development (PUD) for the property. A PUD is a permitted use in an R-3 zone district. Section 11 of the zoning ordinance explains that: ‘A PUD is intended to encourage a more efficient and creative use of land and development, more efficient and effective use of streets, utilities and public services; protection of natural resources; and more efficient and effective provision of recreational, public and open space than can be achieved through conventional development procedures.

The purpose of the PUD request is to allow for the creation of 10 twinhome buildings for a total of 20 units.

Setbacks

City Code allows a PUD to have standards that meet the City’s goals for each proposed development. These standards include building height, density, roadway widths and setbacks. The proposed project is for 10 twinhome buildings (20 units total). The applicant is proposing a minimum 10’ foot side yard

setback, a 20’ foot front yard setback and a 40’ foot rear yard setback. The PUD allows for the setting of site specific setbacks.

Table 1. R-3 Residential Requirements	R-3 Requirement	Proposed Twinhome
Minimum lot area	½ acre (2 units/acre)	6,520 square feet minimum
Minimum lot width (at setback line)	100 feet	50 foot minimum
Minimum front yard	50 feet from public ROW	20’ from public ROW
Minimum side yard	10 feet, 25 feet aggregate	7 feet minimum, 14 feet aggregate
Minimum rear yard	40 feet	40’ feet minimum
Roadway ROW width	66 feet	66’ Public ROW – 28’ with curb, gutter and 5’ sidewalk

Plat

The Applicant is proposing to divide the property into 12 lots and 3 outlots. The applicant will need to submit a preliminary and final plat prepared by a registered land surveyor for the project.

Utilities

The Applicant has engaged a civil engineer to conduct this work with final construction documents being submitted as part of the application. The work submitted include grading plans along with water and sanitary sewer plans.

The project proposes the extension of a sanitary sewer line from Stebner Road to provide sanitary sewer service to each building/lot.

The water main extension will connect from Stebner Road to provide water service to each building/lot.

The applicant has submitted construction documents for review and approval by the City Engineer. Upon City acceptance, all utilities will be turned over to the City of Hermantown.

Stormwater

The Applicant is proposing a detention pond located north of the entry road by Stebner Road to accommodate the stormwater associated with the project. The applicant has engaged a civil engineer to conduct this work with preliminary documents being submitted as part of the application. The applicant has submitted final construction plans for the development which include an erosion and sediment control plan for construction and post-construction control of run-off. Bio-rolls, silt fencing and other Best Management Practices will be required in order to control runoff during construction.

The stormwater pond are within the proposed outlot for the plat and will be turned over to the City upon completion and acceptance by the City Engineer.

Access

The project is proposed to be accessed from Stebner Road via a public street and right of way which terminates in a cul-de-sac. This road would be a public, 28 foot wide asphalt roadway with curb and gutter with a 5' foot width sidewalk along north side of the road.

The City is requiring a 66' right of way connection from the proposed cul-de-sac to the property to the east. The proposed site plan reflects this right of way connection.

The Applicant will be fully responsible to design and construct the proposed roads within the project to City standards. Upon completion and inspection by the City Engineer, the City will accept the road and maintain it from after time of acceptance.

Wetlands

A wetland delineation was performed in the summer of 2019 in association with the Peyton Acres development. The plan envisions wetland impacts associated with the road construction, 1 building, 1 pond and the pickleball court. The applicant will be required to submit a wetland impact plan to the Hermantown Technical Evaluation Panel for their review and approval.

Park Dedication Fees

The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per unit will be paid at the time of final PUD approval. Bedroom fees at the rate of \$150/bedroom will be paid at the time of building permit.

Summary

Staff recommends approval of the Final PUD based on the findings of this report and the following conditions

1. The proposed PUD meets the intent of the R-3, Residential Zoning District, Chapter 11 – Planned Unit Developments, and the overall goals and policies of the Zoning Ordinance.
2. The proposed development meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through enhanced and coordinated development design and a greater variety of housing types in the community.
3. The Planned Unit Development is hereby approved is hereby expressly subject to the following conditions:
 - 3.1 That the Project will be constructed as described in the plans accompanying the Application and the conditions contained herein.
 - 3.2 The Zoning Administrator of the City of Hermantown shall be notified at least five (5) days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five (5) days thereafter.

- 3.3 No change shall be made in the Project without written permission being previously obtained from the City of Hermantown.
- 3.4 Applicant shall grant access to the site at all reasonable times during and after construction to authorized representatives of the City of Hermantown for inspection of the Project to see that the terms of this permit are met.
- 3.5 Applicant is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown.
- 3.6 Trees and brush cannot be burned on the property, but may be chipped and shredded.
- 3.7 An MPCA Stormwater Permit and erosion control measures must be in place prior to the start of operations.
- 3.8 All utility line easements shall be observed and any encroachment into the utility right-of-way shall only be permitted with the written approval of the utility.
- 3.9 The Applicant shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.

4 Dimensional requirements of lots, setbacks, and rights-of-way shall be according to the attached site plan and table 1.

Table 1. R-3 Residential Requirements	R-3 Requirement	Proposed Twinhome
Minimum lot area	½ acre (2 units/acre)	6,520 square feet minimum
Minimum lot width (at setback line)	100 feet	50 foot minimum
Minimum front yard	50 feet from public ROW	20' from public ROW
Minimum side yard	10 feet, 25 feet aggregate	7 feet minimum, 14 feet aggregate
Minimum rear yard	40 feet	40' feet minimum
Roadway ROW width	66 feet	66' Public ROW – 28' with curb, gutter and 5' sidewalk

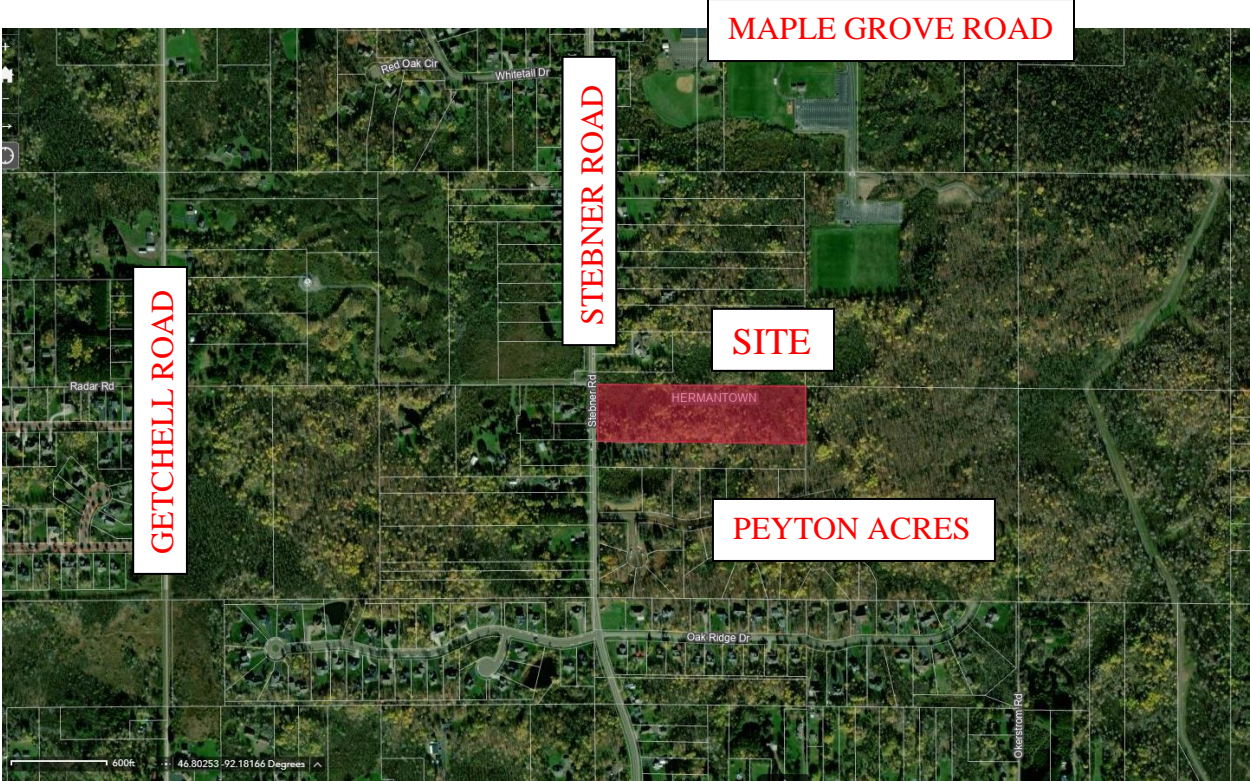
5 Applicant to submit final construction documents (water, storm sewer, sanitary sewer, roadway, etc.) according to City standards and coordinated with the City Engineer. Final PUD Order and Stormwater Certificate will be issued after review and approval of documents by the City Engineer.

- 6 Applicant to submit a wetland impact plan to the Hermantown Technical Evaluation Panel for the review and approval of wetland impacts.
- 7 Installation of water and sanitary sewer shall require the Property Owner to enter into an agreement with the City governing the terms of such work. All utility plans shall be approved by the City Engineer. The City/Developer agreement shall specify the amount of a financial guarantee to be held by the City from the time of commencement of work until such a time as the City is prepared to accept as complete the new public infrastructure. All drainage and utility easements shall have associated easements. The Property Owner shall enter into a Development Agreement with the City for all public utilities.
- 8 The Applicant is to enter into a development agreement for the infrastructure improvements associated with the project.
- 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:

- Location Map
- Site Plan
- Grading Plan
- Proposed Twinhome Building Example

Location Map



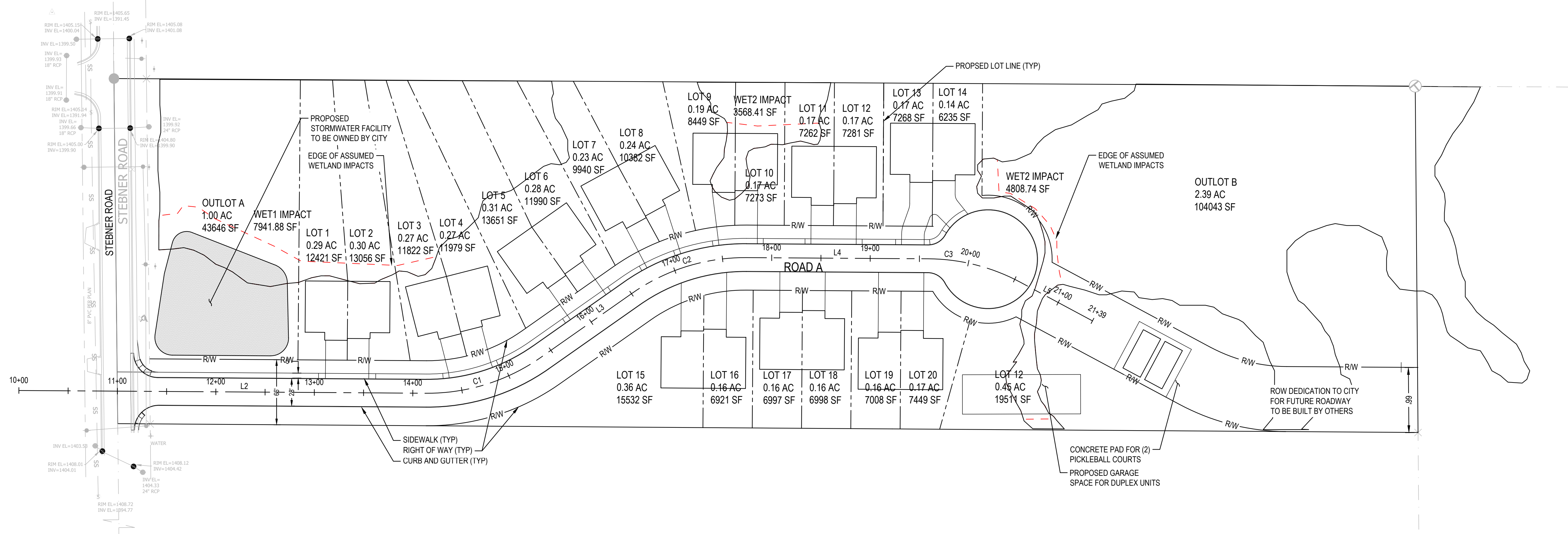
GENERAL SHEET NOTES:

EXISTING GRADES ARE FROM LIDAR DATA

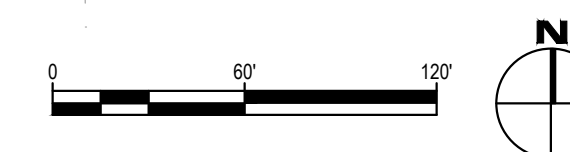
PROPOSED GRADES ARE PRELIMINARY UNTIL PARCEL IS SURVEYED. CHANGES TO PROPOSED GRADING, STORMWATER POND DESIGN, AND/OR CUL-DE-SAC PLACEMENT MAY CHANGE ONCE PROPOSED GRADING IS FINALIZED.

CONTRACTOR NOTE:

ALL EXISTING UTILITIES SHOWN ON PLANS ARE TO BE VERIFIED HORIZONTALLY AND VERTICALLY PRIOR TO ANY CONSTRUCTION. ALL EXISTING FEATURES INCLUDING BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORD MAPS AND SURVEYS FURNISHED BY OTHERS. WINDSOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS AND SURVEYS. CONTACT THE UTILITY OWNER/AGENCY FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO CONSTRUCTION.



PLAN
SCALE: 1" = 60'



Know what's below.
Call before you dig.
CALL 2 BUSINESS DAYS BEFORE YOU DIG.
CAUTION: UTILITY INFORMATION IS APPROXIMATE.
VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.

Revisions:

No.	Description	Date

LINE IS 1" ON FULL SCALE DRAWING



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I HEREBY CERTIFY THAT I
PREPARED BY ME OR UNDER
SUPERVISION AND CONTROL OF
REGISTERED ENGINEER UNDER THE
LAWS OF THE STATE OF MINNESOTA.

DATE: 4/2/24
REG#: 61158
JOHN F. DOUGHERTY, P.E.

PRELIMINARY

STEBNER PLANNED UNIT DEVELOPMENT
HERMANTOWN, MN
FINAL PUD APPLICATION
Project No: 23050
Issue Date: 4/3/2024

PRELIMINARY PLAT

Project Manager: EAS
Drawn by: TAW
Checked by: JFD

C101

ISSUED FOR FINAL PUD APPLICATION

GENERAL SHEET NOTES:

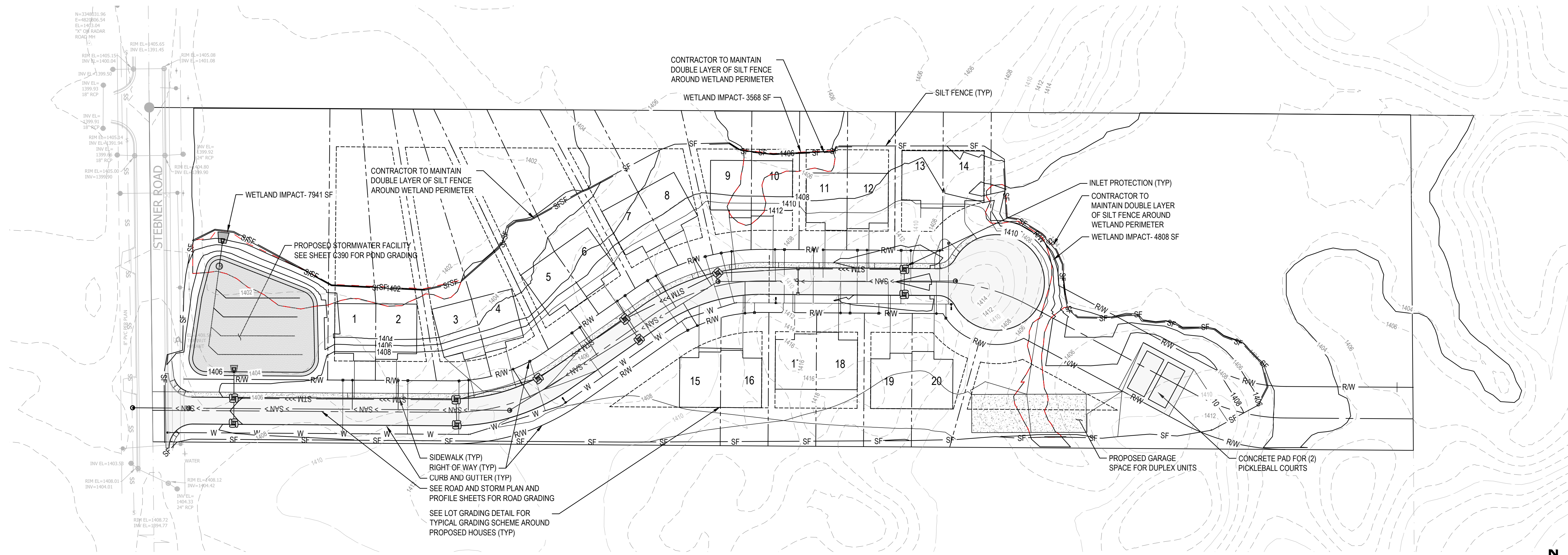
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PROPOSED GRADES ARE PRELIMINARY UNTIL PARCEL IS SURVEYED. CHANGES TO PROPOSED GRADING, STORMWATER POND DESIGN, AND/OR CUL-DE-SAC PLACEMENT MAY CHANGE ONCE PROPOSED GRADING IS FINALIZED.

CONTRACTOR TO FINE GRADE AROUND HOMES PER DETAIL.

CONTRACTOR NOTE:

ALL EXISTING UTILITIES SHOWN ON PLANS ARE TO BE VERIFIED HORIZONTALLY AND VERTICALLY PRIOR TO ANY CONSTRUCTION. ALL EXISTING FEATURES INCLUDING BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORD MAPS AND SURVEYS FURNISHED BY OTHERS. WINDSOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS AND SURVEYS. CONTACT THE UTILITY OWNER/AGENCY FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO CONSTRUCTION.



PLAN

SCALE: 1" = 60'



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No.	Description	Date

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REGISTERED ENGINEER UNDER THE
LAWS OF THE STATE OF MINNESOTA.

DATE: 4/2/24
REG#: 61158

PRELIMINARY

JOHN F. DOUGHERTY, P.E.

STEBNER PLANNED UNIT DEVELOPMENT

HERMANTOWN, MN

FINAL PUD APPLICATION

Project No: 23050

Issue Date: 4/3/2024

EROSION CONTROL AND GRADING PLAN

Project Manager: EAS
Drawn by: TAW
Checked by: JFD

C103

ISSUED FOR FINAL PUD APPLICATION

Twinhome Example



5D. 4307 Ugstad Road-- Commercial Industrial Development Permit (CIDP)

<u>Applicant:</u>	City of Hermantown
<u>Case No.:</u>	2023-27-CIDP/SUP
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Approve a Commercial Industrial Development Permit with conditions for a 45,000 square foot arena and parking lot expansion

RECOMMENDED ACTION:

Approve a Commercial Industrial Development Permit (CIDP) in order to construct a 45,000 square foot arena expansion along with subsequent site improvements.

BACKGROUND:

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

The City, Hermantown School District and Hermantown Area Hockey Association (HAHA) have been working for the past year plus on plans for the second sheet of ice, parking lot expansion and the relocation of outdoor rinks. This process looked at available funds, potential wetland impacts and needs of the facility users.

The proposed project consists of a 45,000 square foot arena space to house the new sheet of ice along with supporting locker rooms, and public gathering space. The proposed expansion will connect to the existing rink via a pedestrian gathering space/lobby on the south side of the building.

The proposed work includes a 42 space expansion to the existing parking lot, a pedestrian trail to the parking lots associated with the school, a connection to the school property to the west which currently is used for the school bus barn and an underground stormwater treatment and storage system.

SITE INFORMATION:

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

ZONING ANALYSIS:

Zoning District: P, Public		
Type	Required	Proposed
Min Lot Area	None	11.0 acre
Lot Width	None	500 feet minimum
Front Yard	35 feet	90 feet from W. Arrowhead Road
Rear Yard	25 feet	550 feet minimum
Side Yard	15 feet	35 feet minimum
Lot coverage	50%	16% - includes new and existing structures
Maximum Building Height	50 feet	37 feet
Parking	1 per 4 seats in assembly area 1,200 approximate seats (existing and new) = 300 spaces	578 total: 151 - existing, 42 - new spaces, 385 – school parking lot

Stormwater Management

The property is 11.0 acres in size. There is currently an existing arena, parking and the school district building on this property. The stormwater management is only for the new impervious surfaces created with this project.

The proposed impervious surface consists of the 45,000 square foot arena expansion, 22,421 square feet of bituminous parking lot, and 7,879 square feet of concrete sidewalk and 5,535 square feet of bituminous path for a total of 80,835 square feet of new impervious area.

The plan proposes an underground stormwater system on the south side of the site for the treatment of stormwater generated by the new impervious surfaces. Stormwater would be directed to the underground system via roof drains and storm pipes within the parking lot. Final engineering plans locating the system and its proposed size have been prepared.

Access

The site is accessed via West Arrowhead Road and Ugstad Road. The new proposed entry onto West Arrowhead will align with the entrance to the Essentia Wellness Center site to on the south side of West Arrowhead Road.

Utilities

There is City water and sanitary sewer mains within the adjacent right of way of Ugstad Road and West Arrowhead Road. The proposed arena expansion will connect into the existing mains.

Building Architecture

The proposed arena building is 45,000 square feet in size and 37 feet in height. The building is to be constructed of textured concrete tip up panels along with metal architectural panels. The proposed materials are similar to the existing arena building to the east.

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

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 45,000 square foot arena 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 550, “P, Public” 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. Applicant shall pay any City sewer availability and connection fees.
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 Floor Plans
- Proposed Building Elevation
- Proposed Building Rendering
- Proposed Interior Images



5.6.24



NorthStar Ford Arena
PRELIMINARY RENDERINGS | EXTERIOR





5.6.24

NorthStar Ford Arena

PRELIMINARY RENDERINGS | SECOND LEVEL



5.6.24



NorthStar Ford Arena
PRELIMINARY RENDERINGS | ICE ARENA



5.6.24

NorthStar Ford Arena
PRELIMINARY RENDERINGS | ICE ARENA



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

Applicant: City of Hermantown
Case No.: 2023-27 CIDP/SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Issue a special use permit for filling and grading within a Recreational Environment Shoreland Overlay for the arena and parking lot expansion

RECOMMENDED ACTION:

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

DESCRIPTION OF REQUEST:

The City of Hermantown (Applicant) desires to build a second sheet of ice and a parking lot expansion at 4307 Ugstad Road. The project site is within a Recreational Environment Shoreland Area and although no direct work is planned within the shoreland area, there is the possibility of storage of materials and equipment within this area.

SITE INFORMATION:

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

BACKGROUND

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

The City, Hermantown School District and Hermantown Area Hockey Association (HAHA) have been working for the past year plus on plans for the second sheet of ice, parking lot expansion and the relocation of outdoor rinks. This process looked at available funds, potential wetland impacts and needs of the facility users. The proposed work falls partially within a Recreational Shoreland Area associated with an unmapped tributary of the Rocky Run Creek, located on the east side of Ugstad Road.

A Special Use Permit (SUP) was approved for the relocation of the outdoor skating rinks with the current proposed SUP being for the arena and parking lot expansion.

Wetlands

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

Shoreland Area

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

Special Use Permit

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

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

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

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

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

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

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

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

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

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

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

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

Findings of Fact and Recommendations

Staff recommends approval of the special use application for filling and grading within a Recreational Shoreland Area for the purpose of constructing an arena and parking lot expansion, subject to the following:

1. The approval is for a Special Use Permit for filling and grading constructing an arena and parking lot expansion in a Recreational Environment Shoreland area. 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
- Shoreland Map

Location Map



SHORELAND AREA

