



## **Hermantown Planning & Zoning Meeting – December 17, 2024**

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

Remote access to the 7:00 pm Planning & Zoning Meeting will be available at:

<https://us02web.zoom.us/j/89710487385?pwd=RFZYekswalBBNEluUjZXTXVQUEYydz09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 897-1048-7385 and the passcode of 122771.

A few important tips regarding the Zoom platform:

- If your computer does not support audio, you can still watch the meeting on your computer and call in on your phone to hear the meeting.
- Everyone has varying levels of comfort regarding remote technology, so grace and understanding are appreciated.



PLANNING & ZONING COMMISSION

*Agenda*  
December 17, 2024  
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
  - 3A. November 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 Gregg Billman/Norway Pines, Inc. for an amended Commercial Industrial Development Permit for a 7,324 square foot office building with associated site improvements. The property is located at 4560 Norway Pines Place and is located in a C-1, Office/Light Industrial zoning district.
6. **CONTINUING BUSINESS**
7. **NEW BUSINESS**
  - Assign new chair to the Planning & Zoning Commission
8. **COMMUNICATIONS**
9. **COMMISSION MEMBER REPORTS**
  - Joe Peterson
  - Corey Kolquist
  - Valerie Ouellette
  - Beth Wentzlaff
  - Kevin Hagen
  - Matthew Fournier
  - John Stauber
  - John Geissler

**ADJOURN**



PLANNING & ZONING COMMISSION  
November 19, 2024 Meeting Summary  
7:00 PM

**1. ROLL CALL**

Members Present: Joe Peterson; Valerie Ouellette; Beth Wentzlaff; Matthew Fournier; John Stauber; Kevin Hagen; and John Geissler

Members Absent: Corey Kolquist

Others Present: Eric Johnson, Community Development Director and Gunnar Johnson, City Attorney.

**2. APPROVAL OF AGENDA**

Motion made by Kevin Hagen to approve the November 19, 2024 agenda as presented. Seconded by Matthew Fournier. Motion carried.

**3. APPROVAL OF MINUTES**

Motion made by Matthew Fournier to approve the October 15, 2024 minutes as presented. Seconded by Kevin Hagen. Motion carried.

**4. PUBLIC DISCUSSION**

**5. PUBLIC HEARING**

5A. Zoning Ordinance text amendments by the City of Hermantown amending Section 200 – Definitions and Chapter 5 Land Use Regulations pertaining to regulate cannabis businesses.

Eric and Gunnar Johnson provided a recap of the proposed text amendments and the process involved for cannabis based businesses to apply and conduct business within the City. Comments from the commission included the requirement to even have a retail business, how this is affected from a federal government standpoint and if a retail business should be allowed in the Hermantown Marketplace.

Motion made by Beth Wentzlaff to approve the Zoning Ordinance text amendments by the City of Hermantown amending Section 200 – Definitions and Chapter 5 Land Use Regulations pertaining to regulate cannabis businesses as presented. Seconded by Kevin Hagen. Motion carried 4-0. Valerie Ouellette and John Stauber abstained.

5B. Zoning Ordinance text amendments by the City of Hermantown amending Section 405 – pertaining to the sale of tetrahydrocannabinol products and regulating cannabis businesses.

Motion made by Kevin Hagen to approve the Zoning Ordinance text amendments by the City of Hermantown amending Section 405 – pertaining to the sale of tetrahydrocannabinol products and

regulating cannabis businesses as presented. Seconded by Matthew Fournier. Motion carried 4-0. Valerie Ouellette and John Stauber abstained.

**6. CONTINUING BUSINESS**

**7. NEW BUSINESS**

**8. COMMUNICATIONS**

**9. COMMISSION MEMBER REPORTS**

Joe Peterson – None

Corey Kolquist – Absent

Valerie Ouellette – None

Beth Wentzlaff – None

Kevin Hagen – None

Matthew Fournier – None

John Stauber – None

John Geissler – CRI update and Fichtner Park and Arena update.

**ADJOURN**

Motion made by John Stauber to adjourn the meeting. Seconded by Valerie Ouellette. Meeting adjourned at 8:19 pm.

Officiated by:

Transcribed by:

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Joe Peterson, Chairman

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Mary Melde, Administrative Assistant



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**5A. 4560 Norway Pines Place – Commercial Industrial Development Permit (CIDP)**

**Applicant:** Rose Investments of Duluth, LLC  
**Case No.:** 2024-76-CIDP  
**Staff Contact:** Eric Johnson, Community Development Director  
**Request:** Amend a Commercial Industrial Development Permit with conditions for an existing 7,324 square foot office building and associated site improvements

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**RECOMMENDED ACTION:**

Approve an amendment to Commercial Industrial Development Permit (CIDP) 06-111 for an existing 7,324 square foot office building along with subsequent site improvements.

**BACKGROUND:**

In 2006, a CIDP was issued for this property for the purpose of constructing a single tenant office building. The property is now being marketed for sale and there is a contingent offer pending on the property. However, there is concern from the purchaser about the following language in the recorded CIDP:

- Only one tenant in the building is allowed and any future tenants must apply for and receive a zoning certificate in lieu of a CIDP.

In discussions with the purchaser’s attorney, they are acceptable with the following language being utilized in the amended CIDP as follows:

- Any new/additional tenants must apply for and receive a zoning certificate in lieu of a CIDP, in order to verify that the proposed use is permitted within the subject zoning district.

The site has been constructed with adequate parking and stormwater systems. The proposed new tenant for the building is an office based use conducting mental health based services.

**SITE INFORMATION:**

**Parcel Size:** 1.9 acre  
**Legal Access:** 4560 Norway Pines Place  
**Wetlands:** None per the National Wetland Inventory  
**Zoning:** C-1, Office/Light Industrial  
**Airport Overlay:** Zone 3 – height restrictions only  
**Shoreland Overlay:** None

**SUMMARY AND RECOMMENDATION:**

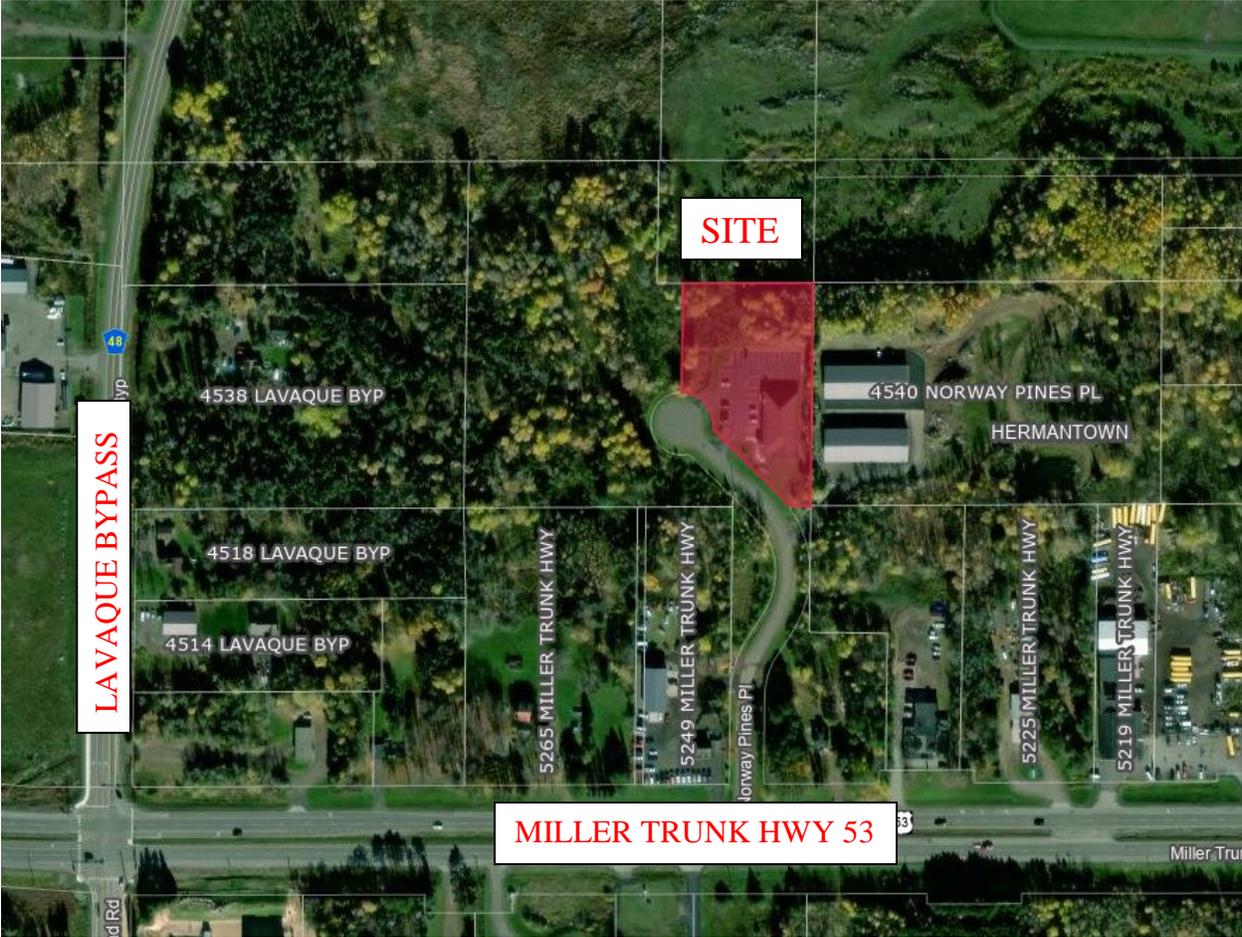
Staff recommends approval of the amended Commercial Industrial Development Permit based on the findings set forth in the Staff report, subject to the following conditions:

1. The project is built per the site plan approved by the Planning and Zoning Commission on May 16, 2006. Any changes to the site plan be reviewed and approved in writing by the Zoning Director prior to initiation of any changes to the site plan.
2. Signs per the code and multiple tenant sign is required when the development is near completion.
3. Stormwater and erosion control plans are reviewed and approved prior to issuance of building permit.
4. Any new/additional tenants must apply for and receive a zoning certificate in lieu of a CIDP, in order to verify that the proposed use is permitted within the subject zoning district.

**ATTACHMENTS:**

- Site Location Map
- November 22, 2006 CIDP
- Request for CIDP Amendment

**Location Map**



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06-111

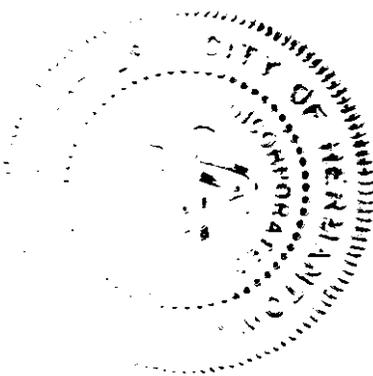
CLERK'S CERTIFICATE

DEBORAH LUND, City Clerk of the City of Hermantown, does hereby certify that the attached Commercial-Industrial Development Permit was duly and properly granted to Vermillion Homes by the Planning & Zoning Commission of the City of Hermantown on the 16<sup>th</sup> day of May 2006 that no appeal from such decision has been made, and the appeal period provided by the Zoning Ordinance has expired.

Dated this 22<sup>nd</sup> day of November 2006.



Deborah Lund  
City Clerk



Hermantown

AFR # 211422

Cash chg 48 Bill  
CW

COMMERCIAL-INDUSTRIAL DEVELOPMENT PERMIT

Section 1. Commercial-Industrial Development Permit

A Commercial-Industrial Development Permit is hereby granted by the Planning & Zoning Commission of the City of Hermantown for property described on Exhibit "A" attached hereto.

Section 2. Description of the Commercial-Industrial Development Permit

The Commercial-Industrial Development Permit granted Vermillion Homes to allow the construction and operation of an 8,184 square foot single-tenant office building.

Section 3. Basis for Grant of Commercial-Industrial Development Permit

The decision to grant such Commercial-Industrial Development Permit is based on Findings of Fact made by it at its meeting on May 16, 2006.

Section 4. Conditions

The grant of such Commercial-Industrial Development Permit is conditioned on compliance by the owner of such property with all other provisions of the Hermantown Zoning Ordinance, the Hermantown Building Code, and the regulation of St. Louis County Health Department. In addition, the grant of such Commercial-Industrial Development Permit is conditioned on compliance with the following:

1. The project is built per the site plan approved by the Planning & Zoning Commission on May 16, 2006. Any changes to the site plan be reviewed and approved in writing by the Zoning Director prior to initiation of any changes to the site plan.
2. Signs per the code and multiple tenant sign is required when the development is near completion.
3. Stormwater and erosion control plans are reviewed and approved prior to issuance of a building permit.

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06-111

4. Only one tenant in the building is allowed and any future tenants must apply for and receive a zoning certificate in lieu of a CIDP.
5. Performance surety in the amount of \$1,500.00.

Dated this 22<sup>nd</sup> day of November 2006.

EXHIBIT "A"

City of Hermantown, St. Louis County

Section 3, Township 50.0 Range 15

375106

All of lots Six (6) and Eight (8), and Lot Nine (9) except the Easterly 300.00 ft of the Northerly 234.54 ft, THE NORWAY PINES, and that part of the Southeast Quarter of the Southwest Quarter (SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) Section Three (3), Township Fifty (50), Range Fifteen (15), described as follows: Commencing at the point of intersection of the Northerly line of Trunk Highway #53 and the Westerly line of said SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , which is 157 ft Northerly from the Southwest Corner of said SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ; thence Northerly, along the Westerly line of said SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , 290 ft to a point, thence Easterly, at right angles 150 ft to a point, thence Southerly on a straight line at right angles to the last described line to the Northerly line of said Trunk Highway #53, thence Westerly along the Northerly line of said highway to the place of beginning.

## Explanation

The property is the subject of an existing Commercial-Industrial Development Permit dated November 22, 2006, recorded December 1, 2006 as Document No. 1036815 ("Existing Permit"). All of the data regarded by Sections 3 – 6 of this Application is unchanged since the data submitted in 2006 that resulted in the Existing Permit.

By this Application, Applicant requests only that Section 4, Condition 4 of the Existing Permit DELETE the phrase that reads "*Only one Tenant is allowed*", such that Section 4, Condition 4 of the Existing Permit shall hereafter read only as follows: "*Any new/additional tenants must apply for and receive a zoning certificate in lieu of a CIDP, in order to verify that the prepared use is permitted within the subject zoning district*".

END EXPLANATION.