



PLANNING & ZONING COMMISSION

Agenda
March 17, 2026
7:00 PM

1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

3A. December 16, 2025 regular meeting.

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

5. PUBLIC HEARINGS

5A. An application by Jason Warner for a Subdivision to create a 160-foot-wide parcel of 0.95 acres and a 5.32-acre lot accessed by way of a flag lot of 50.97-foot width at 3971 Stebner Road. The property is located in an R-3, Residential zoning district.

6. CONTINUING BUSINESS

7. NEW BUSINESS

8. COMMUNICATIONS

Correspondence 25-750 – 755; 25-757 – 761; 2026-008 –2026-010; 2026-013 (attached only is 2026-013) and 2026-014.

9. COMMISSION MEMBER REPORTS

Joe Peterson
Corey Kolquist
Beth Wentzlaff
Kevin Hagen
Matthew Fournier
John Stauber
Amanda Radzak
Ryan Johnson

ADJOURN



PLANNING & ZONING COMMISSION

December 16, 2025 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Beth Wentzlaff; John Stauber; Matthew Fournier; Kevin Hagen; Amanda Radzak; and Ryan Johnson

Members Absent:

Others Present: Eric Johnson, Community Development Director; Joe Wicklund, Asst. City Administrator; Jerry Carlson, 5756 Kehtel Rd.; Rob Mansell, 903 Martha St.; Bob Kohlmeier, 5757 St. Louis River Rd.; Shawn Mitchell; 15 S 64th Ave. W; Mitchell Dennie, 5092 Morris Thomas Rd.; Emma Richtman, 5215 Chris Dr.; Dawn LaPointe, 4731 Portland; Ben Neeson, 1015 N 6th Ave. E; and Joanne Bates, 3369 Morris Thomas Rd.

2. APPROVAL OF AGENDA

Motion made by John Stauber to approve the December 16, 2025 agenda as presented. Seconded by Corey Kolquist. Motion carried 7-0.

3. APPROVAL OF MINUTES

Motion made by Matthew Fournier to approve the November 18, 2025 minutes as presented. Seconded by John Stauber. Motion carried 7-0.

4. PUBLIC DISCUSSION

The following people spoke:

Emma Richtman, 5215 Chris Dr.
Jeffrey Donohue, 5540 Pine Hill Rd.
Sara Lofald, 5502 Hermantown Rd.
Wayne; 6165 Old Miller Trunk Hwy.
Noel Donohue, 5540 Pine Hill Rd.
Ben Neeson, 1015 N 6th Ave. E

Comments included:

Opposition to the proposed Data Center

5. PUBLIC HEARING

5A. An application by Robin Mansell for a Special Use Permit for cannabis cultivation. The property is located at 4599 Abrahamson Road is located in a C-1A zoning district.

Eric Johnson, Community Development Director, presented that Applicant, Robin Mansell, is proposing the construction of a 2,700 square foot indoor cannabis cultivation facility. The proposed building is 54' x 50' and is approximately 20 feet in height. The proposed location of the facility is at the north end of Abrahamson Road. The property is a 40 acre parcel which has a split zoning of C-1A, Office/Light Industrial/Adult Uses and O, Open. The southern 16 acres of the property is zoned C-1A and is where the proposed building is located. There is an existing residential structure on the property which is proposed to be used as an office. The application is only for cannabis cultivation and not for a retail facility.

Corey Kolquist asked about security at the facility.

Eric advised that it would be treated similarly to security measures at a storage facility.

Robin Mansell, 903 Martha St., stated that the building itself would be fully secured with cameras, a 24 hour alarm system, motion detector flood lights, motion detector system inside of the facility and additional rooms are locked with key pad locks.

Corey asked about ventilation.

According to Robin, the flower room has its own dedicated ventilation system. In addition, the building is equipped with an overall ventilation system that exhausts air vertically. With 20-foot-high ceilings, exhaust air is vented at a significant height, allowing for proper dispersion.

The nearest structure to the facility is a storage unit located more than 300 feet away, which further minimizes any potential impact from exhaust or odor.

Beth Wentzlaff asked about cars to parking ratio.

Robin stated that on average, there would be four to five employees there at most.

Beth also wanted to put in the record, that they are not allowed to do more than 5,000 sq. feet of growing at this facility.

The following people spoke:

Jerry Carlson, 5756 Kehtel Rd.

Sara Lofald, 5502 Hermantown Rd.

Ryan Nylander, 3691 Lindahl Rd.

Shawn Mitchell, 15 S 64th Ave. W

Comments included:

A commenter stated they have firsthand personal knowledge of the effects of drug and alcohol abuse and requested that the Commission not approve the permit. Another commenter stated that after speaking with the applicant, they were impressed by the applicant's detailed, passionate explanation of the business plan and strong commitment to safety, noting full transparency and no secrecy regarding the project. Just because something is legal doesn't mean it is moral – comment from another person. This facility is a

production point, and the State of Minnesota will allow production points statewide to supply the amount of product needed for all state-approved licensed facilities.

Corey thanked Jerry for his comments and stated that for over the past year, he has had THC products at his business, and stated that the permitting process was more extensive than alcohol permitting. He has experienced no issues on this field.

Motion made by Corey Kolquist to approve the application by Robin Mansell for a Special Use Permit for cannabis cultivation. The property is located at 4599 Abrahamson Road is located in a C-1A zoning district. Seconded by Kevin Hagen. Opposed by John Stauber. Motion carried. 6-1.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

Joe Wicklund shared an approval of a Resolution to purchase the homestead of Mary Murphy on Arrowhead Rd. It will be named the Murphy Family Jackson Project Park.

8. COMMUNICATIONS

Logged Correspondence: 25-695 through 25-705; 25-708 & 25-709; 25-715 through 25-718; 25-720 through 25-740; and 25-742 through 25-749

9. COMMISSION MEMBER REPORTS

- Joe Peterson – None
- Corey Kolquist – None
- Beth Wentzlaff – None
- Kevin Hagen – None
- Matthew Fournier – None
- John Stauber – None
- Amanda Radzak – None
- Ryan Johnson – None

ADJOURN

Motion made by Beth Wentzlaff to adjourn the meeting. Seconded by John Stauber. Meeting adjourned at 7:47 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant

5A. Subdivision Application to create a flag lot in an R-3 zoning district

<u>Applicant:</u>	Jason Warner
<u>Case No.:</u>	2026-01-SUB-A
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Subdivision of an R-3 zoned property to create a flag lot.

DESCRIPTION OF REQUEST:

The applicant (Jason Warner) owns a 6.5 acre property at 3971 Stebner Road. The property has a general lot dimensions of 212' x 1325'. There is an existing home and two outbuildings located on the northeastern portion of the property.

The applicant proposes to create a new flag lot along the south border of the existing property. The applicant is proposing a 51 foot 'pole/driveway' connection to Stebner Road for a distance of 258 feet with the 'flag' portion of the lot being approximately 211' x 927'. The proposed lot sizes for the two total parcels are:

Parcel A: 160' x 225' = 36,000/ 43,560 sf. or 0.83 acres (excludes right of way)

Parcel B: 51' x 225' and 211' x 927' = 207,072/ 43,560 sf. or 4.75 acres (excludes right of way)

In addition, the applicant intends to convey a 7,000 square foot portion of the property to the adjacent neighbor to the north for the existing pond on the 3975 Stebner Road property.

The applicant intends to keep the sell the existing home and outbuildings with the newly created lot being proposed to be a new home for the applicant. Any new home application will require coordination with Hermantown Public Works regarding driveway locations and utility connections.

SITE INFORMATION:

Parcel Size:	4.64 acres (does not include right of way)
Legal Access:	3971 Stebner Road
Wetlands:	Yes, per the NWI
Existing Zoning:	R-3, Residential
Minimum Lot Area:	0.5 acres with City utilities
Airport Overlay:	No
Shoreland Overlay:	No
Comprehensive Plan:	Residential

BACKGROUND:

The City updated its regulations covering splitting of land and subdivisions in 2016. The update to the regulations created a process to allow flag lots in residential zoning districts. A flag lot is defined as a lot containing an area shaped like a “flag” which is the portion of the lot where all structures are to be located and an area shaped like a “pole” which is the portion of the lot where the vehicular access between the flag and its adjoining road shall be located. The regulations set ten standards for flag lots in Hermantown. These are listed in the Findings section. Flag lots require a public hearing by the Planning Commission and approval by the City Council.

Administrative approvals and Flag Lot approvals require a certificate of survey, resulting legal descriptions, and review of any assessments. In addition, the City charges a fee in lieu of land dedication of \$1,100 for parks and recreation for every new residential lot created.

City sewer and water are in the Stebner Road right of way. Any future home will be required to connect to City sewer and water services and pay all applicable connection and availability fees.

FINDINGS:

Staff recommends the following findings of fact regarding the flag lot split application:

- 1. The resulting lots do not violate any provision of the Hermantown Zoning Regulations, Comprehensive Plan, or any other local ordinance.** The new lot exceeds minimum standards in the R-3, Residential District, maintains the suburban residential development pattern identified in the Comprehensive Plan, and has access to water and sewer.
- 2. The width of the flag lot at the front yard setback line must meet the lot width requirements of the Hermantown Zoning Regulations.** The lot is 211’ wide at the front yard setback line which exceeds the requirement of 100’.
- 3. The pole portion of a flag lot shall not exceed 500 feet.** The pole is 258’ feet long.
- 4. The pole portion of a flag lot must have a minimum width of 30 feet, be of uniform width, be a platted part of the flag lot, and connect to a public street. The driveway shall be set back a minimum of 10 feet from the neighboring property that was not used to create the flag lot and five feet from the mother property.** The pole is 51’ wide. Approval of building permits will be conditioned on siting of the driveway to meet setback standards defined in Section 1010.04.04 of the Hermantown Zoning Regulations.
- 5. The pole portion of the flag lot will not be included in calculating the minimum lot area.** The lot area without the “pole” is 4.48 acres which exceeds the 0.5 acre minimum lot size of the R-3, Residential zoning district.
- 6. Only one flag lot may be created from an existing/mother property.** The city will record that no further flag lots can be created from PIN # 395-0010-06394.
- 7. Must be used exclusively for single family dwelling and accessory uses.** The intended use of the new developable lot is for single family residential. The City will only issue building or zoning permits for single family residential and related uses.
- 8. The City must determine that the creation of the flag lot will not interfere with future development of roads or interior lands.** The land to the north, south and west of the subject parcel have existing single family homes located on them.
- 9. The City must determine that the flag lot provides adequate accessibility of emergency responders.** The proposed pole meets minimum width and is less than the maximum length. Both standards were developed with emergency response vehicles in mind.

10. All flag lots must display an address at their closest point of access to a public street for emergency responders. The applicant will have to assent to displaying 911 addressing in a visible location at the entrance of the driveway.

RECOMMENDATION:

1. Recommend approval of the creation of a 160' x 225' and 51' x 225' and 211' x 927' lot abutting Stebner Road.
2. Adopt the stated Findings of Fact and other content of this report as the required findings identified in Section 1010.04.11.6 of the Hermantown Zoning Regulations.
3. Prior to issuance of a City land alteration permit for site work on the flag lot the property owner of the land alteration permit will provide a site plan depicting the driveway and flag the location of the driveway for inspection to confirm that it meets setback requirements listed Section 1010.04 of the Hermantown Zoning Regulations.
4. The new flag lot will be required to connect to City sewer and water services and pay all applicable connection and availability fees.
5. The property owner shall sign a consent form assenting to all conditions of this approval.
6. The property owner shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

- Location Map
- Proposed Survey and Legal Descriptions

Location Map





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

CERTIFICATE OF SURVEY

For: Jason Warner

Part of the NE1/4 of the SE1/4, Section 23, T50N, R15W, St. Louis County, MN.
3791 Stebner Road, Hermantown, MN 55811.

SURVEY BY : AJJ

DRAWN BY : AJG

DESIGNED BY :

APPROVED BY : AJG

DATE: 11/06/2025

PROJECT NUMBER

25-530

SHEET NUMBER

1 OF 1

NORTH LINE OF THE NE1/4 OF SE1/4
S89°33'21"W 1323.96

EXISTING PROPERTY DESCRIPTION:

The north two thirds of the Northeast Quarter of the Southeast Quarter of Section 23, Township 50 North, Range 15 West, St. Louis County, Minnesota, Except the north 666.00 feet thereof.

PROPOSED PROPERTY DESCRIPTIONS:

PARCEL A:

The north two thirds of the Northeast Quarter of the Southeast Quarter of Section 23, Township 50 North, Range 15 West, St. Louis County, Minnesota, Except the north 666.00 feet of said Northeast Quarter of the Southeast Quarter and Except the south 50.00 feet of the north 716.00 feet of the west 140.00 feet of the east 398.00 feet of said Northeast Quarter of the Southeast Quarter and Except the south 160.00 feet of the north 826.00 feet of the east 258.00 feet of said Northeast Quarter of the Southeast Quarter.

Subject to Stebner Road right of way.

PARCEL B:

The south 50.00 feet of the north 716.00 feet of the west 140.00 feet of the east 398.00 feet of the Northeast Quarter of the Southeast Quarter of Section 23, Township 50 North, Range 15 West, St. Louis County, Minnesota.

PARCEL C:

The south 160.00 feet of the north 826.00 feet of the east 258.00 feet of the Northeast Quarter of the Southeast Quarter of Section 23, Township 50 North, Range 15 West, St. Louis County, Minnesota.

Subject to Stebner Road right of way.

CERTIFICATION:

We hereby certify that this is a true and correct representation of a survey of the boundaries of the land above described and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Signed this 6th day of November, 2025 for JPJ Engineering, Inc.

Austin J. Gotchnik
Austin J. Gotchnik, PLS License Number 62293

NE1/4 SE1/4 SEC 23 T50N R15W

EXCEPTION

SURVEYOR NOTES:

Orientation of the bearing system is based on the north line of The NE1/4 of the SE1/4 of Section 23, T50N, R15W, to have a bearing of S 89°33'21" W.

JPJ Engineering has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

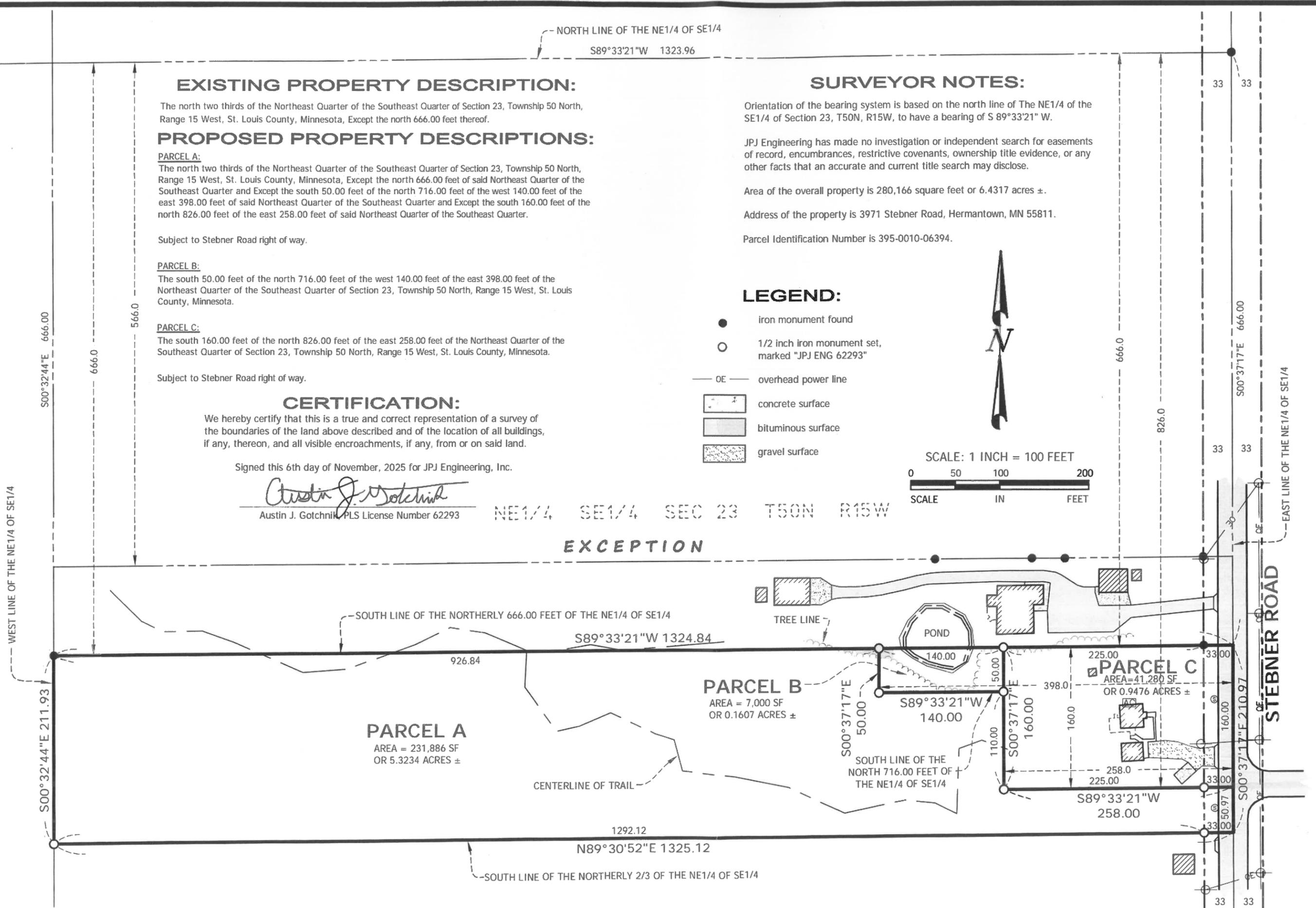
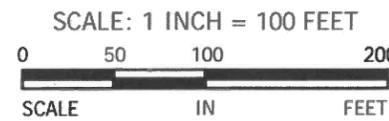
Area of the overall property is 280,166 square feet or 6.4317 acres ±.

Address of the property is 3971 Stebner Road, Hermantown, MN 55811.

Parcel Identification Number is 395-0010-06394.

LEGEND:

- iron monument found
- 1/2 inch iron monument set, marked "JPJ ENG 62293"
- OE — overhead power line
- ▭ concrete surface
- ▭ bituminous surface
- ▭ gravel surface



T:\Warner Jason\25-530 Boundary Stebner Rd Hermantown\3.dwg\700\25-530 Warner Split COS.dwg 11/6/2025 10:46 AM

CH-Joe Wicklund

From: Emma Richtman <emmarichtman@gmail.com>
Sent: Monday, February 16, 2026 4:39 PM
To: CH-Joe Wicklund; CH-Wayne Boucher; CH-Joe Peterson; CH-Alissa McClure; CH-John Geissler; CH-Andy Hjelle; CH-Brian LeBlanc
Subject: Letter to be distributed to planning and zoning and city council

Good Afternoon,

If it is not too late, could the appropriate parties distribute my correspondence (below) to Planning and Zoning? I am unable to attend the city council and planning and zoning meetings scheduled for Tuesday and Wednesday this week, and I would like my comments to be included in the public record. Is this the appropriate way to do so? I've included all of city council hoping they will read this too. However if there is a more direct way to ensure they see this prior to Tuesday (if possible) I appreciate anything that is standard to make that happen.

Please feel free to pass on to any additional city staff should it feel applicable. Thank you- Emma Richtman (5215 Chris Drive, Hermantown)

Dear Council Members and Members of Planning and Zoning,

My name is Emma Richtman. I live at 5215 Chris Drive, Hermantown, MN 55810. I am unable to attend the meetings this week as I will be traveling with my children to the cities so I can make my voice heard at a Rally at the State Capitol hosted by The Coalition for Responsible Data Center Planning. The group comprises individuals, organizations, and neighborhood groups in Minnesota that have joined together to protect the state and its communities from unregulated data center development. We will be urging our legislators to support and draft legislation regarding No NDA's for elected officials and a 2 year moratorium for any data center development in MN. I will personally be speaking with Senator Grant Hauschild and Rep. Natalie Zeleznikar.

The rush to build hyper-scale data centers across our state has come with consequences. Minnesotans who stand to be profoundly affected by these developments in their communities have been shut out of the process, and environmental reviews have been sorely lacking in critical details. Elected officials need to know that Minnesotans demand better and expect action to protect our neighborhoods, natural resources, wildlife, electricity use, and water use.

As a resident of Hermantown, I demand better of our elected city officials and city staff. We are being shut out, but the burden of risk falls on us, and we have yet to be invited to weigh in on what this type of unprecedented development would mean for the health and longevity of Hermantown.

The most dangerous kind of zoning is "precedent".

If we are going to take the time to create a new ordinance for accessory dwelling units; something small, that impacts only a handful of people, then it behooves us to develop an ordinance and new zoning district SPECIFIC to hyper-scale data center development as it has impacts on a much larger scale.

The issue is not just size. It is the definition. Newly adopted zoning language defines hyperscale data centers as Communications Services Facilities. The vague definition and language allows for developers to push the envelope and apply pressure to speed up the process. Predatorization. Optimising loopholes. And Hermantown is left holding the bag when there are no safeguards in place. I firmly believe this is a key

component as to why our city was selected. The language did not exist until March 18, 2024 when it was first brought to p/z.

Were you aware Chris Bates from Mortenson was working with Chad Ronchetti on the language that would be used in the new "communication services facility" definition for chapter 2 of the zoning code? And this was months after NDA's were signed and a reimbursement agreement was signed. In fact, Bates supplied a paragraph that was almost verbatim what is now in the adopted definition. Is this standard practice, to have a developer who you are already contracted with, literally write the rules to fit their project? When the first reading of this took place on April 7, 2025, Eric Johnson comfortably stated the city is doing this to be "proactive", SHOULD any type of development come to Hermantown. Then the Mayor makes a series of questions and comments to Eric, outlining a hypothetical process of how this would work, again IF something like this would ever come to Hermantown. However, the Mayor was informed by John Mulder back in September of 2024 of this project. So it feels like City Staff is creating a narrative, that Hermantown is being smart, progressive, and proactive in doing this, but in reality we are reacting to the needs of the developer so that the project can move forward. While all of this is hidden from the public. If you would like a timeline and documentation of the data used to share this with you, please ask, I would happily share it with you and discuss further.

So again, I ask if this is standard practice? Would knowing the developer is pulling the strings from behind the curtain changed how you voted, would you have asked more questions, or at least given you pause to table? This is not a criticism, but an earnest question. How can we protect our city from exploitative development, when the developer is creating favorable language and laws for their project?

It is my understanding that when one hyper scale data center gets in, there are more to follow. I refuse to let the first one (should it come to pass) define the next iterations. We (Hermantown), limit restaurants to 4000 square feet; veterinary clinics with outdoor kennels must place kennels away from adjacent residential properties; for kennels and boarding must be set back 80 feet from property lines; primary building of a manufacturing property building must be set back a minimum of 100 feet from the property line if the adjoining property is residential. However, THIS operation can run 24/7 to pull city-level power loads with 50 ft set backs from residential property lines.....? The scale on this is weighted in an unfair way to residents, but maximizes a fortune 50's profits.

We need to correct the vulnerabilities that exist in this new definition and the ordinances that deal with communication services facilities and their accompanying special use permits. We need clear thresholds, clear review standards, and clearer authority to say no! This protects future boards and councils from inheriting decisions they didn't make.

At this time, there are few protections in place at the state level. Communities are looking to change that - Hence the rally. But citizens and local leaders can put protections in place too. An ordinance change and new zoning district is in the best long term interest to the City of Hermantown for hyper scale data center development. I'm talking about citizen driven ideas and thresholds that include but are not limited to : Maximum hyper scale Data Center Campus Size; Maximum Building size - square foot limit; Height Restrictions; Electrical Demand/Restrictions - What amount of MW would be allowed, 20, 40, 60 100kw?; Setbacks - 400 feet from every property line; Hard Daily Water Cap - sourced only from city, no wells on property; Noise - long setbacks from property line, noise tests before permitted to operate.

At the behest of your community. Please work with us. Let's get on the same page about what is tolerable, acceptable, responsible, and beneficial for our community with Hyper Scale Data Center development. If we don't change something, we are going to lose control quietly, legally, and permanently.

Thank you for your time and attention to this matter. We want a seat at the table. We too take a vested interest in the future of our community. Again, I welcome any further discussion or conversation on the matter. Please feel free to call me on my cell phone or meet in person.

In Regards,