

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION

Agenda
April 19, 2016
7:00 PM

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
- 3A. March 15, 2016 regular meeting minutes
4. **PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
5. **PUBLIC HEARINGS**
- 5A. A Zoning Map Amendment Application from Jim Perrault, 4703 Hermantown Road, adjusting the C, Commercial zoning boundary 95 feet north, changing 16,400 sq.ft. of property from R3, Residential to C, Commercial.
Recommended Action: Commission to hold public hearing. Motion to approve the Zoning Map Amendment.
Staff: Josh Bergstad, City Planner.
- 5B. A Commercial Industrial Development Permit Application from St. Luke's for construction of a 21, 000 sq. ft. medical clinic at the northeast corner of Market Street and Loberg Avenue.
Recommended Action: Commission to hold public hearing. Motion to approve the CIDP.
Staff: Josh Bergstad, City Planner.
- 5C. A Subdivision Application from JLG Enterprises for a 31 acre, 31 unit single family residential subdivision plat in the Southeast Quarter of Section 16 in Hermantown with road access from Ugstad Road.
Recommended Action: Commission to hold public hearing. Motion to approve the Preliminary Plat.
Staff: Eric Johnson, Community Development Director.
6. **CONTINUING BUSINESS**
7. **NEW BUSINESS**
8. **COMMUNICATIONS**

PLANNING & ZONING COMMISSION

April 19, 2016 Agenda

9. COMMISSION MEMBER REPORTS

- 9A. Greg Zimmerman –
- 9B. Phil Zastrow –
- 9C. Joe Peterson –
- 9D. Mark Reed –
- 9E. Chad Scott –
- 9F. Mike Lundstrom -
- 9G. Dwayne Haapanen –
- 9H. John Geissler –

ADJOURN

Upcoming Planning Commission Meetings & Issues

- May 17, 2016, 7:00 PM: Regular Planning Commission Meeting, Council Chambers (If necessary)

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION
March 15, 2016 Meeting Summary
6:30 PM

1. ROLL CALL

Members Present: Chair Joe Peterson; Phil Zastrow; Mike Lundstrom; Greg Zimmerman; Chad Scott; Councilor John Geissler; Eric Johnson, Community Development Director; Josh Bergstad, City Planner

Members Absent: Dwayne Haapanen; Mark Reed

Others Present: Dr. and Mrs. Lindsey, 4173 Ugstad Rd.; Brad Johnston, 4180 Ugstad Rd.; Dick & Patti Jenkins, 4165 Ugstad Rd.; Leo Plewa, 4238 Stebner Rd.; Lonnie Swartz, 4897 Adrian Lane; and Mary & Frank Stocke, 5530 Driftwood Estates, Duluth, MN

2. APPROVAL OF AGENDA

Motion made by Phil Zastrow to approve the March 15, 2016 agenda as presented. Seconded by Chad Scott. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Chad Scott to approve the December 15, 2015 regular meeting minutes as presented. Seconded by Mike Lundstrom. Motion carried.

4. PUBLIC DISCUSSION

Ashley Lindsey, 4173 Ugstad Rd. – She stated her concerns about the upcoming Jackson Estates 4th Addition project. Her concerns highlighted the lack of communication that she has received from the developer and his engineer.

Brad Johnston, 4180 Ugstad Rd. – He stated that the neighborhood has some discussions regarding the JLG project and his concern about being downstream of the project. He's been in his house for 15 years he has had no flooding problems. His sump pump has never operated in those 15 years and he's concerned about the impact the project may have on his property. He is not against the project and believes that they've done a good job with bringing people into the neighborhood.

Josh Bergstad, City Planner - He stated that as part of the development, a storm water management plan is going to be required and that's going to address storm water run-off for the entire development. In terms of utilities and other things, that will be part of the subdivision and the development agreements on how are those things are going to be served, built and designed.

Eric Johnson, Community Development Director – He stated that when plans come in, we review them with the City Engineer. From a grading standpoint and utility standpoint, we need to make sure that this potential subdivision functions and serves that area properly. It will be reviewed by professional engineers and staff for those types of items.

Johnston – He asked who bears the cost of the road and culverts.

Johnson – He stated that it's a developer based project, and the developer would be the one that bears the cost of the construction of that roadway.

Chair Peterson – He stated we can definitely come back and touch on this again once everybody has seen a plan.

PLANNING & ZONING COMMISSION
March 15, 2016 Meeting Summary

Mike Lundstrom - He stated that he thinks we need to evaluate the process and when a project is at a certain threshold of impact to a neighborhood, and a number of houses or however we quantify that, that there needs to be a public session, and informational session for that group of people.

Councilor Geissler - He stated that we will look into it. We'll have to ask the City Attorney. I don't know that we can require that if they don't submit anything to the City.

5. **PUBLIC HEARINGS**

A Wetland Replacement Plan by the City of Hermantown for reconstruction of Stebner Road north of Maple Grove Road to Trunk Highway 53. The proposal includes the fill of 2,114 square feet of wetlands.

Josh Bergstad presented that staff report to the Planning Commission. The City is reconstructing Stebner Road this summer and making several safety upgrades. An addition of right hand turn lanes at Stebner and Arrowhead Road and the relocation of a commercial driveway near Highway 53. It will require expanding the roads' profile and will result in approximately 2,000 square feet of permanent wetland impacts. The City TEP Panel reviewed and approved the application. We are being approved to withdraw or take credits from the State and Local Government Road Wetland Replacement Program.

Leo Plewa, 4238 Stebner Rd. - He asked if the road will still be two lanes with some turn lanes.

Bergstad - Yes. It will be the same two lane road with the same shoulder width, but will be widened around Arrowhead Road with some turn lanes. He showed Mr. Plewa the map.

Lonnie Swartz, 4897 Adrian Lane - He questioned whether there would be any impact on the wetlands on his property.

Bergstad - He stated the most of the impacts are near the intersections or the driveways. The road is being built and re-engineered with storm water drainage. We will be replacing some culverts and making sure the ditches function properly

Peterson - He asked if the turn lanes are already planned or are we just the wetland part tonight?

Bergstad - He stated just the wetlands. I did include where all the wetlands are. Not all of those on that map are impacted. Overall this is 2,000 square feet along the roadway, about a mile and a half project. So, it's a very minimal wetland impact.

Plewa - He stated he would like to see that right turn lane going on to Trails End Drive stay. He also asked about the wetland impacts regarding the widening of the sidewalk.

Bergstad - Wetland impacts are limited to 2,000 square feet. We are following the rules on keeping the hydrology in place and not impacting negatively the flow of water.

Peterson - He asked if everything taking place is in the existing right-of-way.

Bergstad - He stated he believes so.

Mary Stocke, 5530 Driftwood Estates, Duluth, MN - She asked when the actual road design will be available to be seen and are the engineers done?

Geissler - He stated the plan is done it's going out for bids.

PLANNING & ZONING COMMISSION

March 15, 2016 Meeting Summary

Johnson – He stated the plans are completed. He can obtain a copy of those plans from the City Engineer, so if anyone wants to come and see those, I'd be happy to talk to them about them.

Plewa – He asked about the drain in front of his house and if the storm water will drain off of his property and onto the street.

Peterson – He stated that it's on City property.

Johnson – He stated it's in the right-of-way area. He will have to look at the plans to see how they've basically accommodated the drainage in that area. We can set up a meeting to answer your questions.

Motion made by Mark Lundstrom to approve A Wetland Replacement Plan by the City of Hermantown for reconstruction of Stebner Road north of Maple Grove Road to Trunk Highway 53. The proposal includes the fill of 2,114 square feet of wetlands. Seconded by Phil Zastrow. Motion carried.

6. CONTINUING BUSINESS

7. NEW BUSINESS

2015 Planning & Zoning Annual Report

Josh Bergstad presented the report to the Planning Commission. It summarizes the various permits and other issues that came before the Planning Commission last year. You can see there was about 16 or 17 items that came before you approval throughout the year.

8. COMMUNICATIONS

Communication 16-04 from Jim Rich, Building Official to City Officials regarding 2015 Building Permits

Communication 16-05 from Jim Rich, Building Official to City Officials regarding 2015 Building Permit Comparison

Communication 16-11 from John Mulder, City Administrator to Park Board regarding 2015 Report of Park Activity

Greg Zimmerman – He asked about the Ford Dealership using the property at Highway 53 and Haines Road.

Bergstad – He stated that we gave them until sometime in mid-April to use that lot. We did that last year, they needed it for winter storage and so we had them submit a letter and we wrote a letter back attaching a few conditions and a timeline

9. COMMISSION MEMBER REPORTS

Dwayne Haapanen - Absent

Greg Zimmerman – No report

Phil Zastrow – No report

Joe Peterson – No report

Mark Reed – Absent

Chad Scott – No report

Mike Lundstrom – I want to give a shout out to Eric and welcome him on board. I had a chance to sit down with Eric and he's got a very nice background. I think he'll be really good for us all to work with.

PLANNING & ZONING COMMISSION
March 15, 2016 Meeting Summary

John Geissler – Likewise, I want to welcome Eric on board. Also, there were 36 new homes built in Hermantown last year. That's pretty remarkable. That helps spread the tax base out for all of us. It's a good thing. People want to move to Hermantown, and build houses here, so that's a good thing.

Johnson – I just want to say that I'm very pleased to be at the City and to join you all. I'm looking forward to a very exciting period here at the City of Hermantown. Thank you for making my first meeting very enjoyable and easy to get through. I appreciate it.

ADJOURN

Motion made by Chad Scott to adjourn the meeting. Seconded by Phil Zastrow. Meeting adjourned at 8:03 p.m.

Officiated by:

Transcribed by:

Joe Peterson, Chair



Mary Melde, Administrative Assistant

5A. 4703 Hermantown Road - Zoning Map Amendment – R-3 to C

Applicant: Mr. Jim Perrault
Location: 4703 Hermantown Road
Case No.: 16-07-ZM
Staff Contact: Josh Bergstad, Planner
Request: Rezone part of parcel 395-0010-07015 from R-3, Residential to C, Commercial.

RECOMMENDED ACTION:

Staff recommends approval of the requested zoning map amendment to rezone part of parcel 395-0010-07015 from R-3, Residential to C, Commercial.

DESCRIPTION OF REQUEST:

Applicant owns two parcels, 395-0010-07015 and 395-0010-07016, at the northwest corner of Hermantown and Haines Roads. One parcel is zoned C, Commercial and one is zoned R-3, Residential. The parcels contain one commercial building, an office for his construction company, that is built over the property line. Applicant is preparing to sell the properties for commercial use and is requesting to move the C, Commercial zoning district line 95 feet north so that the building is completely in a the C, Commercial zone.

SITE INFORMATION:

Parcel Size: 1.26 acres (combined)
Legal Access: Hermantown Road
Wetlands: Yes, not impacted by request
Existing Zoning: R -3 Single Family Residential & C, Commercial
Airport Overlay: None
Shoreland Overlay: NA
Comprehensive Plan: Residential

BACKGROUND

Applicant is preparing to sell the commercial property located at 4703 Hermantown Road. However, the existing building is located over a zoning boundary so that approximately half the building is in a C, Commercial zoning district and half is in a R-3, Residential zoning district. The buyers bank is requiring that the building is zoned all C, Commercial so that it does not conflict with City zoning regulations. The zoning boundary adjustment is also necessary before the City can issue a new CIDP or building permits for a new commercial operation. The building is also located over a lot line. The City will require that the lot line is adjusted so that the lot line matches with the new zoning line and creates standard lots for C, Commercial and R-3, Residential. The adjustment of the line will

maintain approximately 133 feet of buffer between the existing commercial business and the nearest existing residential lot to the north.

The CIDP and lot line adjustment application are expected to be considered at a future meeting.

C - District Requirements

The C, Commercial zoning district does not have a minimum lot area or width. The future lot line adjustment, when aligned with the proposed zoning boundary, will create a lot that meets the rear yard setbacks of the C, Commercial zoning district.

R-3 District Requirements

The future lot line adjustment, when aligned with the proposed zoning boundary change, will create a lot that meets the R-3, Residential minimum lot requirements of ½ acre with 100 feet of frontage on Haines Road.

Summary

Staff recommends approval of the rezoning based on the following findings:

1. The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance.
2. The rezoning corrects a zoning map error and brings a long existing commercially used property into conformance with the Hermantown Zoning Ordinance.

ATTACHMENTS:

- Existing and Proposed Zoning Map of Site

4703 Hermantown Road - Existing Zoning

R-3, Residential

Legend

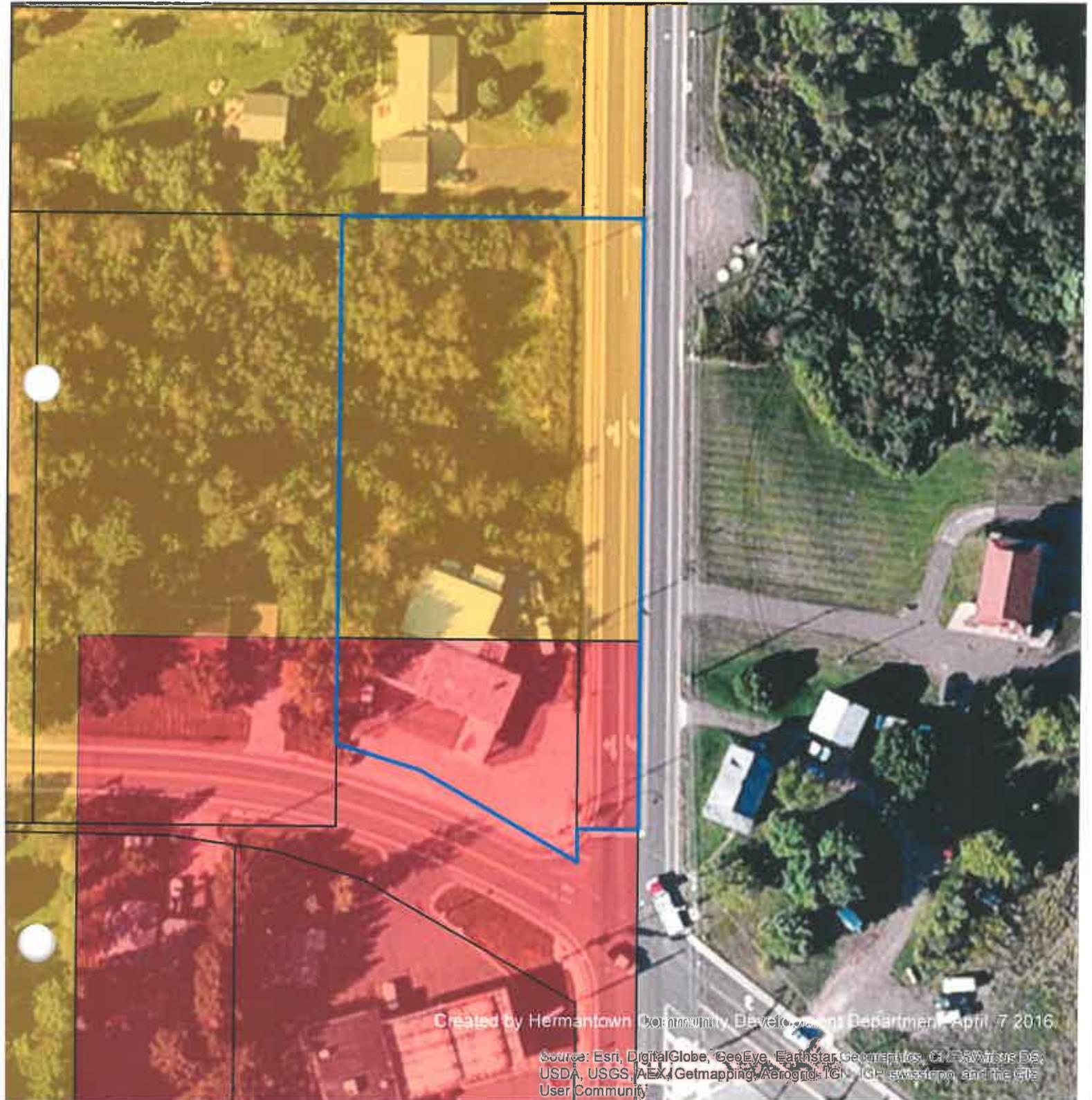
Zoning Districts

-  C
-  R3



275

Feet



Created by Hermantown Community Development Department April 7 2016

Source: Esri, DigitalGlobe, GeoEye, EarthStar, GeoWorld, CNR, Swire, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, Swisstopo, and the GIS User Community

4703 Hermantown Road - Proposed Zoning

R-3, Residential

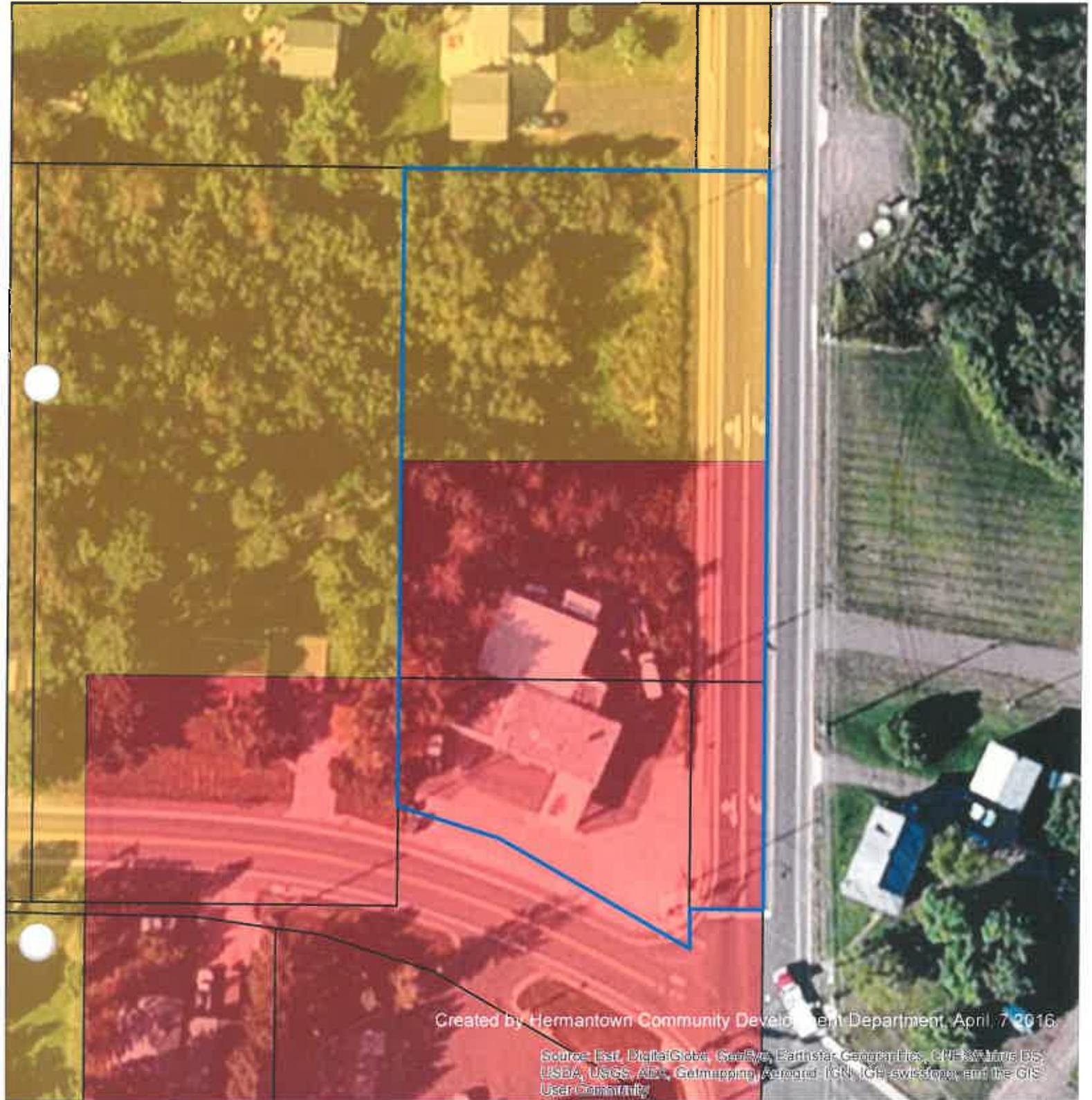
Legend Zoning Districts

- C
- R3



225

Feet



Created by Hermantown Community Development Department, April 7, 2016.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/SWIRTS, USDA, USGS, AeroGRID, IGN, IGH, swisstopo, and the GIS User Community.

5B. Northeast Corner of Loberg Avenue and Market Street - CIDP

Applicant: St. Luke's Hospital
Location: Northeast Corner of Loberg Avenue and Market Street
Case No.: 16-05-CIDP
Staff Contact: Josh Bergstad, Planner
Request: Issue Commercial Industrial Development Permit for construction of 21,000 sq. ft. medical clinic in HM, Hermantown Marketplace Zoning District

RECOMMENDED ACTION:

Staff recommends provisional approval of the Commercial Industrial Development Permit for construction of 21,000 sq. ft. medical clinic with conditions.

DESCRIPTION OF REQUEST:

Applicant requests a Commercial Industrial Development Permit for construction of a one-story, 21,000 square foot medical clinic on a redevelopment site at the northeast corner of Loberg Avenue and Market Street.

SITE INFORMATION:

Parcel Size: 5.88 acres
Legal Access: To be issued, Northeast Corner of Lober Avenue and Market Street
Wetlands: No
Existing Zoning: HM, Hermantown Marketplace
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Commercial

BACKGROUND

Site History

The property was formerly part of the Eggebrect auto sales lot. In 2013, part of the site was purchased and later split for the Holiday Inn Express project. In 2014, the City and Holiday Inn Express developer agreed to terms that included demolition of the Eggebrect building that was partially situated on St. Luke's lot. The site is currently vacant with 114,789 square feet of paved surface with two Minnesota Power lines running across the south 175 feet of the property.

CIDP Analysis

Medical and Dental Clinics are permitted with a CIDP in the HM, Hermantown Marketplace Zoning District. Zoning dimensional requirements are detailed in the following table.

Table 1. Dimensional Requirements

Type	Requirement	Provided
Minimum Lot Area	None	5.88 acres
Minimum Lot Width	None	300 feet
Minimum Front Yard Setback from ROW	5 feet	98 feet
Minimum Side Yard Setback from ROW	5 feet	198 feet
Maximum Lot Coverage	50% (128,084 sq. ft.)	43% (109,341 sq. ft.)
Maximum Building Height	45 feet	1 story

The HM, Hermantown Marketplace requires and encourages design standards and amenities that exceed other zoning districts in the City, including the C, Commercial zone which the property was zoned until 2015.

Building Design

Buildings are encouraged to incorporate the concepts of authenticity, Simplicity, Durability, Functionality, Integrity of Design, and Integrated Site Planning. The clinic will be a one story, 21,000 square foot building. It will feature a northwoods design characterized by wood siding and a full gabled roof with a stone and timber framed gable roofed auto entry way.

Table 2. Building Design Requirements

Category	Proposed	Meets Intent
Primary Materials	Wood siding situated horizontally	Yes
Color	Painted muted green wood siding, natural wood colored soffits, natural wood colored timber frame entry way	Yes
Form and Mass	Use of windows, entryways, awnings to avoid blank façade	Yes
Roofs	Full gabled roof	Yes

Representative photographs of the clinic design, building materials, and colors are attached to this report. Building elevations of the Loberg Avenue and Market Street Clinic will be submitted prior to issuance of the CIDP.

Parking

Parking will be provided on the north, west, and south sides of the site. Car Parking in the HM zoning district is the same as the C zoning district. The HM zoning district requires bicycle parking. Parking requirements and proposed provisions are as follows:

Car parking	Code requirement	Employees	Zoning requirement
Medical Clinic	5 per doctor; plus 1 per additional employee	8 doctors, 30 employees	70 spaces
Total Provided			79 spaces
Bike Parking	4 spaces		0 spaces

Site Planning, Landscaping and Screening

The Hermantown Marketplace requires a landscaping plan or the overall site and landscaping of the parking areas and lot boundaries. The following guidelines must be considered:

1. A landscaping plan prepared by a registered landscape architect or civil engineer is required for all areas not covered by structures, service yards, walkways, and parking spaces.
2. 10 % of parking lots with ten or more spaces must be landscaped.
3. Landscaping that is a functional part of the stormwater management system is encouraged.
4. Landscaping around buildings is required to soften the edge between the parking lot and structure.
5. Landscaping and parking lot screening shall emphasize the boundary or perimeter of the site with neighboring properties.
6. Utilities, electrical boxes, mechanical equipment and trash storage areas shall generally be screened from view of public streets and neighboring properties, and located away from primary site and building entrances.

A final landscaping plan has not been prepared. The preliminary plans for the site call for a 5 percent reduction in impervious surface which will affect the final design of the onsite stormwater management system. A final landscaping plan will be prepared in accordance with the landscaping and site planning requirements of the HM zoning district in coordination with final building design and stormwater management plan.

Traffic

Proposed traffic volumes at the clinic will not have a major impact on the roadway system around the area. Access to the site will be via Market Street and Loberg Avenue. This area of the City is commercial in nature and the roads have been constructed in such a way as to have substantial excess capacity. A four light signalized interchange at Loberg and Market Street will be installed in 2016.

Stormwater

The applicant is proposing a reduction in stormwater flow off the site. At present, 114,789 square feet of the site, or approximately 45%, is impervious surface. The applicant proposes to reduce that by 5,000 square feet to 109,789 square feet, or 43% of the site.

The project qualifies as a “redevelopment activity” under the definitions of the City’s stormwater management ordinance because it is creating, adding, or replacing at least 5,000 square feet of impervious surface on a previously developed site with 21,780 square feet or more of impervious

surface. The applicant is required to reduce impervious surface by 20 percent, reduce and control 1 inch of stormwater flow from 20 percent of the existing impervious surface, or a combination of both.

The applicant has indicated an area for underground stormwater control on south side of the site in the power line easement area to be used in conjunction with reduction in impervious surface and a landscaping plan.

Signage

Proposed signage includes a monument sign along Market Street and a monument sign along Loberg Avenue wall signage on the front of the proposed clinic building. The property is allowed to have up to three freestanding signs with a maximum of 100 square feet each or one 300 square foot sign. The wall sign is within the requirements of the Zoning Ordinance. All signage on the site must be within the requirements of the Zoning Ordinance, and sign permits will be required. Signs shall be of compatible colors and materials.

Other Issues

The applicant proposes to use asphalt shingles. Asphaltic siding and roof materials are listed as a prohibited primary material, though they may be in trim or ornamental features. It is in Staff's opinion that the full gabled roof, as specifically encouraged roof design, should be encouraged and those alternative roofing materials such as metal, terracotta, or other common materials are not as compatible with the proposed building design. Staff is recommending waiving this provision for this application.

Summary

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

1. The approval is for construction of a one-story, 21,000 square foot medical clinic located as depicted on the attached exhibits. The approval includes 79 automobile parking spaces and two monument signs.
2. The approval is provisional based on completion and acceptance of final landscaping plan for the site and parking lot that meets the standards of HM, Hermantown Marketplace Zoning District as set forth in this report and the Zoning Ordinance.
3. The applicant will install bike parking per the HM, Hermantown Marketplace Zoning District requirements.
4. The proposed clinic shall be constructed in accordance with the Official Exhibits of the CIDP application which are representative buildings. Building elevations including descriptions of materials and colors of the actual to be constructed clinic must be submitted prior to issuance of the CIDP. Minor changes shall be approved administratively. Major site changes, including any that increase the density or level of activity on the site, shall require an amendment to the CIDP.
5. Prior to starting any site work, the following conditions shall be met:
 - a. A preconstruction meeting shall be held with the appropriate development, construction, and City representatives.

6. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained.
 - b. Developer shall obtain a Stormwater Certificate and submit the required cash escrow or letter of credit.
 - c. Developer shall submit a financial guarantee in the form of cash escrow or a Letter of Credit in the amount of 125% of the cost to ensure installation of all public improvements, landscaping, and screening. The financial guarantee may be released on a phased basis following completion of improvements. Any Letter of Credit shall be on a form provided by the City.
7. 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.
8. The developer shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from the adjacent hotel property at all times.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - a. The City shall be contacted a minimum of 72 hours prior to any work in a public street. Work in a public street shall take place only upon the determination by the Public Works Superintendent that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - b. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
9. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
 - a. Fire lanes shall be signed and striped.
 - b. Landscaping shall be installed.
 - c. Exterior building improvements shall be completed.
 - d. All mechanical equipment and other utility services and trash storage areas shall be installed and it shall be demonstrated that all such equipment is compliant with the screening requirements of the Zoning Ordinance.
10. No outside storage is permitted after completion of construction. Incidental outside storage shall be removed within 48 hours.
11. The applicant shall sign a consent form assenting to all conditions of this approval.
12. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Location Map

- Site Plan
- Representative Building Elevations
- Letter Affirming Additional Landscape Planning



March 28, 2016

Mr. Eric Johnson, Community Development Director
City of Hermantown
5105 Maple Grove Road
Hermantown, MN 55811

RE: Proposed Miller Creek Medical Clinic
Landscape/Greenspace Narrative & Plan – As Requested

Dear Mr. Johnson:

The attached illustration shows the turf areas planned for the new Miller Creek Medical Clinic on it's preliminary (2/12/16) site plan. A Landscape Architect will be part of the design team and will follow the Hermantown Marketplace landscape requirements for this development. Please note that the power line easement (shown on the attached sketch) does have strict limitations for plantings within the area. Boundary, perimeter, screening and parking lot requirements will be part of the planning for the new clinic.

Sincerely,

DSCW Architects, Inc.

A handwritten signature in black ink, appearing to read 'Rebecca J. Lewis', is written over a light blue horizontal line.

Rebecca J. Lewis, FAIA, FACHA, CID
Principal, Director of Healthcare Studio

RJL:jl

enc.

cc: Ron Franzen, St. Luke's V. Pres. Support Svcs.
Patrick Earley, St. Luke's Dir. of Facilities

**St. Luke's
Lester River Medical Clinic
Duluth, Minnesota**

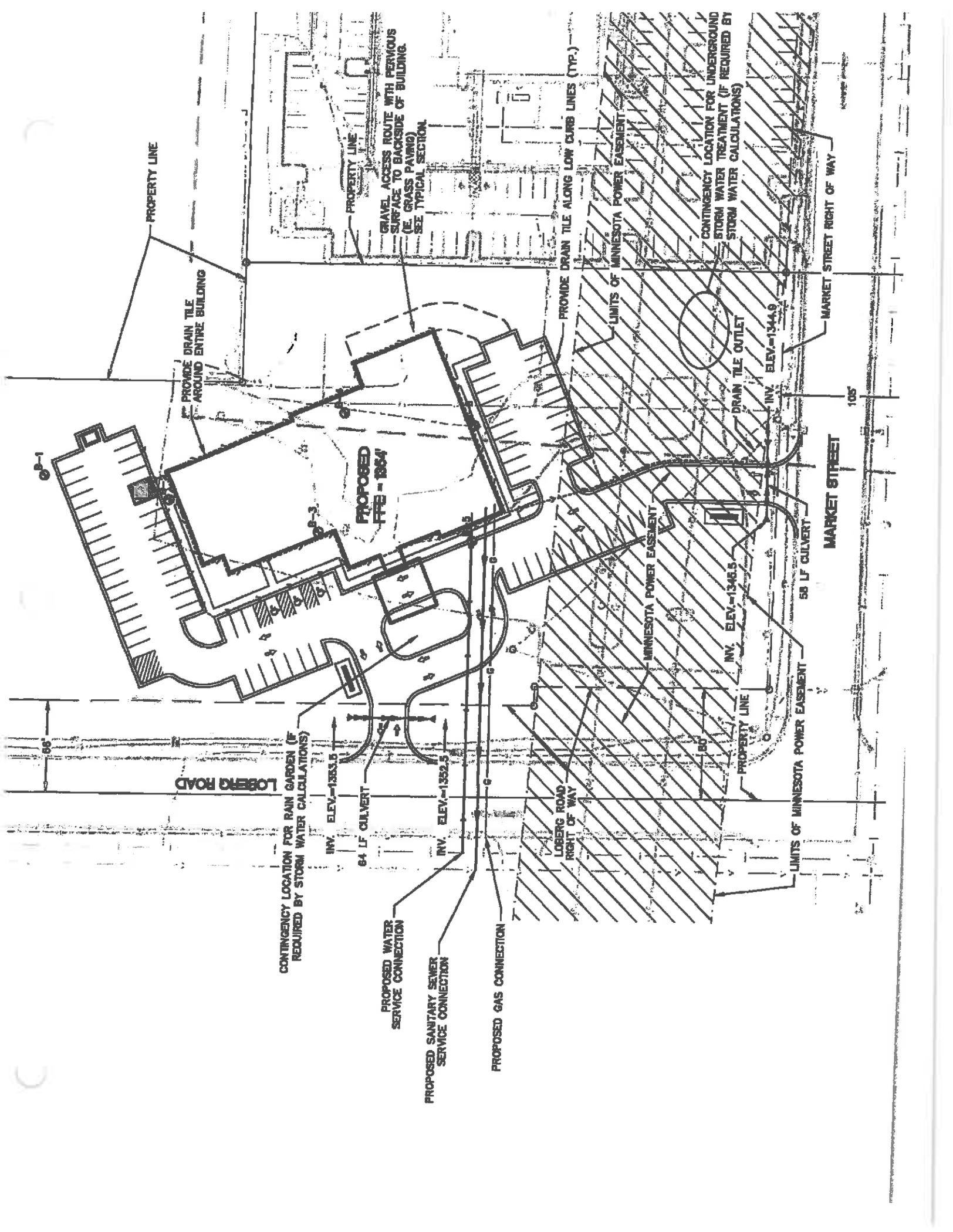


**St. Luke's
Mount Royal Medical Clinic
Duluth, Minnesota**



**St. Luke's
Laurentian Clinic
Mountain Iron, Minnesota**





PROPERTY LINE

PROVIDE DRAIN TILE AROUND ENTIRE BUILDING

PROPERTY LINE

GRAVEL ACCESS ROUTE WITH PERVIOUS SURFACE TO BACKSIDE OF BUILDING (I.E. GRASS PAVING) SEE TYPICAL SECTION

PROVIDE DRAIN TILE ALONG LOW CURB LINES (TYP.)

LIMITS OF MINNESOTA POWER EASEMENT

CONTINGENCY LOCATION FOR UNDERGROUND STORM WATER TREATMENT (IF REQUIRED BY STORM WATER CALCULATIONS)

MARKET STREET RIGHT OF WAY

6'-1"

PROPOSED FFE - 1884

CONTINGENCY LOCATION FOR RAIN GARDEN (IF REQUIRED BY STORM WATER CALCULATIONS)

INV. ELEV. = 1333.0

64 LF CULVERT

INV. ELEV. = 1322.5

PROPOSED WATER SERVICE CONNECTION

PROPOSED SANITARY SEWER SERVICE CONNECTION

PROPOSED GAS CONNECTION

LOBBERG ROAD RIGHT OF WAY

MINNESOTA POWER EASEMENT

INV. ELEV. = 1346.5

PROPERTY LINE

LIMITS OF MINNESOTA POWER EASEMENT

58 LF CULVERT

MARKET STREET

INV. ELEV. = 1344.9

DRAIN TILE OUTLET

105'

5D. Jackson Estates 4th Addition

Applicant: JLG Enterprises – Mr. Jeff Gilbert
Location: 41xx Ugstad Road
Case No.: 16-03-SUB-P
Staff Contact: Eric Johnson, Community Development Director
Request: Preliminary and Final Plat application for a 31 acre, 31 unit single family residential subdivision

RECOMMENDED ACTION:

Staff recommends approval of the requested Preliminary and Final Plat application

DESCRIPTION OF REQUEST:

Applicant owns two parcels, 395-0070-00960 and 395-0070-00970 at the 4100 block of Ugstad Road and both parcels are zoned R-3, Residential. The applicant is preparing to subdivide the two parcels into 31 single family residential lots comprising 18.82 acres; two outlots generally comprised of wetland area of 8.48 acres; and dedicated roadway right of way of 3.72 acres. The subdivision will be accessed by a proposed roadway intersecting Ugstad Road and an existing right of way continuation of Jefferson Drive.

SITE INFORMATION:

Parcel Size: 31.02 acres
Legal Access: Ugstad Road
Wetlands: Yes, Pending TEP approval
Existing Zoning: R -3 Single Family Residential
Airport Overlay: None
Shoreland Overlay: NA
Comprehensive Plan: Residential

BACKGROUND

Mr. Gilbert, principal developer for JLG Enterprises., is proposing the development of 31 single family residential lots on an existing 31 acre parcel lying directly south of the existing Jackson Estates subdivision. The proposed development is to be accessed by a proposed roadway intersecting Ugstad Road and an existing right of way continuation of Jefferson Drive. When the Jackson Estates project was submitted for approval, the City Council required that no future subdivisions in the area would be approved until there was a second means of access/egress to the development from Ugstad Road.

The developer has been considering this subdivision since the fall of 2015. The developer met with the Planning Commission in December 2015 to present several subdivision and Planned Unit Development concepts for this phase of Jackson Estates. The Applicant then used the Planning Commission's feedback to develop this proposal.

Zoning Analysis:

The proposed single family residential lots meet the requirements of the R-3, Residential Zoning District. Minimum lot sizes are ½ acre in size and there is a minimum of 100' in lot width at the building setback line. Furthermore, staff has requested the applicant to show all of the building setbacks associated with the R-3 zoning on their plans which they have done this on Exhibit 1: Utilities/Contours.

Wetlands

A wetland delineation was completed for the project and was submitted along with a Joint Application Form for Activities Affecting Water Resources in Minnesota requesting a Wetland Type Confirmation and a Delineation Concurrence to the City on October 1, 2015. The Hermantown TEP reviewed the delineation on-site on October 26, 2015 and approved the wetland type and boundary in a Notice of Decision dated November 5, 2015.

The developer has produced a number of site layout renditions in an effort to maximize lot yield while keeping wetland impact to a minimum. Previous developed concepts showed up to 48 proposed lots on the property but were modified extensively to the current proposal of 31 lots in order to minimize wetland impacts.

Non- impacted wetlands and outlots will be put into permanent conservation. In addition, wetland boundaries on the residential lots will be physically marked and avoided.

The developer has applied for a wetland fill exemption to fill 9,711 square feet of wetlands. The Hermantown TEP will meet on April 14, 2016 to consider the wetland exemption request. If approved at the meeting, no further action is required by either the Planning Commission or City Council.

Stormwater

The developer will need to submit a Professional Erosion and Sediment Control plan (PESC) for construction and post-construction control of run-off once the construction drawings are complete. In addition the developer will need to prepare a SWPPP per the MPCA storm water permit. Bio-rolls, silt fencing and other Best Management Practices should be used to control runoff during construction. The developer has indicated that the development will utilize a rural roadway section (no curb and gutter with ditches) similar to the rest of the existing development. Exhibit 1: Utilities/Contours show a proposed cross section of the roadway ditch as well as the proposed roadway cross section design.

In addition, the developer is proposing three stormwater basins within the outlot A and B areas to collect and treat stormwater.

Utilities

The developer will be able to connect to existing public sanitary sewer and public water lines by way of the existing sanitary sewer line in the Jackson Estates 2nd addition as well as the existing line at

Ugstad Road.. The new sewer and water lines will be a City main and will be constructed based on the City standards.

The developer will provide engineered plans for utility connections prior to beginning such work on the site. The preliminary plans have been submitted to the City and no major problems with connecting to city utilities are apparent. Detailed plans for new public utilities will be reviewed and approved by the City Engineer prior to issuance of the building permits for development. No new public utilities will be accepted by the City until reviewed by the City Engineer and accepted by resolution of the City Council. All new public utilities must be placed in a public utility easement or road right of way. The water main extension will need a MDH permit and the sanitary sewer will require both a WLSSD and MPCA sanitary sewer extension permit.

Plat

The developer has proposed to divide the property into 31 single family residential lots comprising 18.82 acres; two outlots generally comprised of wetland area of 8.48 acres; and dedicated roadway right of way of 3.72 acres. The plat is consistent with the requirements of the R-3, Residential development.

Roadway

The developer plans to construct a +/-2,200 linear foot, 24' width bituminous roadway with 2' wide gravel shoulders with a cul-de-sac and adjacent ditches (rural section) in accordance with the City of Hermantown design standards. The roadway will connect the existing easement from McKinley Drive and connect to Ugstad Road. The Ugstad Road connection has been required by the City as part of any new development/additions to Jackson Estates. This connection will provide emergency vehicles access from two different points on Ugstad Road thus eliminating the single access point as it exists today.

The roadway location on Ugstad Road is a result of the WCA rules prioritizing avoidance and minimization of wetland disturbance on the site. This location/crossing is the narrowest part of the wetland and minimizes the wetland impact in this area as much as possible.

Park Dedication Fees

The developer will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100/lot in lieu of dedicated park land. This fee will be paid at the time of plat approval.

Summary

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

1. The proposed subdivision plan meets the criteria of the R-3, Residential Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed subdivision meets the Comprehensive Plan for residential development.
3. Prior to starting any site work, the developer shall hold a preconstruction meeting with the appropriate development, construction, and City representatives.

4. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained.
 - b. Developer shall obtain a Stormwater Certificate and submit the required cash escrow or letter of credit.
5. 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.
6. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
7. Installation of water and sanitary sewer shall require the developer 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 developer shall enter into a Development Agreement with the City for all public utilities and roadway construction.
8. The developer shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
9. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
 - c. All exterior building improvements shall be completed.
 - d. All disturbed areas on the site shall be seeded or sodded.
10. The developer shall pay a park dedication fee of \$1,100/lot in lieu of dedicated park land. This fee will be paid at the time of plat approval.
11. The applicant shall sign a consent form assenting to all conditions of this approval.
12. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.
13. Outlots A and B which contain the on-site wetlands shall be put into a conservation easement.

ATTACHMENTS:

- Location Map
- Preliminary Plat
- Exhibit 1: Utilities/Contours Plan
- Exhibit 2: Proposed Wetland Impacts Plan

Jackson Estates Subdivision

Location Map



Legend - Zoning Districts

- P
- R3
- O



1,700

Feet

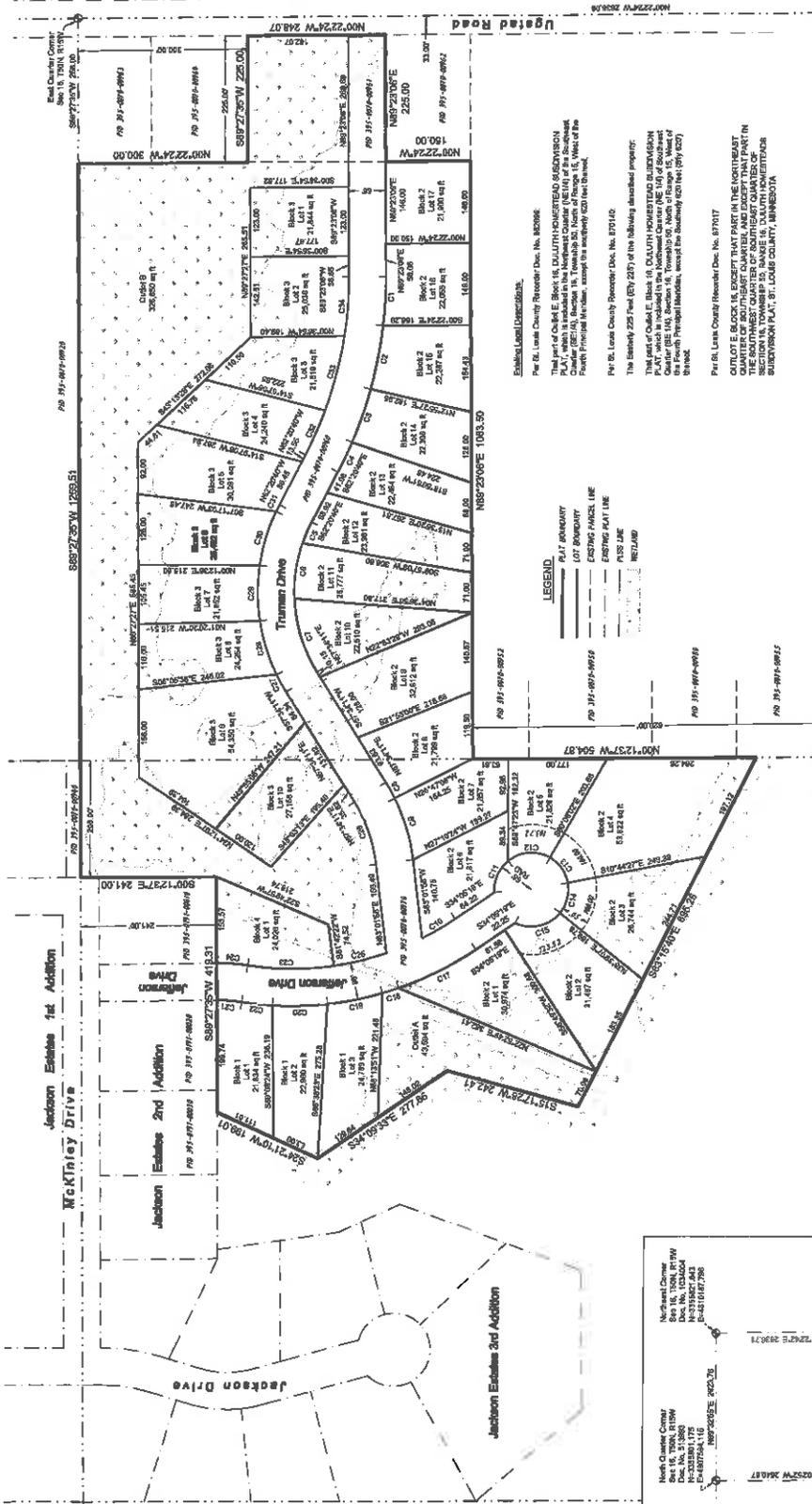


Created by Hermantown Community Development Department, April, 12 2016.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

PRELIMINARY PLAT

JACKSON ESTATES 4TH ADDITION
in part of Oakdale Block 16, DULUTH-HOMESTEADS SUBDIVISION PLAT
being in Section 16, Township 50 North, Range 15 West, St. Louis County, Minnesota



CHAIN	LENGTH	RADIUS	DIRECTION	ARC LENGTH	CHORD
C1	114.82	724.00	S79°14'46"E	114.82	114.82
C2	100.00	724.00	S79°14'46"E	100.00	100.00
C3	100.00	724.00	S79°14'46"E	100.00	100.00
C4	100.00	724.00	S79°14'46"E	100.00	100.00
C5	100.00	724.00	S79°14'46"E	100.00	100.00
C6	100.00	724.00	S79°14'46"E	100.00	100.00
C7	100.00	724.00	S79°14'46"E	100.00	100.00
C8	100.00	724.00	S79°14'46"E	100.00	100.00
C9	100.00	724.00	S79°14'46"E	100.00	100.00
C10	100.00	724.00	S79°14'46"E	100.00	100.00
C11	100.00	724.00	S79°14'46"E	100.00	100.00
C12	100.00	724.00	S79°14'46"E	100.00	100.00
C13	100.00	724.00	S79°14'46"E	100.00	100.00
C14	100.00	724.00	S79°14'46"E	100.00	100.00
C15	100.00	724.00	S79°14'46"E	100.00	100.00
C16	100.00	724.00	S79°14'46"E	100.00	100.00
C17	100.00	724.00	S79°14'46"E	100.00	100.00
C18	100.00	724.00	S79°14'46"E	100.00	100.00
C19	100.00	724.00	S79°14'46"E	100.00	100.00
C20	100.00	724.00	S79°14'46"E	100.00	100.00
C21	100.00	724.00	S79°14'46"E	100.00	100.00
C22	100.00	724.00	S79°14'46"E	100.00	100.00
C23	100.00	724.00	S79°14'46"E	100.00	100.00
C24	100.00	724.00	S79°14'46"E	100.00	100.00
C25	100.00	724.00	S79°14'46"E	100.00	100.00
C26	100.00	724.00	S79°14'46"E	100.00	100.00
C27	100.00	724.00	S79°14'46"E	100.00	100.00
C28	100.00	724.00	S79°14'46"E	100.00	100.00
C29	100.00	724.00	S79°14'46"E	100.00	100.00
C30	100.00	724.00	S79°14'46"E	100.00	100.00
C31	100.00	724.00	S79°14'46"E	100.00	100.00
C32	100.00	724.00	S79°14'46"E	100.00	100.00
C33	100.00	724.00	S79°14'46"E	100.00	100.00
C34	100.00	724.00	S79°14'46"E	100.00	100.00
C35	100.00	724.00	S79°14'46"E	100.00	100.00
C36	100.00	724.00	S79°14'46"E	100.00	100.00
C37	100.00	724.00	S79°14'46"E	100.00	100.00
C38	100.00	724.00	S79°14'46"E	100.00	100.00
C39	100.00	724.00	S79°14'46"E	100.00	100.00
C40	100.00	724.00	S79°14'46"E	100.00	100.00
C41	100.00	724.00	S79°14'46"E	100.00	100.00
C42	100.00	724.00	S79°14'46"E	100.00	100.00
C43	100.00	724.00	S79°14'46"E	100.00	100.00
C44	100.00	724.00	S79°14'46"E	100.00	100.00
C45	100.00	724.00	S79°14'46"E	100.00	100.00
C46	100.00	724.00	S79°14'46"E	100.00	100.00
C47	100.00	724.00	S79°14'46"E	100.00	100.00
C48	100.00	724.00	S79°14'46"E	100.00	100.00
C49	100.00	724.00	S79°14'46"E	100.00	100.00
C50	100.00	724.00	S79°14'46"E	100.00	100.00

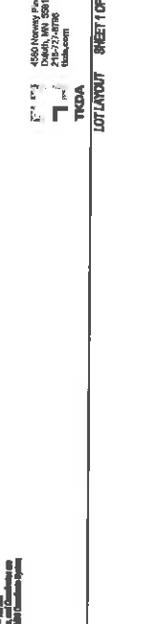
LEGEND
 --- LOT BOUNDARY
 --- LOT BOUNDARY
 --- EXISTING PAVEMENT
 --- EXISTING PAVEMENT
 --- EXISTING PAVEMENT

STREETS
 1) Date of Map: 3/20/2018
 2) Total Area of proposed plat: 31.00 acres
 3) Volume of the plat: 31.00 acres
 4) Adjacent property uses are residential.
 5) Area of dedicated streets: 3.72 acres

OWNER/DEVELOPER/LOCAL OFFICIALS
 SLS Development, Minnesota Partnership
 3450 Oak Highway South
 Duluth, MN 55810

REGISTERED PROFESSIONALS
 David Eschbach
 4550 Newbury Place
 Duluth, MN 55811
 216-727-7299

CREATED BY
 TUDA
 4550 Newbury Place
 Duluth, MN 55811
 216-727-7299



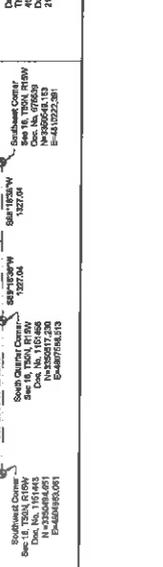
Section Breakdown
 North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

West Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

South Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

East Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536



Section Breakdown
 North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

West Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

South Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

East Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

STREETS
 1) Date of Map: 3/20/2018
 2) Total Area of proposed plat: 31.00 acres
 3) Volume of the plat: 31.00 acres
 4) Adjacent property uses are residential.
 5) Area of dedicated streets: 3.72 acres

OWNER/DEVELOPER/LOCAL OFFICIALS
 SLS Development, Minnesota Partnership
 3450 Oak Highway South
 Duluth, MN 55810

REGISTERED PROFESSIONALS
 David Eschbach
 4550 Newbury Place
 Duluth, MN 55811
 216-727-7299

CREATED BY
 TUDA
 4550 Newbury Place
 Duluth, MN 55811
 216-727-7299

Section Breakdown
 North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

North Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

West Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

South Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

East Quarter Center
 Sec. 16, T50N, R15W
 Doc. No. 132404
 N-335851.178
 E-604043.536

JACKSON ESTATES 4TH ADDITION
 In part of Outlot E, Block 16, DULUTH HOMESTEADS SUBDIVISION PLAT
 being in Section 16, Township 50 North, Range 15 West, St. Louis County, Minnesota
 PRELIMINARY PLAT



PROJECT NO. 15913.000		SHEET NO. 2 OF 2	
EXHIBIT 2: PROPOSED WETLAND IMPACTS		JACKSON ESTATES 4th ADDITION HERMANTOWN MINNESOTA	
4650 Norway Pines Place Duluth, MN 55811 763.272.8766 TODAS		DATE: 01/15/2024	
DRAWN: [Name]		CHECKED: [Name]	
DESCRIPTION OF REVISIONS		DATE: 01/15/2024	