

CITY OF HERMANTOWN
PLANNING & ZONING COMMISSION
August 16, 2016 Meeting Summary
7:00 PM

1. ROLL CALL

Members Present: Greg Zimmerman; Phil Zastrow; Joe Peterson; Chad Scott; Mike Lundstrom; Dwayne Haapanen; Brent Malvick; and John Geissler;

Members Absent: None.

Others Present: Eric Johnson, Community Development Director; Josh Bergstad, City Planner; Leo Plewa, 4238 Stebner Road; Greg Billman, 4568 Solway Road.

2. APPROVAL OF AGENDA

Motion made by Chad Scott to approve the August 16, 2016 agenda as presented. Seconded by Brent Malvick. Motion carried.

3. APPROVAL OF MINUTES

Motion made by Phil Zastrow to approve the July 19, 2016 regular meeting minutes as presented. Mike Lundstrom noted that he abstained to item 6A related to the Jackson Estates 4th Addition. Seconded by Greg Zimmerman. Motion carried.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARINGS

5A. An amendment to the Heartwood Addition Planned Unit Development to allow for minimum 10 foot side yard setbacks with an aggregate side yard of 20 feet instead of 10 foot minimum side yard setbacks with an aggregate of 25 feet on the remaining undeveloped lots.

Eric Johnson presented the staff report to the Planning Commission. He stated that the developer is looking for a change in the side yard setbacks. The 2004 PUD had a 10 foot side yard setback on one side and a 15 foot side yard setback on the other for a 25 foot aggregate. The developer is requesting a 20 foot aggregate (10 feet on both sides).

Chair Peterson opened the public discussion at 7:05 p.m. and closed the public discussion at 7:15 p.m.

Greg Billman, 4568 Solway Road, stated that Eric covered the presentation well. He stated that it is much easier building on 10 and 10 is much easier than 10 and 15.

Greg Zimmerman – He asked Mr. Billman how many lots he had in this development and how many are vacant.

Billman – According to Billman, there were originally 26 lots. 14 lots are left.

Brent Malvick – He asked Eric Johnson why a variance is not being required for the change.

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Josh Bergstad – He stated that a Planned Unit Development is already set up to have different standards. A variance would be an example where if you had a lot and for some reason or another there's a natural feature that you have to move to setback on or as in certain cases where we see it's an older property where it is already built too close to the road, it's looked at as a one time single issue thing. In this case, we are changing what is going to be happening throughout the rest of this development.

Johnson – He stated that a PUD has the ability to change out setbacks all across the board. A variance is more standard with a typical R-1 or R-3 lot.

Leo Plewa, 4238 Stebner Road. – He stated that he has no objection to the change but he would like to know if this land is being sold as individual lots and what are the sizes of the lots. He asked how much space is between each individual lot.

Johnson – He indicated that with the 10 foot setback, there would be a minimum of 20 feet between each unit. As far as lot sizes, he stated that it is approximately 6,800 feet per lot.

Plewa – He asked if this has been the policy all along, regarding the side yard setbacks, or is this something that is just coming up now.

Johnson – According to Johnson, with the Planned Unit Development, the developer would come ask for specific setbacks associated with the project. There is some negotiating back and forth with the City as to what they have a comfort level with. From the City's perspective, it is what is the City getting back in the ability to relax some of these setback standards. In this case, it was the increased additional green space associated with the development. Each PUD is different in that way.

Motion made by Mike Lundstrom to approve an amendment to the Heartwood Addition Planned Unit Development to allow for minimum 10 foot side yard setbacks with an aggregate side yard of 20 feet instead of 10 foot minimum side yard setbacks with an aggregate of 25 feet on the remaining undeveloped lots. Seconded by Phil Zastrow. Motion carried.

5B. Amendments to Hermantown Zoning Ordinance, Chapter 10, Land Splits and Platting, formerly titled Subdivisions. The proposed amendments amend the rules and procedures for administrative subdivisions, preliminary and final plats, design standards, park dedication fees, required improvements, financial security, review costs, variances, violations and enforcement, and definitions.

Josh Bergstad presented the staff report to the Planning Commission. Staff is recommending replacing the Hermantown Zoning Ordinance Chapter 10. Subdivision Regulations by adopting the revised Chapter 10 Land Splits and Platting; and amend Hermantown Zoning Ordinance Chapter 2 Definitions 200.01.96 through 200.01.97.6 regarding the definition of subdivisions.

Mike Lundstrom – He asked how will we deal with road assessments with a flag lot.

Bergstad – He said what we currently do when someone wants to split the lot, we apportion the assessments for a split lot. That would remain the same, as we do with administrative lots.

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John Geisler – He indicated that most assessments over the past few years have not been based on footage but have been based on the number of homes served by sewer or the utility. The typical assessment has been based on per lot not per footage.

Motion made by Dwayne Haapanen to approve the Amendments to Hermantown Zoning Ordinance, Chapter 10, Land Splits and Platting, formerly titled Subdivision Regulations and Chapter 2 Definitions. Seconded by Chad Scott. Motion carried.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

Johnson – He updated the Planning Commission regarding two newly received Kwik Trip applications. One is adding a car wash to the existing store on Sugar Maple. The second application is at the intersection of Haines Road and Maple Grove Road at the existing ICO site. Since this application falls into the Hermantown Market Place Development and it will allow staff to review it from a staff standpoint because it falls under certain thresholds as far as sizes, etc.

Bergstad – He added that currently in our commercial industrial districts, everything goes through a CIDP if it is basically a new development. Last year we began making some changes when we redid the BLM we made some things administratively permitted with a zoning certificate as long as they met certain standards.

Lundstrom – He commented that it was his understanding that the Market Place District was going to be a unique area within the community where if you were to drive into it, you would know you're in a separate district within the community. He stated that was not followed, for example, with St. Luke's. He's hopeful the City will have some consistency when creating a separate identity for that area.

Zimmerman – He asked if the sign for the Hermantown Federal Credit Union was a legal sign.

Johnson – He stated that there is no lease associated with that sign and he will be working with City Attorney Steven Overom to notify them that the sign needs to be removed.

Johnson – He stated that the deviation from St. Luke's was a bit more for the architecture aspect. He updated the commission on the issue of signage for the Market Place District, and stated that the City is pushing to have a sign on Highway 53 across from Wal-Mart as it is the best place for the sign, not only from a visibility standpoint, but also for snow removal in the winter months. He stated the only problem is that it falls in a flood plain area associated with Miller Creek.

9. COMMISSION MEMBER REPORTS

Greg Zimmerman – None.

Phil Zastrow – None.

Joe Peterson – None.

Mike Lundstrom – None.

Chad Scott – None.

Dwayne Haapanen – None.

John Geissler – He stated that Fleet Farm is opening at 7:00 a.m. on August 17, 2016, with a ribbon cutting event at 8:45 a.m. He also brought up the fact that he is on the Joint Airport Zoning Board, as well as the Duluth International Airport Zoning Ordinance Board of Adjustments is having a meeting on August 17, 2016 at 5:00 p.m. to review a request by Steve Paulson at the “Mortrude Egg site” to construct a fitness facility. He brought up the fact that the commission hasn’t had many site inspections and he would like the Commission to reinstate those inspections.

Brent Malvick – None.

ADJOURN

Motion made by Chad Scott to adjourn the meeting. Seconded by Phil Zastrow. Meeting adjourned at 7:53 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant