



CITY OF DULUTH

Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

File Number	PL 13-115	Contact	Steven Robertson, (218) 730 5295	
Application Type	Planning Review MU-I	Planning Commission Date	September 10, 2013	
Deadline for Action	Application Date	August 13, 2013	60 Days	October 11, 2013
	Date Extension Letter Mailed	August 26, 2013	120 Days	December 10, 2013
Location of Subject	4000 W 9th Street			
Applicant	Northwood Children's Services	Contact	dwolleat@northwoodchildren.org	
Agent	John Ivey Thomas	Contact	jltassoc@cpinternet.com	
Legal Description	See attached			
Site Visit Date	September 3, 2013	Sign Notice Date	August 23, 2013	
Neighbor Letter Date	August 27, 2013	Number of Letters Sent	20	

Proposal

The applicant is proposing construction of a new facility to consolidate treatment functions now located at East 4th Street. The property is currently zoned RR-1, but the council decision on the rezoning request to MU-I will be decided at the September 9, 2013, City Council meeting

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	RR-1 (rezoning to MU-I)	Children's Home (Institutional)	Institutional
North	RR-1	Residential/Undeveloped	Preservation
South	R-1	Residential	Traditional Neighborhood
East	RR-1	Middle School (Institutional)	Traditional Neighborhood
West	RR-1	Undeveloped	Preservation

Summary of Code Requirements (reference section with a brief description):

50-37.11 Planning Review- Applies to all development and redevelopment activities except for one- and two-family residential structures.
 50-18.1E Storm Water Management - Addresses water runoff and temporary erosion control pre and post construction.
 50.24.7 Parking Lot Design Standard - Addresses dimensional standards, snow storage and pedestrian circulation.
 50-25 Landscaping and Tree Preservation - Speaks to landscaping standards such as materials, plant size, location, tree preservation and replacement.
 50-31 Exterior Lighting- Directs the minimum and maximum illumination values and lighting fixtures for a site.

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Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

Principle #1- Reuse previously developed lands- The proposal supports expansion of current use in the immediate area.

Principle #11- Include consideration for education systems in land use actions- The proposal supports educational facilities and housing opportunities for these students.

Future Land Use is Institutional. Applicable to university and college and public school campuses, large religious facilities or governmental campuses, cemeteries, etc. Applies primarily to existing facilities.

Current history: the Planning Commission recommend approval of the rezoning of the land from RR-1 to MU-I at the August 13, 2013 Planning Commission Meeting.

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

- 1) 50-15.3 Structure meets setbacks and height limit (0 feet setback for structures, and a general height limit of 120 feet, except within 200 feet of R-1 or R-2, then it is 46 and 66 feet respectively). Applicant is proposing a structure with two levels.
- 2) 50-18.1 Proposed structure is not in an area regulated by the Natural Resources Overlay. It is near, but not within, the Skyline Parkway Overlay.
- 3) 50-23 Connectivity and Circulation. This proposed structure is within an existing campus, with one private road providing access to the different structures within the campus.
- 4) 50-24 Parking and Loading. The campus as a whole has more parking than is required. The applicant is proposing two new parking spaces in front of the building for handicap access.
- 5) 50-25 Landscaping and Tree Preservation and 50-26 Screening, Walls and Fences. Most of the UDC landscape and screening requirements are predicated on being adjacent to public streets and screening potentially impacted adjacent properties. As this is a internal campus which is already wooded and effectively screened, additional landscaping is not necessary. Very few (estimated less than 10) non-special trees will be removed for the construction of the new structure.
- 6) 50-27 Signage. Applicant has not submitted a signage plan, but that is not unusual as signage is usually the last thing is established for development projects. It is understood that future signage will need to comply to UDC requirements.
- 7) 50-29 Sustainability Standards and 50-30 Building Design Standards. Not applicable based on size of development (less than 10,000 sq. ft. structure).
- 8) 50-31 Exterior Lighting. Applicant is not proposing any additional lighting.
- 9) No citizen comments were received on the plan review. The Fire Marshall supplied some information from 2001 concerning fire safety and water pressure tests.

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Staff recommends Planning Commission approve the MU-I Plan Review , subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to documents submitted with the Plan Review application.
- 2) The applicant secure all necessary permits required by Federal, State, County or City laws and regulations.
- 3) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)

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Northwood Children's Services

Description of Property Use:

Existing campus includes housing for 48 children who reside on average of one year at the facility. Average age is 12 years old. The school building provides schooling for the on-site residents and approximately 50 students assigned by ISD. There are three garage buildings and a greenhouse existing.

The new structure will house a maximum of 16 children for evaluation. This evaluation function is currently housed at 24th Avenue East and Fourth Street.

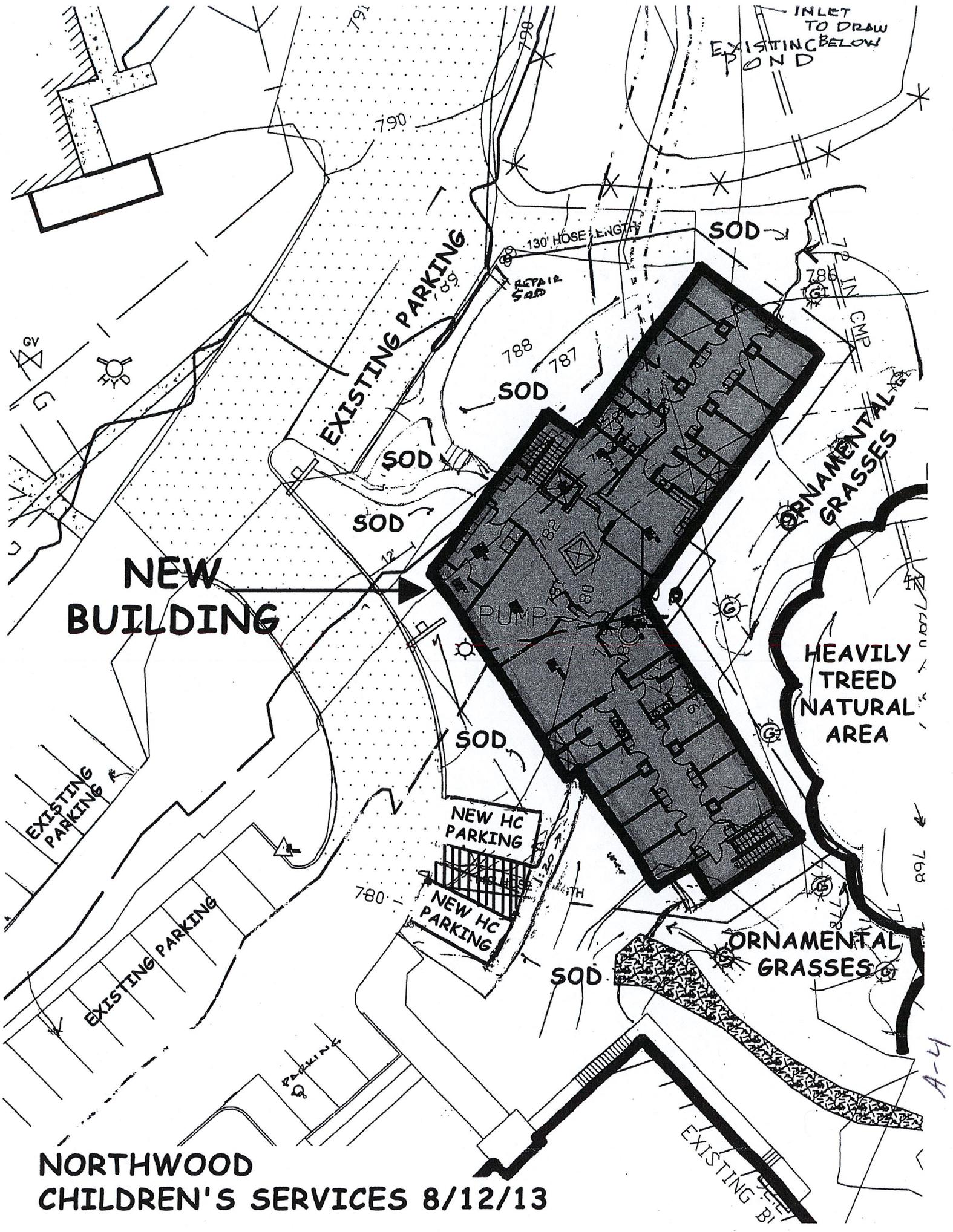
The new building is two stories with a total square footage of 9507 sq. ft.

Size of major buildings:	Home for 48 children	38,000 sq.ft.
	School	31,000 sq.ft.
	New Building	9,507 sq. ft.

There are no view impacts for adjacent property or visual impacts from adjacent property on Skyline Drive. Circulation, noise will not affect adjacent properties or have an impact on 40th Avenue West as additional staff will be minimal and distributed over 24 hours. Existing tree buffer downhill from the new building will remain. No additional parking lot lighting is planned for this project.

Parking (aggregated on site)

Residential Care Facility	$48 \div 9 =$	6 stalls
School		34 stalls
New Building		1 stall
Actual Parking on Site		41 stalls



NEW BUILDING

EXISTING PARKING

EXISTING PARKING
EXISTING PARKING

NEW HC PARKING
NEW HC PARKING

ORNAMENTAL GRASSES

HEAVILY TREED NATURAL AREA

ORNAMENTAL GRASSES

NORTHWOOD CHILDREN'S SERVICES 8/12/13

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City Planning
Northwoods Childrens Services



Legend
Zoning (Final)

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography from 2011

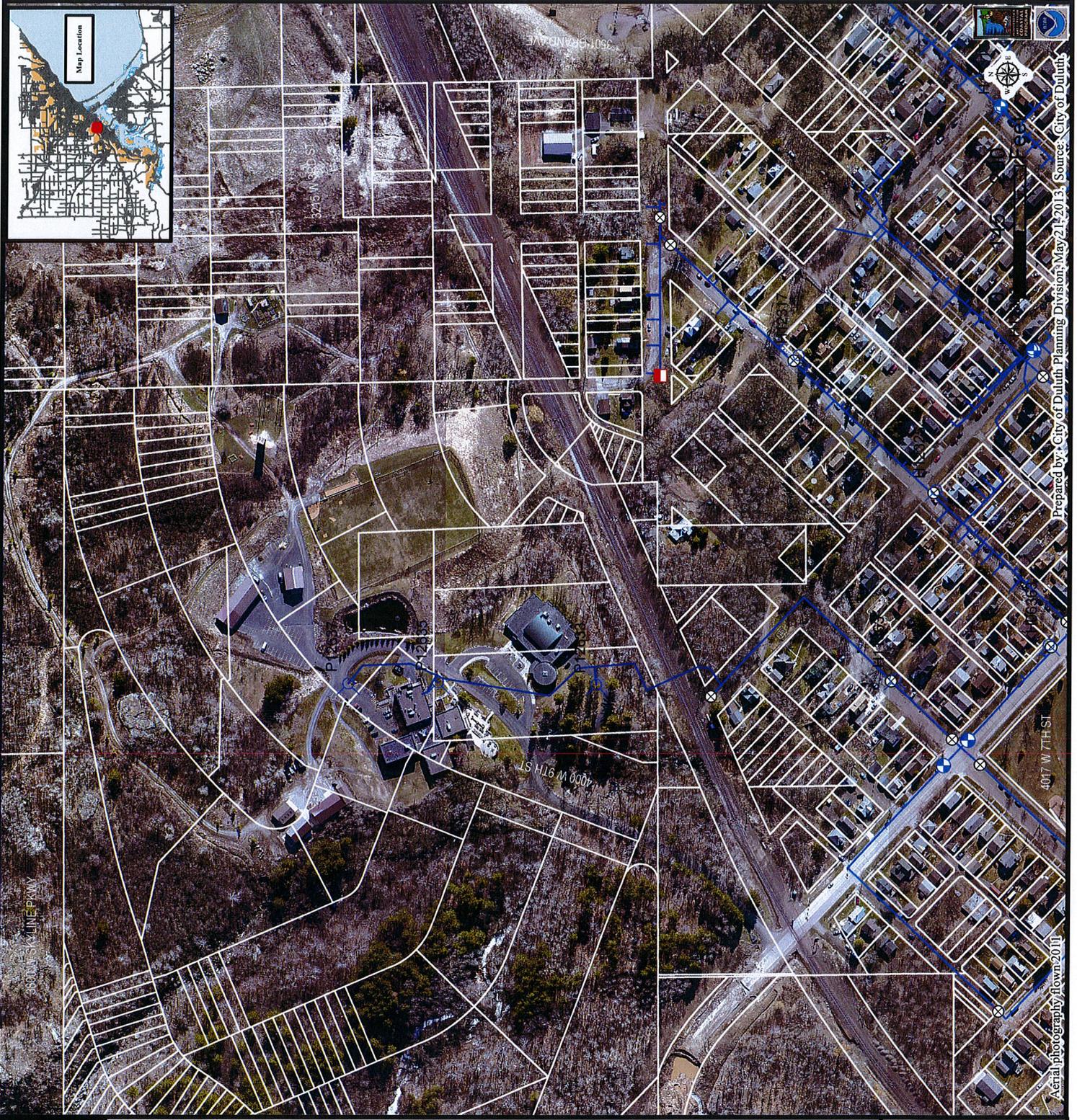
Prepared by: City of Duluth Planning Division, February 14, 2013. Source: City of Duluth.

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City Planning

PL 13-115
Plan Review
4000 W 9th Street



Legend

- Hydrant
- wManhole
- wSystem Valve**
- <all other values>
- Subtype**
- Unknown
- Gate
- Butterfly
- Spurred Gear
- Beveled Gear
- Ball
- Plug
- Cone
- wControl Valve**
- <all other values>
- Subtype**
- CVAirRelease
- SimpleCheck
- wGravity Main**
- <all other values>
- Subtype**
- DistributionMain
- TransmissionMain
- wLateral Line**
- <all other values>
- Subtype**
- Commercial
- Domestic
- Fire
- HydrantLaterals

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**Merritt Creek Academy
Northwood Children's Services
Duluth, Minnesota 2002**

This project consists of constructing a new 27,000 sqft. facility to house the educational programs for the campus residents. Emotionally disturbed children in grades K through 12 participate in treatment and educational activities in this building. The building features six standard classrooms, science/biology classroom, art and music room, and multi-purpose space. Each classroom has a counselling room and a computer work area.





Scale: 1" = 20'-0"

North Arrow

1. Verify utility and other data, conditions, or facts under the terms of the State of Minnesota Statutes, Chapter 329A, Section 329A.01, before the date of the final plan.

John Hey Thomas Associates Inc. Architects, 413 East Superior Street, Duluth, Minnesota 55802 (218) 722-8271

NORTHWOOD CHILDREN'S SERVICES
WEST CAMPUS TREATMENT CENTER
4000 WEST 91ST STREET, DULUTH, MN.

Sheet No. A1



- LEGEND**
- BITUMINOUS SURFACE
 - CONCRETE SURFACE
 - GRAVEL SURFACE
 - UNDERGROUND 2" GAS LINE
 - UNDERGROUND 6" CAST IRON WATER LINE
 - UNDERGROUND 8" V.C.P. SANITARY SEWER
 - SANITARY MANHOLE
 - ✱ HYDRANT
 - ✱ LIGHT POLE
 - ✱ GAS VALVE
 - 780— EXISTING CONTOUR (5' INTERVAL)
 - EXISTING CONTOUR (1' INTERVAL)
 - EDGE OF WOODS/BUSH
 - CHAIN LINK FENCE
 - FLOOR ELEVATION
- FE=608.35

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-Letter submitted with
Rezoning Proposal
For background information

Duluth Planning Commission
402 City Hall
411 West 1st St.
Duluth, MN. 55802

Dear Commissioners,

I would like to take this opportunity to provide you with additional information related to Northwood Children's Services request to have one of its properties re-zoned to MU-1. The zoning was changed as part of the land use plan adopted by the city several years ago and, subsequently, the current use of the property is non-conforming.

Northwood Children's Services is a private, not-for profit (501 C3) agency that has provided care and treatment services to area children and families for 130 years. The oldest and largest organization of its kind in the state, Northwood is nationally accredited and enjoys an outstanding reputation for providing quality mental health services to its clients. Currently, the agency operates an array of programs for area children and families, including outpatient counseling services, in-home therapy, diagnostic and assessment services, therapeutic foster care, group homes, day treatment and residential treatment programs. The agency has an annual operating budget of \$14 million, and employs around 250 staff members. Three hundred children, with an average of 11 years, are served on any given day and about six hundred are served each year.

The property in question is located on 40th Avenue West, a county highway, just above the Canadian National railroad tracks. We own approximately 62 acres, most of it hilly and rocky terrain that is heavily wooded and not developable. Development is clustered in the only relatively flat area on the property, near the railroad tracks and about in the center of the plot of land.

The current use of the property is to provide residential and day treatment services to children and youth ages 5-18. There is a residence building housing up to 48 students at any given time, a school building and several support buildings, including three garages, an athletic field and a green house. Treatment services are provided on the site for about 100 students each day.

There are approximately 85 employees who work in the school and the treatment programs. The site has 115 parking places. The residence staff work a 24 hour, 7 day a week program, with three separate shifts, generating a minimum of noise and traffic that is spaced out during the day and evening. Business hours are 8-4:30, so support and professional staff arrive and depart at those times. 40th Avenue West is a designated county highway. The driveway directly comes from 40th to our private road.

. All of the 48 day treatment students are bussed by their home school districts, so there are about 8 buses/vehicles that drop the students off in the morning and pick them up at the end of the day. The children who live in the residence do not have vehicles, of course. Parents, social workers and other stakeholders come and go during the day (perhaps ten vehicles on average arriving and departing at various times).

There is one residential neighbor of the property with a view of the property from his home on Skyline Drive. He is an enthusiastic supporter of Northwood, and has stated on a number of

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occasions that he cannot imagine having a better neighbor because of the meticulous care and maintenance standards the organization employs for its facilities. To the east is the new middle school, to the west the highway, and to the south the railroad tracks. Literally, no one else has a view of the property, other than from the pull-over on Skyline Drive, where our students provide a much needed community service by routinely picking up garbage that is dumped, including trash, tires and appliances.

There are no noise impacts, other than the sound of a bat hitting a baseball or a foot connecting with a soccer ball. We have lights on the athletic field, used about 6 times a year in the fall. The only neighbor with a view of the field has told me he is drawn to his deck to watch what is going and appreciates the enrichment opportunities we provide to the traumatized children we serve.

There are no other visual impacts- one residence has a view of our facility. We have no plans for future development, other than a to build a 9,000 square foot building in the middle of the developed area within the middle of the site with a height of about 12 feet. As I understand the process, we will be required to submit our building plan for your review and will be happy to discuss those plans in more detail at that time.

Thank you for your consideration. I would be pleased to provide any additional information you may find helpful and answer any additional questions you may have. I will be available at the July meeting to respond to any concerns you may have.

Sincerely,

Richard Wolleat
President/CEO
Northwood Children's Services

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CITY OF DULUTH
 DEPARTMENT OF PUBLIC WORKS & UTILITIES
 Engineering Division
 211 City Hall • Duluth, Minnesota 55802
 (218) 723-3278 Fax: (218) 723-3374

PLAT 4590 PARCEL 020230

August 30, 2001

Jim Yeager
 Northwood Childrens' Services
 4000 West 9th Street
 Duluth MN 55807

Re: Water Pressure Tests at Northwood West

This letter is being sent at the request of the architect and construction engineer working on the new building at your facility.

The Department was asked to compare the differences in pressures and volumes of flow from hydrants near your facility. The two pressure zones are the "Low System" and the "Low System Boosted". Your facility is currently served from the "Low System Boosted", and we found that the hydrant #12635 on your property flowed 531gpm, with a static pressure of 94psi, and a residual of 65psi, on June 27, 2001, which represents a projected and calculated flow of 880 gpm @ 20 psi residual. On that same day, the hydrant at 41st Avenue West & 8th Street (#11867) was also checked and it flowed at 889gpm with a static pressure of 94psi, and a residual of 40psi, which represents a projected and calculated flow of 1055 gpm @ 20 psi residual. These tests were performed by Craig Johnson of Carlson Brothers Plumbing.

On August 24, the hydrants were checked again after 24 hours of being switched to the "Low System" pressure by the Department. The results showed the hydrant at your facility flowed at 380gpm, with a static pressure of 30psi, and a residual of 0+psi, which represents a projected and calculated flow of 210 gpm @ 20 psi residual. Please note that when we flowed this hydrant, there was no water available in any of the Northwood buildings. We also flowed the hydrant at 41st Avenue West & 8th Street and found the hydrant to flow at 670gpm with a static pressure of 75psi, and a residual pressure of 39psi, which represents a projected and calculated flow of 842 gpm @ 20 psi residual.

We also had a pressure recorder on the hydrant furthest into your property (#12637) for 24 hours prior to changing the system over from the "Boosted" to the "Low System". Generally, we found the pressure reading to be 75psi, with normal variations as the booster pump operated. We also found that this hydrant generally recorded a pressure of 25-30psi with normal fluctuations ranging from 50 to 5psi when placed on the "Low System" pressure. At the conclusion of the tests, your facility was placed back on the "Low Pressure Boosted".

It is our understanding that you are interested in constructing a new building and have a need to meet current fire protection standards. Please note that a higher pressure and volume could possibly be delivered from our "Middle System", which is approximately 4000 feet away from your facility. All of that information was provided to your architect previously. If you have any further questions, please do not hesitate to contact me at (218) 723-3278.

Sincerely,

 David J. Prusak, P.E.
 Chief Engineer of Utilities

- c: Bud Krause Duane Lasley John Ivey Thomas, John Ivey Thomas & Assoc.
 Steve Lipinski John Strongitharm Fred Strom, Johnson-Wilson Constructors

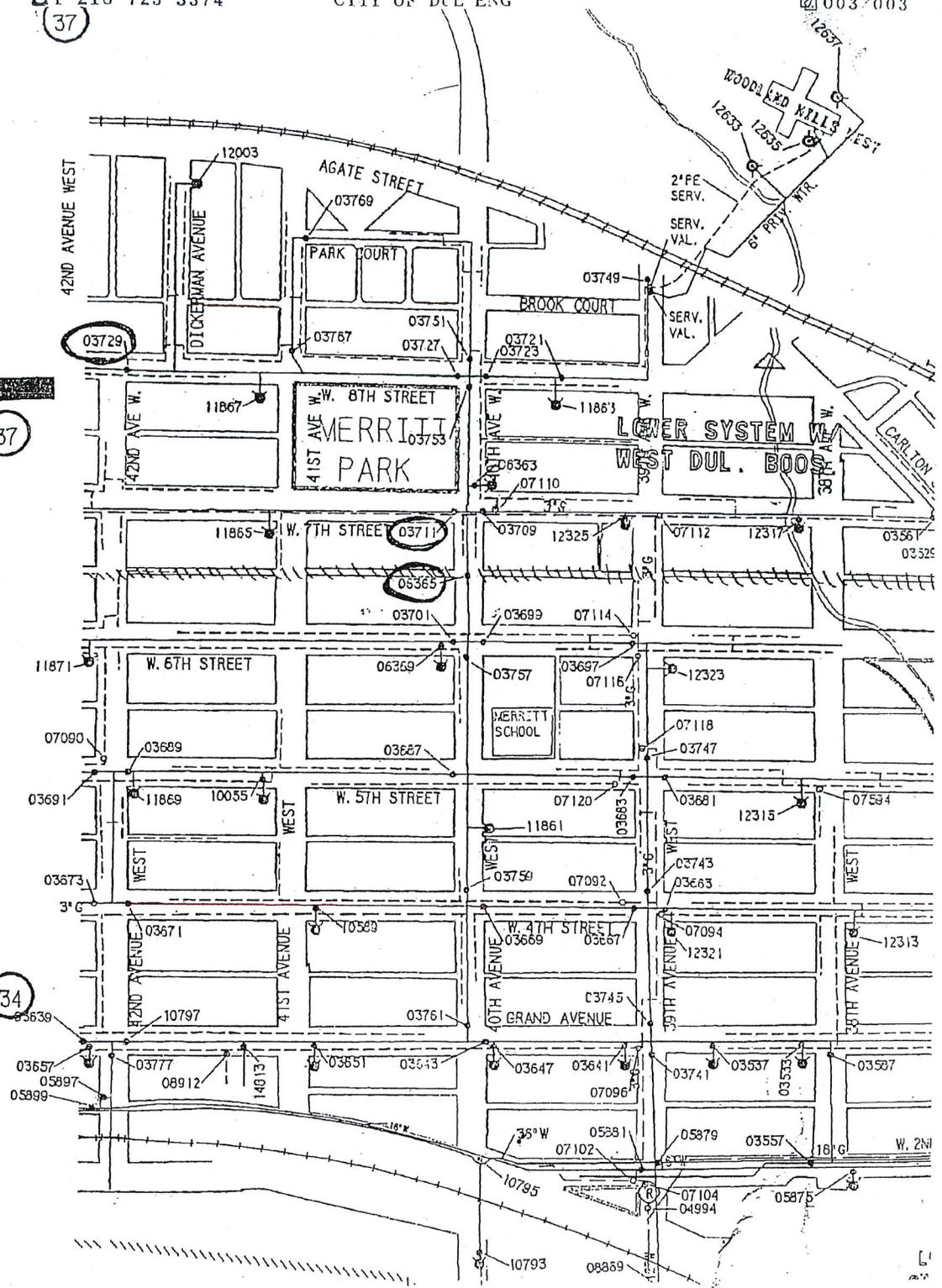
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(37)

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- Flowed HYDRANTS
- RECORDED HYDRANT

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JOHN IVEY THOMAS ASSOCIATES INC. ARCHITECTS

Architecture • Construction Administration • Property Management

July 16, 2001

Mr. John Strongitharm, Fire Marshal
City of Duluth Fire Department
602 West Second Street
Duluth, Minnesota 55808

NORTHWOOD CHILDREN'S SERVICES WEST CAMPUS

Dear John:

We have reviewed the location we visited with Jim Mohn (see memo) and with our excavating contractor. We can use the considerable excavated material to build a fourth side on the area proposed for the fire water storage containment.

Initially this will be built with a culvert until stabilized and completed on the inside and size verified to have a minimum of 100,000 free gallons below ice level, and then it would be filled.

We would propose to owners that they certify to you through Johnson-Wilson, the contractor, that they will, when requested complete this containment and install filter and piping to location toward new building as we discussed; unless in the interim you determine that City improvements could make this requirement moot.

Obviously, Northwood Children's Services is anxious not to miss this construction season and will appreciate your earliest approval and direction as to exactly the format of this guarantee that would also be enforced by your issuance of occupancy permit.

Sincerely,


John Ivey Thomas, AIA
Architect

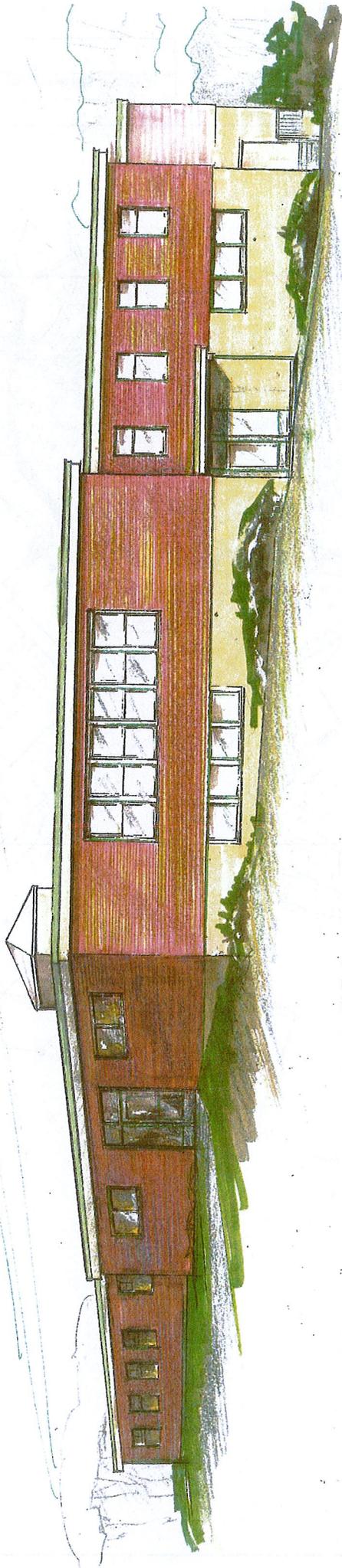
pm

encl.: Memo of meeting with Jim Mohn



413 EAST SUPERIOR STREET - DULUTH, MN 55802
PHONE: (218) 722-8271 • FAX: (218) 722-9550

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Additional Facility for Merritt Creek Academy
Northwood Children's Services



John Ivey Thomas Associates
413 East Superior Street
Duluth, Minnesota
8/26/08