



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 14-134 | Contact | Steven Robertson; 218 730 5295 | |
| Application Type | Special Use Permit for Mini-Storage | Planning Commission Date | September 23, 2014 | |
| Deadline for Action | Application Date | September 3, 2014 | 60 Days | October 27, 2014 |
| | Date Extension Letter Mailed | September 17, 2014 | 120 Days | December 26, 2014 |
| Location of Subject | 4514 Rice Lake Road | | | |
| Applicant | S Elliot Paulson Ent Inc | Contact | | |
| Agent | Steve Paulson | Contact | steviepaulson@yahoo.com | |
| Legal Description | | | | |
| Site Visit Date | September 16, 2014 | Sign Notice Date | September 6, 2014 | |
| Neighbor Letter Date | September 12, 2014 | Number of Letters Sent | 9 | |

Proposal

The applicant is requesting a Special Use Permit to expand the current mini-storage facility by constructing a new structure. The new structure be approximately 21,000 square feet and used primarily for storage, with some space for the operations office.

| | Current Zoning | Existing Land Use | Future Land Use Map Designation |
|----------------|-----------------------|--------------------------|--|
| Subject | RR-1 | Commercial | General Mixed Use |
| North | RR-1 | Commercial/Residential | General Mixed Use |
| South | RR-1/MU-B | Residential/Commercial | Preservation/Business Park |
| East | RR-1 | Residential | Preservation |
| West | RR-1 | Undeveloped (Airport) | Preservation |

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

UDC Section 50-37.10. Special Use Permits. The Planning Commission shall approve the application or approve it with modifications if the commission determines that the application meets the following criteria: 1. The application is consistent with the Comprehensive Land Use Plan; 2. The application complies with all applicable provisions of this Chapter, including without limitation any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area; 3. Without limiting the previous criteria, the commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

III. C-1

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

General Mixed Use-The broadest mix of uses, including light industrial, office, commercial, and residential use, with performance standards to ensure compatibility. Includes areas that are in transition from industrial uses and large redevelopments that require master plans and phased development. General or heavy industrial can be included when a large site is master planned to allow appropriate separation of uses.

The Planning Commission voted to approve changes the the UDC to allow mini-storage facilities in areas that are zoned RR-1 AND are in Airport Overlay Zone B. The ordinance for the text change is currently being reviewed by the City Council.

Past City Action: Res 95-0843 (Planning File 95-116) original Special Use Permit. Res 96-0921 (Planning File 96-139) allowed to sell one car at a time (to expire after 1 year); denied request for rental car operations and truck rental. Res 97-0869 (Planning File 97-129) allow additional storage structure. Res 01-0740 (Planning File 01-127) allow additional storage structure.

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

- 1) The applicant is requesting a Special Use Permit to expand the current mini-storage facility by constructing a new structure. The new structure be approximately 21,000 square feet and used primarily for storage, with some space for the operations office. The applicant adds that there will be individual storage units, as well as storage for campers, boats, and RVs (within the structure).
- 2) 50-20.2 (Use Specific Standards) requires that "in the RR-1 district, there shall be a minimum of 50 ft. of landscaped or naturally vegetated buffer from all property lines". It also states that "in the R districts a dense urban screen shall be installed along all side and rear property lines". The site plan from 2001 shows some landscape features, but they were either never planted, died after planting, or were removed by the property owner. There are other trees in the general area that act as buffer, but they are almost certainly on the adjacent property owners' property, not the applicants. At a minimum, the applicant should plant 1 tree per 35 feet on his property to act as a buffer. This does not meet the level as a "dense urban screen" required by the code, but should act as a reasonable screening tool to reduce impacts on adjacent properties. The interior side lot line is approximate 660 feet in length (20 trees), and the rear property line is approximately 610 feet (18 trees).
- 3) 50-24 (Parking and Loading). Parking is required at 1 space per 20 parking spaces, and 2.5 parking spaces per 1,000 sq ft. The applicant will provide 5 parking spaces on a paved surface in front of his office.
- 4) 50-25 (Landscaping and Tree Preservation). Due to the small size of the parking lot, the applicant only needs to provide enough landscaping to 30% tree canopy coverage. Street frontage landscaping is required along Rice Lake Road/Frontage Road, Norton Road. Requirement is 1 tree per 35 feet of frontage, and 1 large shrub per 25 feet of frontage.
- 5) 50-26 (Screening, Walls and Fences). The applicant's preliminary plans are not showing exterior equipment or a dumpster, but if those are provided, they must be screened.
- 6) 50-29 (Sustainability Standards) and 50-30 (Building Design Standards). Project needs to conform to these standards.
- 7) 50-31 (Exterior Lighting). No additional lighting is provided.
- 8) This property is in the Airport Overlay District, Zone B. This zone restricts the use of new structures that may attract large gatherings of citizens (church, school, etc). It also restricts new structures via the ratio of site area to building area on table 50-18.2-2.
- 9) No citizen or City Department comments were received on the plan review.
- 10) Future use of this property is limited to special and permitted uses allowed in the RR-1 zone district (unless rezoned). No existing legal non-conforming use is allowed to expand.
- 11) An approved Special Use Permit will expire if the project or activity authorized by the permit is not begun within 1 year.

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

Based on the above findings, Staff recommends the Planning Commission approve the Special Use Permit, subject to conditions:

- 1) The project be limited to, constructed, and maintained according to plans submitted (9/9/14 site plan, information provided by owner) and (9/3/14 replacement storage garage); the SUP is allowed provided the text amendment is passed by the City Council.
- 2) Applicant submit a survey of the property prepared by a registered land surveyor, showing property pins and locations of structures on applicant's property. This survey will be used to verify setbacks and required vegetation buffer.
- 3) Applicant revise the landscape plan to show required buffer landscaping along the side and rear property lines, and street frontage landscaping along Rice Lake Road/Frontage Road, and Norton Road. Vegetation to be planted no later than July 31, 2015. Vegetation to be maintained by property owner, and dead vegetation to be replaced by property owner.
- 4) Applicant submit with building permit revised sustainability information and conformance to commercial design standards.
- 5) Applicant submit, and receive approval for, a storm water plan prior to starting construction.
- 6) Applicant submit a performance bond that the City can use in the event that the applicant does not meet landscaping or stormwater requirements by July 31, 2015.
- 7) 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 approval; however, no such administrative approval shall constitute a variance. ☐

C-2

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



City Planning

PL 14-134

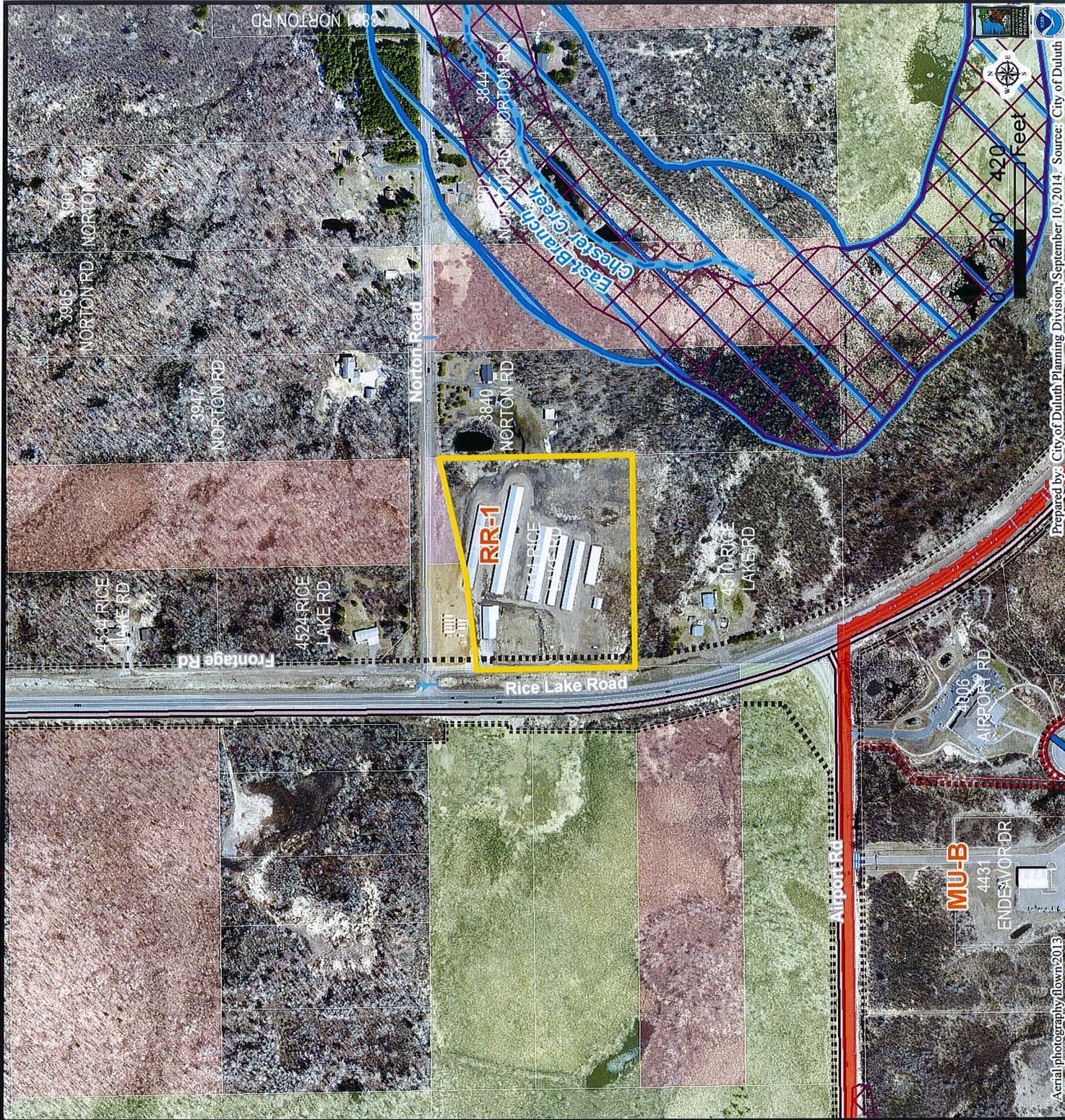
4514 Rice Lake Road

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Zoning Boundaries**
- Zoning Boundaries
- Water Distribution System**
- 30 - 60" Water Pipe
- 16 - 24" Water Pipe
- 4 - 6" Water Pipe
- Sanitary Sewer Collection System**
- Sanitary Sewer Collector
- Sanitary Sewer Interceptor
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Gas Distribution Main**
- 8" - 16" Gas Pipes
- 4" - 6" Gas Pipes
- 0" - 4" Gas Pipes
- Storm Sewer Collection System**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Right-of-Way Type**
- Road or Alley ROW
- Vacated ROW
- Easement Type**
- Utility Easement
- Other Easement
- Shoreland Overlay Zone**
- Cold Water
- Natural Environment
- General Development
- Floodplain Type**
- General Flood Plain
- Flood Way
- Flood Fringe

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.

C-3



Aerial photography from 2013

Prepared by: City of Duluth Planning Division, September 10, 2014. Source: City of Duluth



City Planning

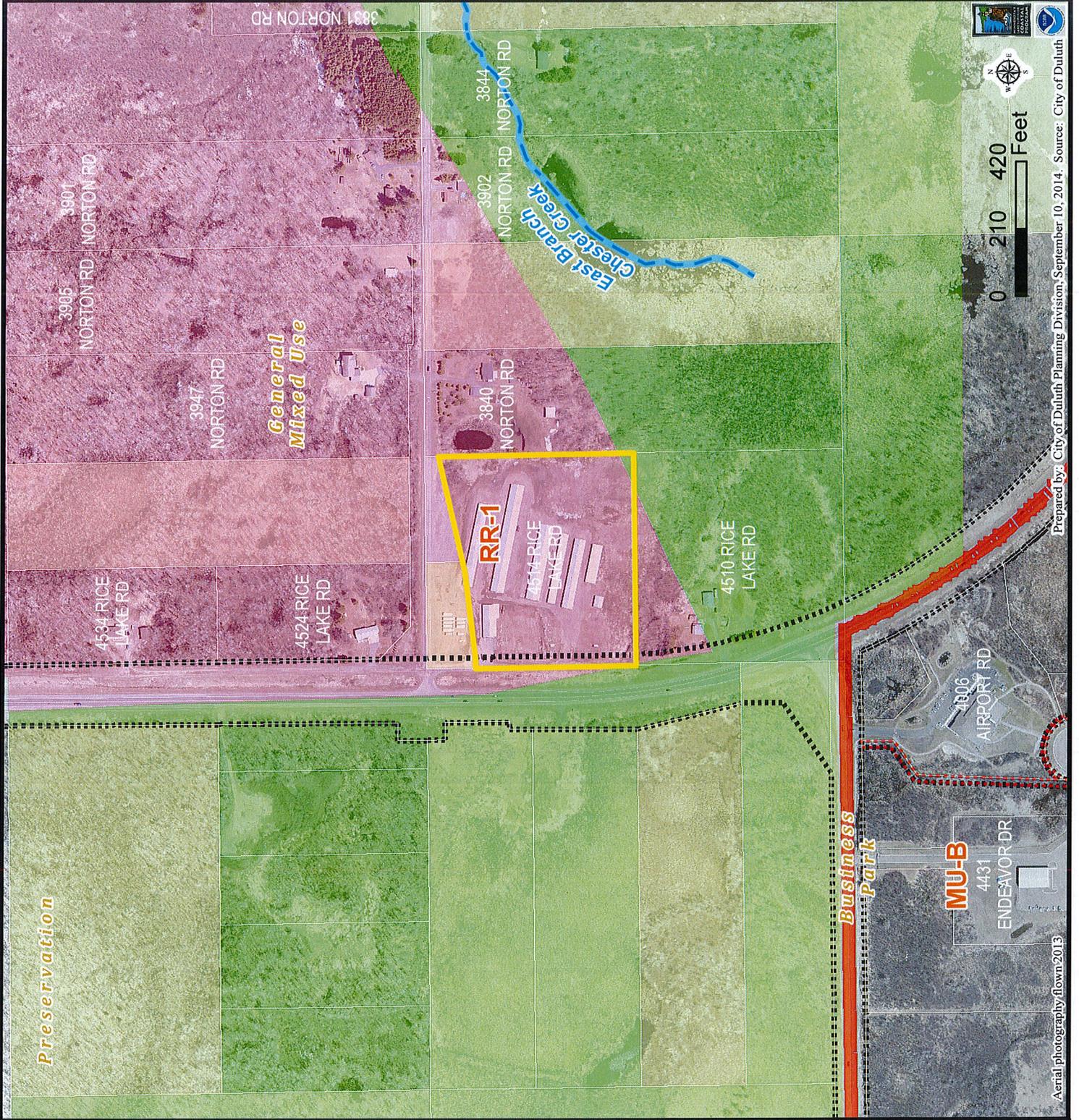
PL 14-134

4514 Rice Lake Road

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Zoning Boundaries**
- Zoning Boundaries
- Right-of-Way Type
- Road or Alley ROW
- Vacated ROW
- Easement Type**
- Utility Easement
- Other Easement
- Future Land Use**
- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

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Aerial photography flown 2/13

Prepared by: City of Duluth Planning Division, September 10, 2014. Source: City of Duluth

5/2007



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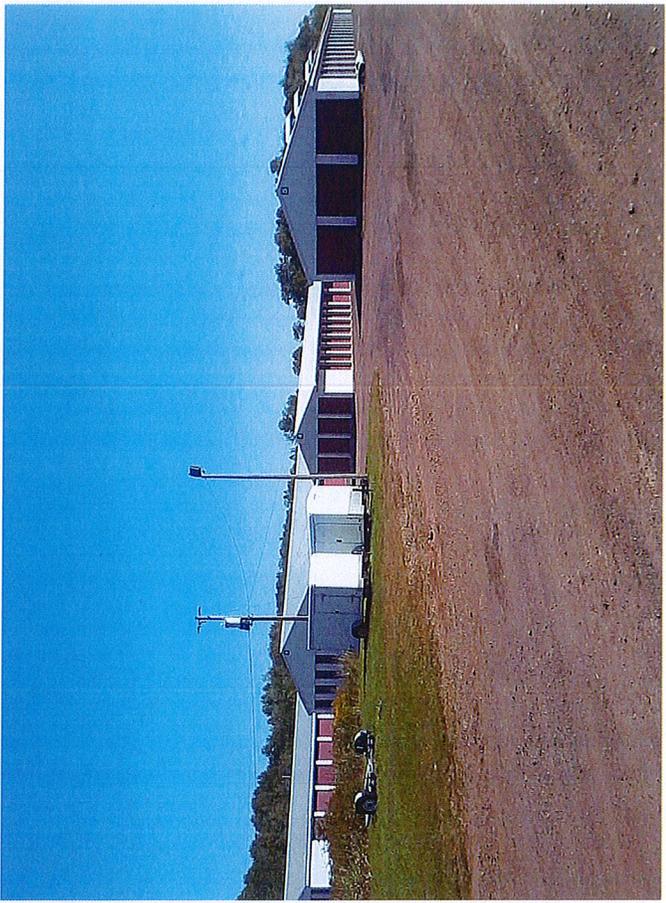
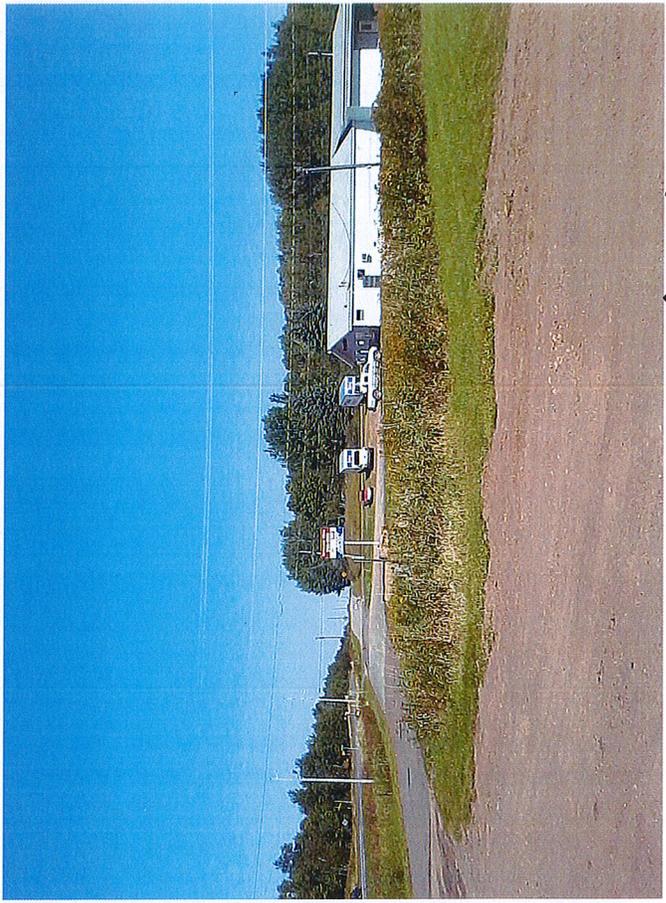
C-5

5/2013



C-6

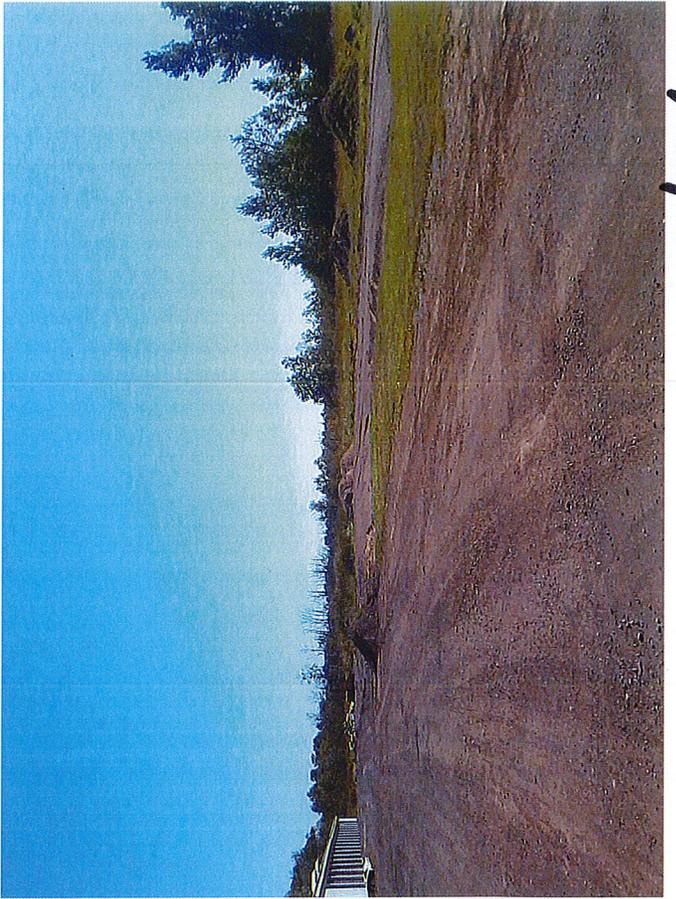
H/9/1/2



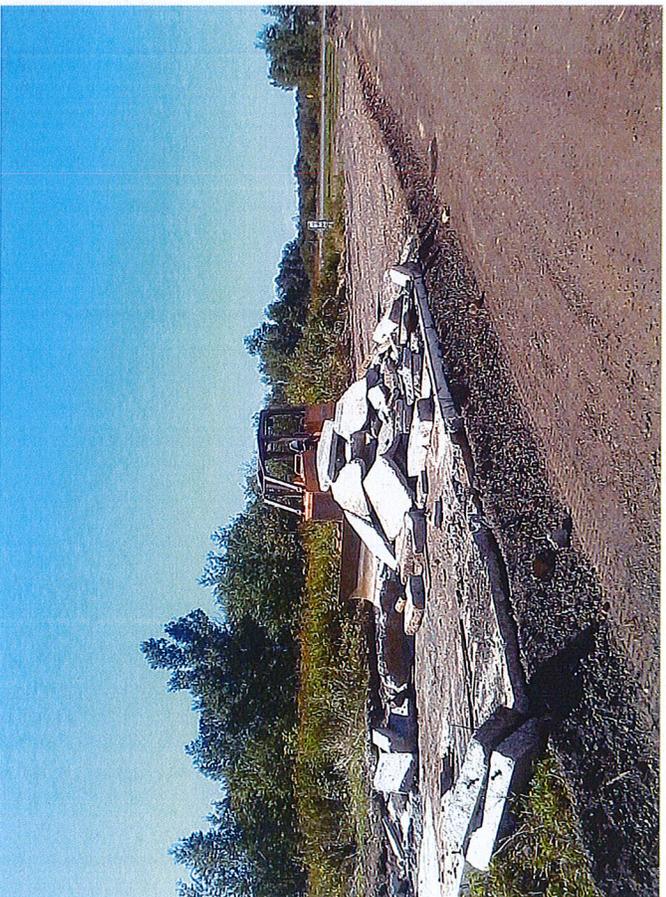
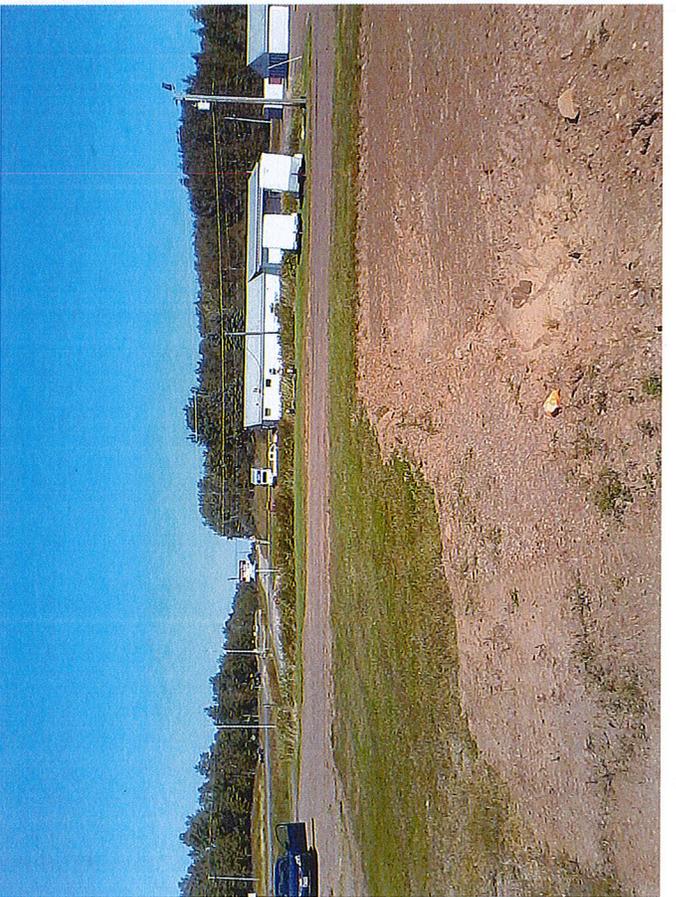
C-7



5/16/14



2-2



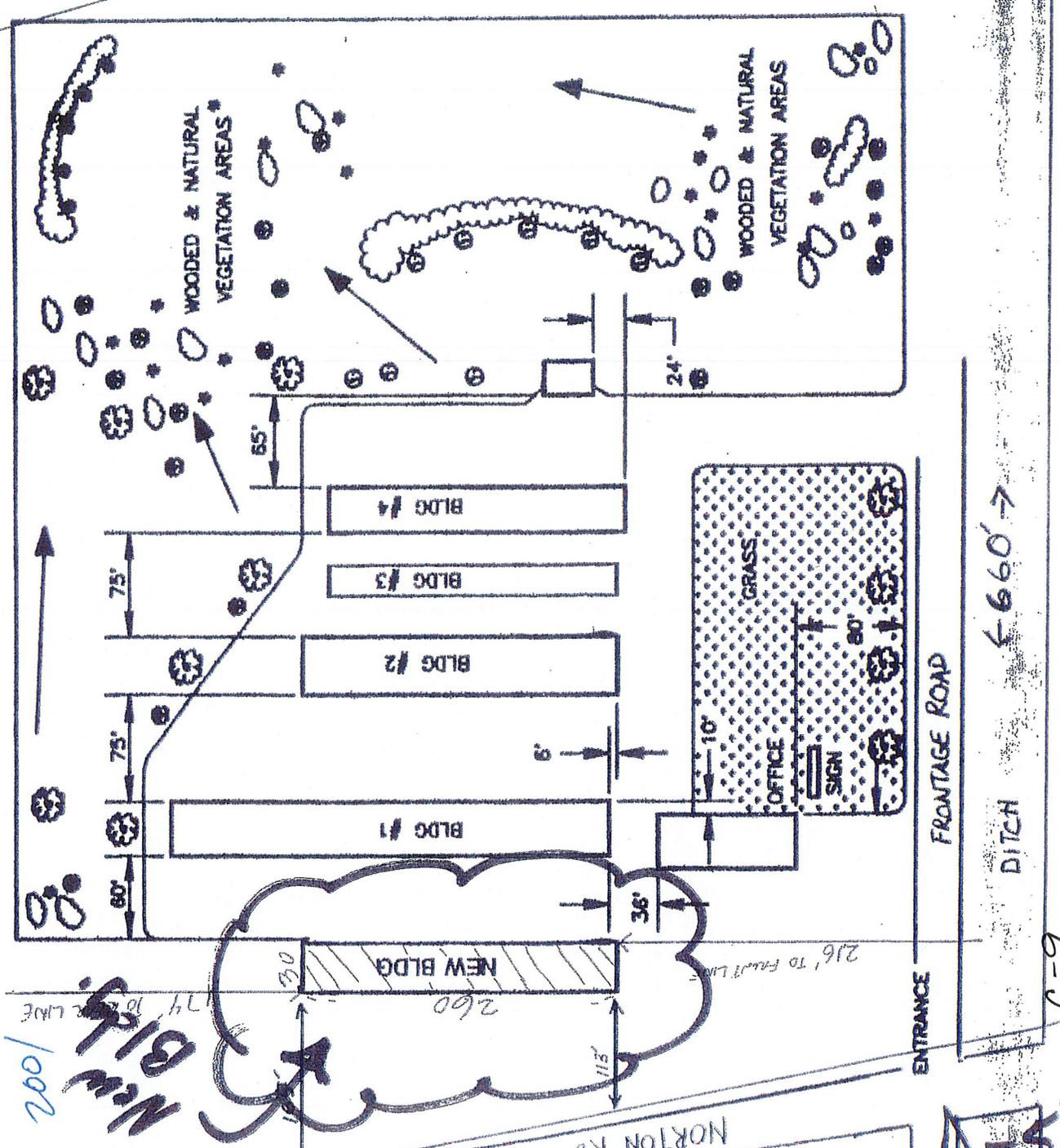
2001 Site Plan

DULUTH LANDS IN THE CITY
 S/L 05T/B 050 PG 14 ACR 9.00
 NW 1/4 OF SW 1/4 OF SW 1/4 EX THAT P
 LYING N OF ROADWAY.
 4514 RICE LAKE RO.



LEGEND

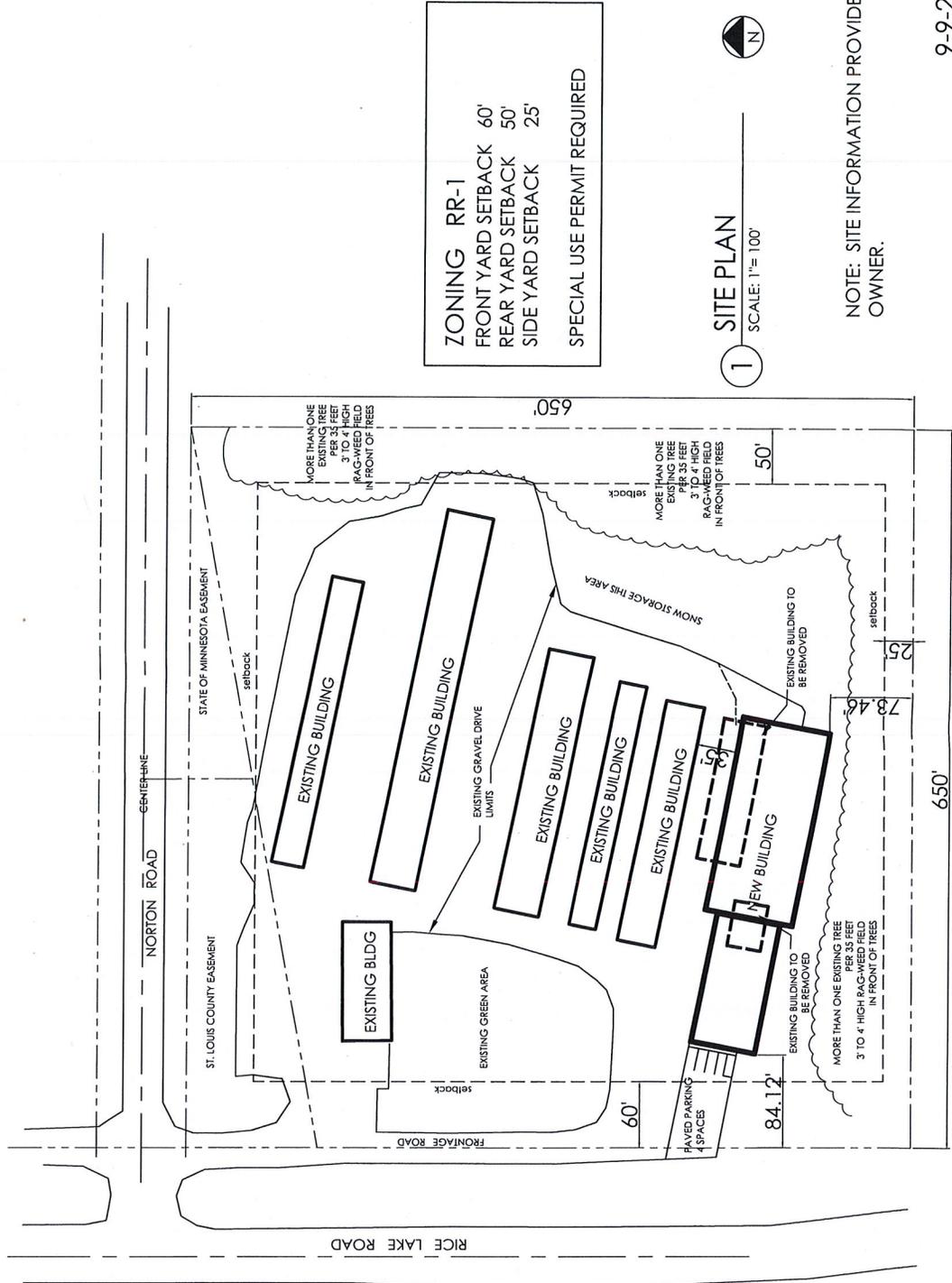
SHOWS DRAINAGE



C-9

STORAGE KING BUILDING REPLACEMENT

4514 RICE LAKE ROAD DULUTH, MN



ZONING RR-1
 FRONT YARD SETBACK 60'
 REAR YARD SETBACK 50'
 SIDE YARD SETBACK 25'
 SPECIAL USE PERMIT REQUIRED

1 SITE PLAN
 SCALE: 1"= 100'

NOTE: SITE INFORMATION PROVIDED BY OWNER.

9-9-2014

C-12

STORAGE KING - REPLACEMENT STORAGE GARAGE

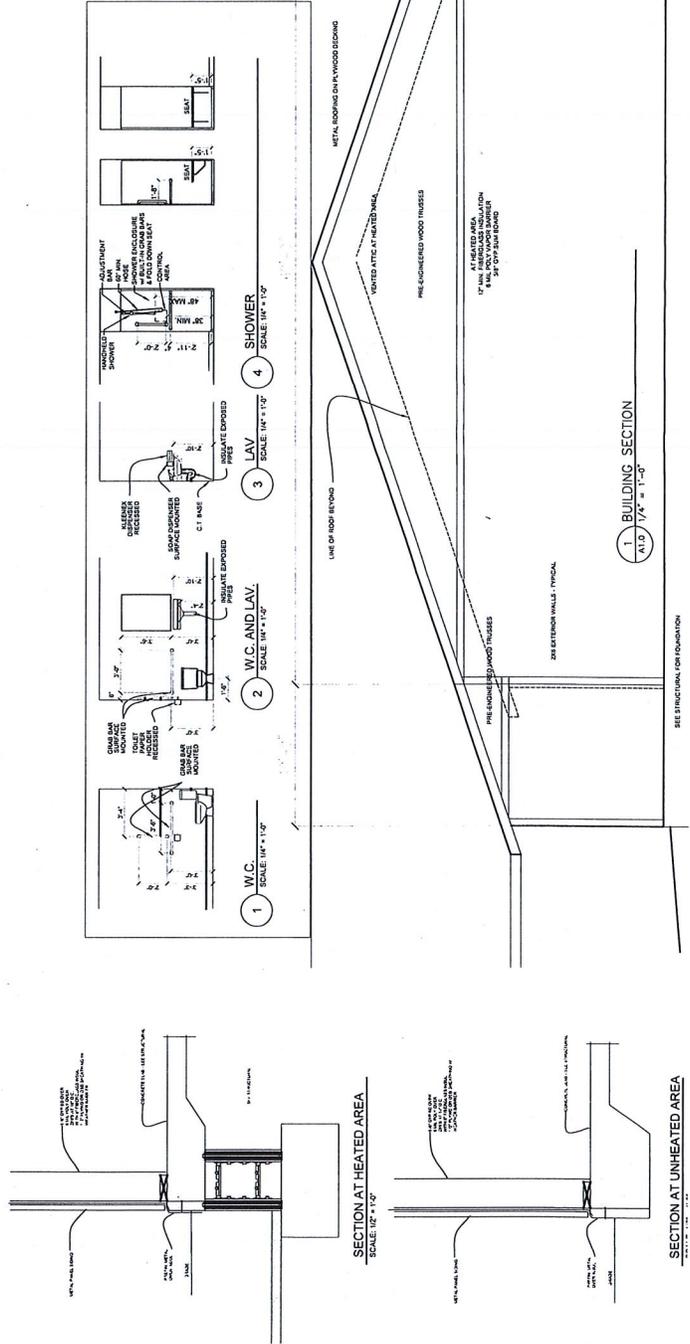
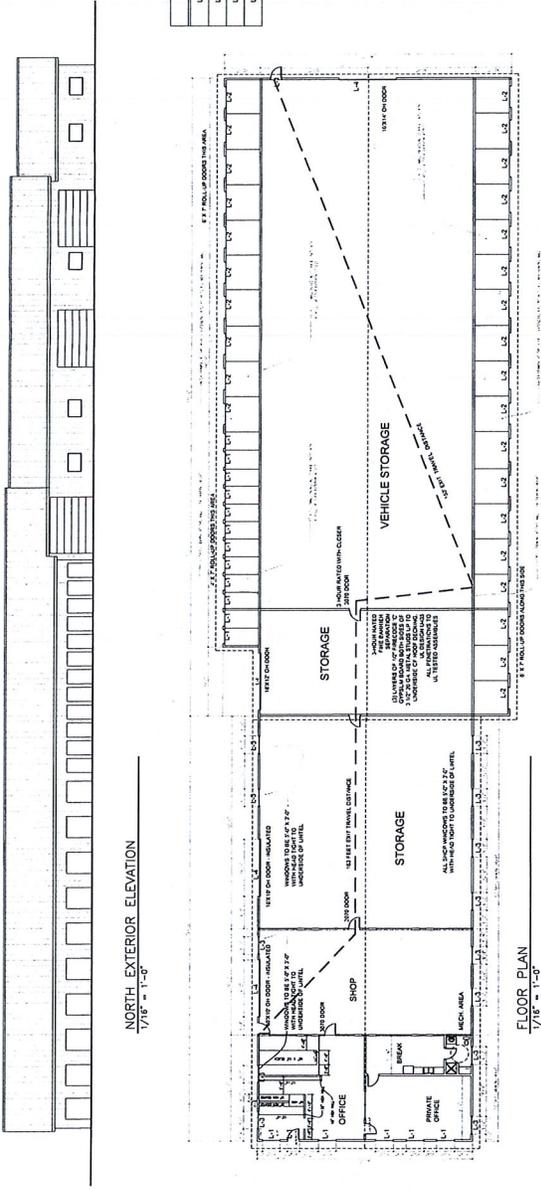
RECEIVED SEP 03 2014

CODE ANALYSIS SUMMARY:

| SECTION | DESCRIPTION | REQUIREMENT | COMPLIANCE |
|---|------------------------------------|-------------|-------------|
| BUILDING USE | ADMINISTRATION BUILDING AND GARAGE | NO. 1 | TABLE 501.3 |
| SPRINKLER | NO | NO. 2 | TABLE 501.3 |
| ACTUAL BUILDING AREA | 1,000 S.F. | NO. 3 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT | 11.00 S.F. | NO. 4 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME | 11,000 S.F. FT. | NO. 5 | TABLE 501.3 |
| ACTUAL BUILDING AREA PER FOOT | 11,000 S.F. FT. | NO. 6 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT PER FOOT | 11,000 S.F. FT. | NO. 7 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME PER FOOT | 11,000 S.F. FT. | NO. 8 | TABLE 501.3 |
| ACTUAL BUILDING AREA PER FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 9 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT PER FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 10 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME PER FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 11 | TABLE 501.3 |
| ACTUAL BUILDING AREA PER FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 12 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT PER FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 13 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME PER FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 14 | TABLE 501.3 |
| ACTUAL BUILDING AREA PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 15 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 16 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 17 | TABLE 501.3 |
| ACTUAL BUILDING AREA PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 18 | TABLE 501.3 |
| ACTUAL BUILDING HEIGHT PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 19 | TABLE 501.3 |
| ACTUAL BUILDING VOLUME PER FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT PER SQUARE FOOT | 11,000 S.F. FT. | NO. 20 | TABLE 501.3 |

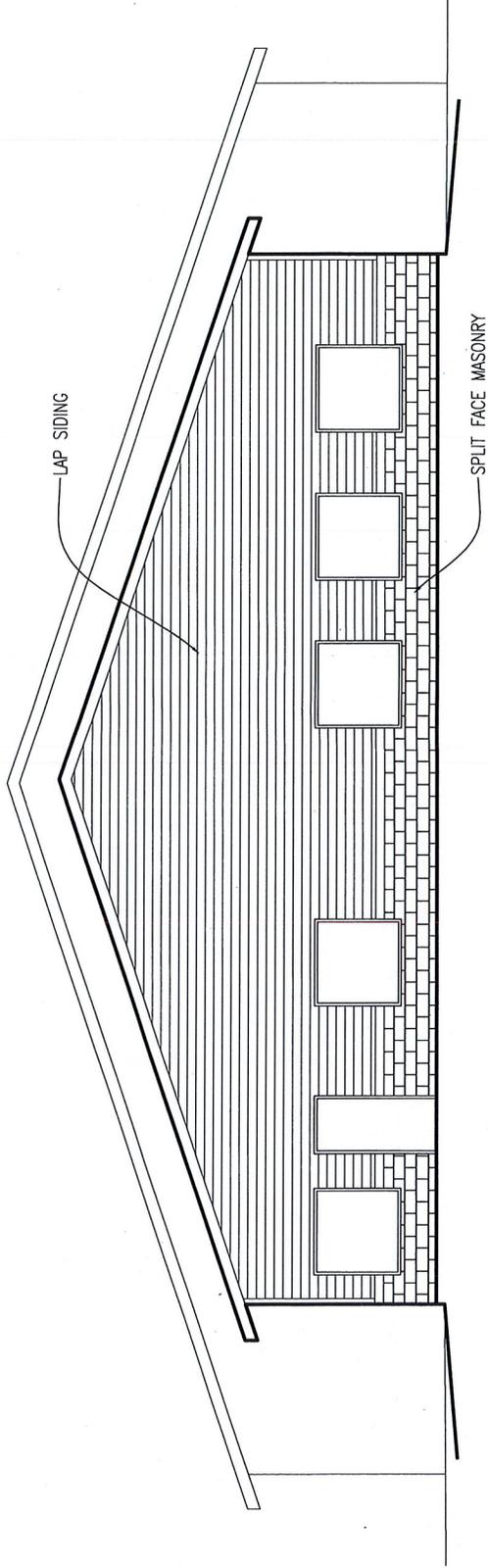
UNTEL SCHEDULE

| UNTEL | DESCRIPTION |
|-------|---|
| L1 | (2) 5/8" UNTEL - MIN. 1" OF BEARS EA. END |
| L2 | (2) 5/8" UNTEL - MIN. 2" BEARS EA. END |
| L3 | (2) 5/8" UNTEL - MIN. 3" BEARS EA. END |
| L4 | (2) 5/8" UNTEL - MIN. 4" BEARS EA. END |



C-11

STORAGE KING - REPLACEMENT STORAGE GARAGE



RICE LAKE ROAD ELEVATION
N.T.S.

Uses Allowed in Residential-Rural 1 (RR-1) Zone District Revised July 16, 2014

Permitted Uses

- Dwelling, one family
- Residential care facility/assisted living (6 or fewer)
- Government building or public safety facility
- Park, playground, or forest reserve
- Religious assembly, small (less than 50,000 sq. ft.)
- School, elementary
- Agriculture, general
- Agriculture, urban
- Seasonal camp or cabin
- Day care facility, small (14 or fewer)

Special or Interim Uses

- Cemetery or mausoleum
- Religious assembly, large (50,000 sq. ft. or more)
- School, middle or high
- Kennel
- Riding Stable
- Veterinarian or animal hospital
- Golf course
- Recreational Vehicle Park
- Other outdoor entertainment or recreation use not listed
- Preschool
- Day care facility, large (15 or more)
- Garden material sales
- Electric power transmission line or substation
- Major utility or wireless telecommunication facility
- Radio or television broadcasting tower
- Solar, geothermal, or biomass power facility (primary use)
- Water or sewer pumping stations/reservoirs
- Wind power facility (primary use)
- Solid waste disposal or processing facility

Interim Uses

- Vacation dwelling unit

C-13

September 2, 2014

To Whom It May Concern:

I am applying for a special use permit for mini storage at 4514 Rice Lake Road to replace two old buildings with one new building. I have been operating as a mini storage facility since 1995 with a special use permit. This property used to be a rundown egg farm that had been closed for years before I bought it and turned it into mini storage.

I am tearing down two dilapidated buildings with the plan to replace the two old ones with one new building. I will be enhancing my storage facility by being able to meet customer needs that I am not able to meet right now. There will be no negative impact to the community with this replacement building. It will actually have positive impact because I will be able to meet the needs of many in the community and it will enhance the overall appearance of the storage facility. With this new construction, I will be able to add a number of smaller individual units as well as offer storage for camper/boats/RV's etc. that would otherwise be parked in yards and driveways over the winter.

Currently, I am turning away customers due to lack of units available for rent, as well as customers with larger boats, campers, and classic cars for winter warehouse storage.

Please grant me this special use permit so that I may expand my mini storage facility.

Sincerely,



Stevie Paulson

Storage King

4514 Rice Lake Road

Duluth, MN 55803

RECEIVED SEP 03 2014



h1-2



