



**CITY OF DULUTH**

Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
 Phone: 218/730.5580 Fax: 218/723-3559

**STAFF REPORT**

<b>File Number</b>	PL 15-188	<b>Contact</b>	Steven Robertson	
<b>Application Type</b>	MU-I Planning Review	<b>Planning Commission Date</b>	February 9, 2016	
<b>Deadline for Action</b>	<b>Application Date</b>	December 29, 2015	<b>60 Days</b>	February 27, 2016
	<b>Date Extension Letter Mailed</b>	January 21, 2016	<b>120 Days</b>	April 27, 2016
<b>Location of Subject</b>	1215 Rice Lake Road			
<b>Applicant</b>	Marshall School	<b>Contact</b>	Elizabeth Tessier, CFO	
<b>Agent</b>	Michele Miller, Johnson, Killen, & Seiler, P.A.	<b>Contact</b>	218-722-6331	
<b>Legal Description</b>	See attached			
<b>Site Visit Date</b>	February 1, 2016	<b>Sign Notice Date</b>	January 26, 2016	
<b>Neighbor Letter Date</b>	January 27, 2016	<b>Number of Letters Sent</b>	80	

**Proposal**

The applicant would like to provide living quarters for up to 30-32 international students that attend Marshall School; an existing structure will be converted from business/office use to a dormitory/rooming house for students.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	MU-I	School	Institutional
<b>North</b>	R-1/RR-1	Residential	Low Density Neighborhood
<b>South</b>	MU-N/MU-P	Commercial	General Mixed Use
<b>East</b>	R-1	Residential	Traditional Neighborhood
<b>West</b>	R-2/MU-C	Residential	Urban Residential

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

50-15.4 MU-I District  
 50-37.11 Planning Review - Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of this Chapter.

The purpose state of the MU-I district that that it is "established to provide for the unique development needs and impacts of major medical, educational and research institutional development. The intent is to give institutional landowners the flexibility to plan and develop their facilities while ensuring that surrounding neighborhoods are protected from adverse impacts, such as traffic, overshadowing buildings, noise and unexpected expansion of institutional uses into residential areas". The MU-I district allows for many different land uses, but unless there is an approved "District Plan" for the property, a Planning Review (in front of the Planning Commission), is required for all development and redevelopment at the site.

I.D.-1

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

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

Recent History: The Marshall School Campus was rezoned from R-1 to MU-I by Council Ordinance 10420 (effective 12/12/15).

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

-Proposal: The applicant would like to provide living quarters for up to 30-32 international students that attend Marshall School; an existing structure will be converted from business/office use to a dormitory/rooming house for students.

Issue/Item for Review: All proposals for development and redevelopment must be reviewed by the Planning Commission in the MU-I district; a change of use is considered to be redevelopment.

- 1) 50-15.4 (MU-I District) - Property is zoned MU-I. Setbacks for new structures in the MU-I zone is 0 feet, and height is limited to 46 feet as this structure is within 200 feet of an R-1 zone. No new structures are being proposed.
- 2) 50-18.1 (Natural Resources Overlay) - The majority of the property is not within any floodplain or shoreland. A small portion of the NE corner of the site is within the general shoreland setback for Brewery Creek, but outside the 50 foot structure setback. Brewery Creek is channelized in an underground line when it crosses under Rice Lake Road, and remains underground as it traverses this site.
- 3) 50-24 (Parking) - The change of use to a dormitory/rooming house will require fewer parking spaces than the former office use. No new additional parking spaces are being proposed. Most, if not all, of the international students will not own vehicles.
- 4) 50-25 (Landscaping) - Since no new structure is being proposed nor any reconstruction of the parking lot is being proposed, and the value of any new improvements will likely not exceed the 75% of current assessed market value threshold, no additional parking lot landscaping is required. Buffer landscaping is required between residential and institutional uses, but there already exists a screening fence and screening vegetation around residential properties to the north.
- 5) 50-26 (Screening) - No dumpsters or exterior mounted equipment are planned at this time. In the future if any of these items are located on site, they must be screened per standard screening requirements.
- 6) 50-29 (Sustainability) and 50-30 (Design Standards)- Not required/do not apply.
- 7) 50-31 (Exterior Lighting) - No plans submitted at this time; a lighting plan will be required for any new exterior lighting.
- 8) No public, City or agency comments were received at this time. One written comment was received last year when the property was being rezoned to MU-I, asking for additional screening to reduce noise and light impacts to residential properties across Rice Lake Road (especially around the MARS Arena). The County is planning on constructing a 10 foot sidewalk along the western edge of Rice Lake Road and will be acquiring land from the applicant for right of way purposes. Due to this fact, there will not be sufficient room for new street frontage landscaping as the County will be using this land for sidewalk purposes.
- 9) Per UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized is not begun within 1 year.

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

Based on the above findings, Staff recommends that Planning Commission approve the Planning Review subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to the plan dated December 29, 2015, submitted with this application.
- 2) 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.

D-2

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

## Application Cover Sheet – The Marshall School Exhibit A

**Describe the Reasons for this Request:**

The Marshall School's predecessor was Duluth Cathedral Senior High School and the real estate was owned by the Catholic Diocese of Duluth. At one time, the annex to the school was constructed and used as a convent to house some of the Diocese's nuns. Later, the annex was used as student housing. In the late 1980s, The Marshall School decided to convert the annex to a different use and began placing international students with host families. The number of international students attending The Marshall School has risen dramatically over the last ten years and it is no longer feasible to continue placing students with host families, many of which have no connection to The Marshall School. Further, having the international students housed on campus will increase student safety, create an atmosphere of comradery and support among the students, provide 24/7 adult supervision of and support to the students, allow the students to fully participate in extracurricular activities, and allow for a better integration of the students into The Marshall School community.

On November 29, 2015, the Duluth City Council passed Resolution No. 15-090-O, a copy of which is attached, reclassifying property owned by The Marshall School from Residential-Traditional (R-1) to Mixed Use-Institutional (MU-I) and amending the official zoning map of the city of Duluth. The Resolution took effect 30 days after its passage and publication. Amending the zoning map and reclassifying the property to MU-I permits The Marshall School to use part of its building for the proposed residence hall to house the international students.

Also attached for your review and consideration are two copies of the most recent schematic prepared by DSGW Architects, one 8.5x11 with color coding and one 8.5x14 for easier reading.

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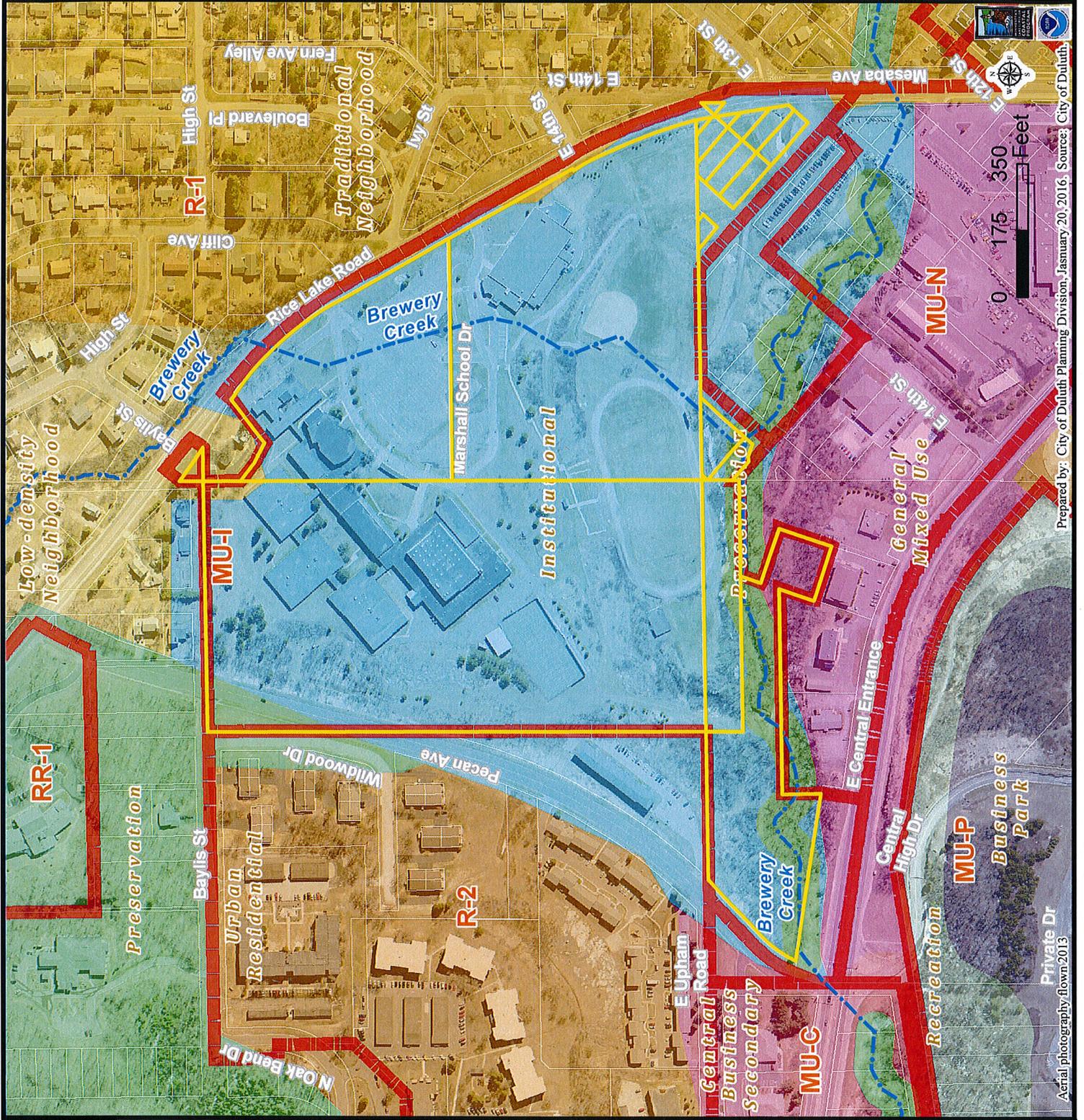


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**City Planning**  
 PL 15-188  
 1215 Rice Lake Road  
 Planning Review



Aerial photography: flowm 2013

Prepared by: City of Duluth Planning Division, January 20, 2016, Source: City of Duluth

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**City Planning**  
 PL 15-188  
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**Legend**

**DuluthStream\_cl**

**TROUT\_FLAG**

-  Trout Stream (GPS)
-  Other Stream (GPS)

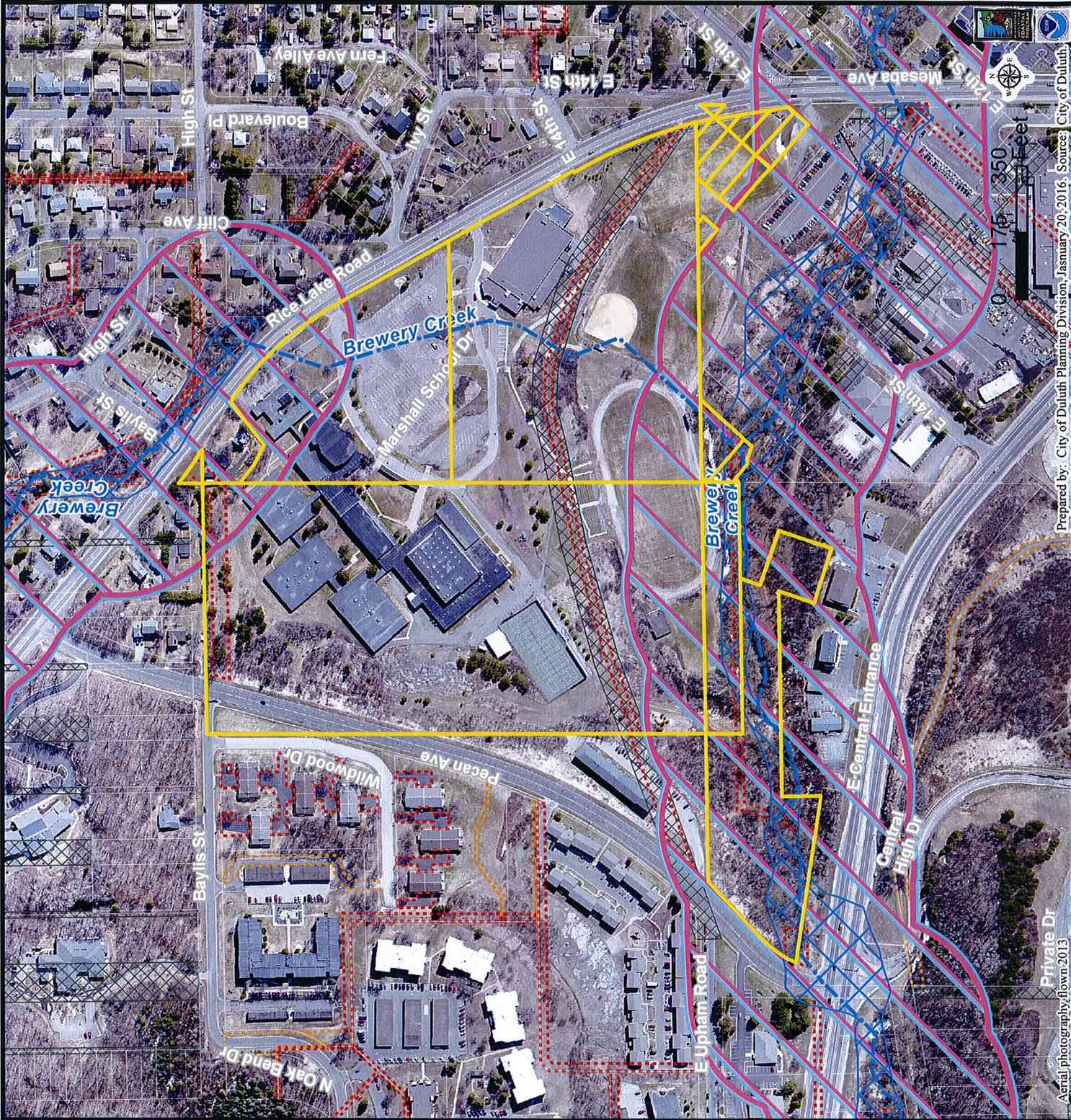
**Easement Type**

**Easement Type**

-  Utility Easement
-  Other Easement

**ROW\_STATUS**

-  Vacated ROW



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Aerial photography from 2013

Prepared by: City of Duluth Planning Division, January 20, 2016, Source: City of Duluth



## EXECUTIVE SUMMARY - MARSHALL SCHOOL RESIDENCE HALL OBJECTIVES

Marshall School has been enrolling international students into its academic program for decades. For many years, the international students were 1 year exchange students, coming from familiar programs such as AFS, EF, YFA, and IE. Students came from diverse countries around the world, including Europe, South America, and occasionally, Asia. Students came with the intention to spend a year experiencing American culture and High School life, as well as practicing their English language skills in an immersion environment. Many years ago, the Marshall Board of Trustees created two tuition-free spots for such international students per year, endorsing and protecting the importance of an international presence within the school.

Over the past 10 years, the composition of international students at Marshall has changed. Long-term degree seeking students have begun applying at the secondary level, mirroring a worldwide trend in international student mobility. These students are also intent on improving their English language skills in an immersion environment – but differ in their long-term goals. The students intend to apply to a U.S. college or university, and possibly beyond, staying in the United States for the duration of their educational path.

In response, Marshall has added a full-time director of the program, and a part-time ESL instructor. The director maintains the school's homestay program, where students live with families in the Duluth community.

The program now numbers 20 students, with the potential to grow and diversify. At this key point, Marshall proposes the building of an on-campus residence hall to house the students, which will accomplish several key goals:

- Increased safety of the students
- Improve the student's potential for academic success
- Create an atmosphere for the physical/social/emotional health and growth of the students
- The creation of an intentional community, where there is support, camaraderie, opportunity, and supportive adult time available to students 24/7
- Eligibility for international students to participate at the JV and Varsity level of MSHSL activities for the duration of their time at Marshall School
- A Marshall School space dedicated to integrating the international population with domestic students and faculty through common spaces and planned activities
- The opportunity to grow the program in numbers, and expand marketing efforts into countries where boarding is strongly preferred over homestay

The international program at Marshall is a resource that exemplifies Marshall's mission to educate students to become global citizens. A residence hall would allow Marshall to fully realize the potential of the program, and provide a space where students will be better protected, and have more opportunity to access school resources. In addition, their presence on campus will allow the domestic Marshall community to interact with them in a way that is not currently possible – bringing the mission to life across a broader constituency.

## **RESIDENCE LIFE**

Beyond any other role a residence hall at Marshall School will play, a safe and inviting place to call home is chief among them for the thirty or so international students that will be occupying its rooms. Just like the school itself, the residence hall needs to strike the right balance of academic focus, community building and fun.

### **Weekday Operations:**

A typical weekday will begin at around 6 am for the students. They will have an opportunity to have breakfast in the dining room and get ready for class, which will begin at 8am. During the school day, the residence hall will be off-limits to students unless they receive permission from staff due to illness or must return to their room to retrieve a piece of homework that was forgotten. This policy will be necessary to keep residence hall students engaged in the academic day along with the rest of the school population.

### **Weeknight Operations:**

Students will end their school days at 3:05 PM during the week and the residence hall will be open to students starting at that time. Many students will then participate with sports and after school clubs, etc. Students will be free to work on homework and enjoy quiet time in the residence hall. Dinner will be available each evening and students who plan on not being in the residence hall for dinner will need to make arrangements ahead of time with the supervising staff so that the correct amount of food can be prepared and so the student can receive his/her dinner at a later time due to an athletic practice, etc.

### **Weekend Operations:**

On weekends all three meals will be prepared and available for students in the residence halls. Students are responsible for notifying staff if they will not be requiring a certain meal because they have plans off-campus. The Director of Residential Life and the Supervisors will work together to plan a weekend activity schedule that students can sign-up for so that there is always an opportunity to participate in engaging activities during the weekend. Students will be free to leave campus as long as there is a record of where they will be going and when they will be returning. All students will be required to be checked into the residence hall by 9 PM on Friday, Saturday and Sunday evenings unless express permission is granted by the residence hall staff.

### **Special Residence Life Programming:**

One aim of the residence hall will be to serve as a bridge for the international students and the rest of the student body. The hall itself can be used as a place for clubs, sports teams, etc. to meet and have celebrations. This will allow each part of the student population to spend time together outside of the school itself.

### **Host Families:**

Marshall School International Program has fostered a thriving and important relationship with local families that has allowed the students to become acquainted with life for families living in northern Minnesota. Although the residence hall will replace the need to have host families for boarding students, the program will introduce "friend families" by providing students with opportunities to join local families for short periods of time to experience family life and special outings/events.

## **EDUCATIONAL AND HOUSING SERVICES**

### **Services provided by Marshall**

College preparatory educational services  
Housing for 10 (ten) months  
Meal service for 10 (ten) months  
24-hour per day, 7-day per week, supervision for 10 (ten) months  
Admissions and registration processing  
Student and Exchange Visitor Information Systems (SEVIS) processing  
English as a Second Language classes  
Test of English as a Foreign Language services  
Scholastic Aptitude Test Verbal preparation  
Ongoing student support  
Periodic written reports to parents on student progress  
College Counseling services  
Extra-curricular activities, such as academic, club and athletic activities

### **Students' Responsibilities**

Travel expenses to and from their home countries  
Medical care, emergency or routine  
Student laptop  
Optional field trips, including foreign trips  
International student health insurance  
Non-essential personal expenses including clothing, technology and entertainment

### **Residential Student Agreement**

A Residential Student Agreement (RSA) will be agreed to by Marshall and the student and his or her family. The RSA will define required civil and responsible behavior on the part of the student as a condition of their attendance at Marshall.



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## FUNCTIONAL SPACES DEFINED

The residence hall being proposed will include space for thirty-two single occupant dorm rooms, three separate shower rooms segregated by gender, an on-site residence for the Director of Residential Life, two apartments for the supervising staff, a guest apartment for relief staff as well as visiting parents from abroad, dining room and kitchen, a study gathering space and a lower-level game room and laundry facilities.

**Dorm rooms:** Each room will be the personal space of a single student. The room will accommodate a bed, a bureau and a desk.

**Director of Residential Life's Residence:** This will be a fully functional apartment space for either a single person or a couple. It will have a kitchen and a separate bathroom. The apartment will also have a separate entrance to ensure privacy.

**Supervising Staff Apartments:** These two spaces will be functional apartments for a single person and come equipped with kitchenettes and a separate bathroom.

**Guest Apartment Space:** This will be a space that will stand ready for visiting families or guest supervisors who will be brought in when live-in staff need to be relieved.

**Laundry Room:** The laundry room will allow students to clean their clothing as well as their bedding. Personal hygiene will be an important part of life for the residence hall. The supervising staff will be responsible for making sure that the students are washing their bedding at least once a month.

**Study Gathering Space:** This space will be set-aside specifically for students to work on their homework or school projects. There will be computers available for homework purposes.

**Game Room:** This space will allow students to come together for the simple but important purpose of fun and enjoying each other's company. This room may include T.V. sets with gaming systems, an air hockey table, board games and potentially even a small library.

**Security of the building:** The residence hall will have a security and alarm system that will be set at a certain time every night and will also be activated during the school day. This will be akin to locking one's door when leaving the house. This measure will be in place to protect the belongings of all residence and to protect the structural integrity of the building itself. The Director of Residential Life and the Supervisors will be the keepers of the code for the building as well as key members of the Marshall Staff.

### **Residence Hall Cleaning Protocol:**

Students and staff will be responsible for cleaning their own personal spaces. The supervisors will have the task of monitoring the students' rooms on a regular basis to ensure that they are maintaining hygienic practices. The Marshall School janitorial staff will perform routine cleanings of the bathrooms and common areas.

## STAFFING & RESPONSIBILITIES

### International Programs Director:

- Manage the recruitment and enrollment of students in Marshall's international program
- Manage the school's international financial aid process and budget
- Engage in marketing and strategic planning to ensure the long-term sustainability of the program
- Create and manage student immigration records in SEVIS

### International Programs Coordinator:

- Sharing and communicating student information across departments as necessary in order to integrate the academic, health, and personal well-being of the international students
- Program management as assigned for short-term exchanges, visits, and special events
- Monitoring and keeping records of students tuition payments, lunch account balances, invoices and contracts with the appropriate offices
- Managing international alumni relations and outreach

### Director of Residential Life:

- Responsible for scheduling residence hall staff
- Approves residence hall programming
- Liaison to Marshall School staff
- Assists in budgeting for the residence hall
- Point of contact for all auxiliary services

### Residence Hall Supervisors:

- Prepare meals for students for each required meal time
- Oversee the set-up and clean-up of meals
- Liaison with the Food Service Director to transport food and dishes
- Monitor public spaces for behavioral issues
- Monitor the whereabouts and time schedules of students
- Administer morning and evening medications when necessary
- Assist with daily routines and life skills

### Substitute Supervisors:

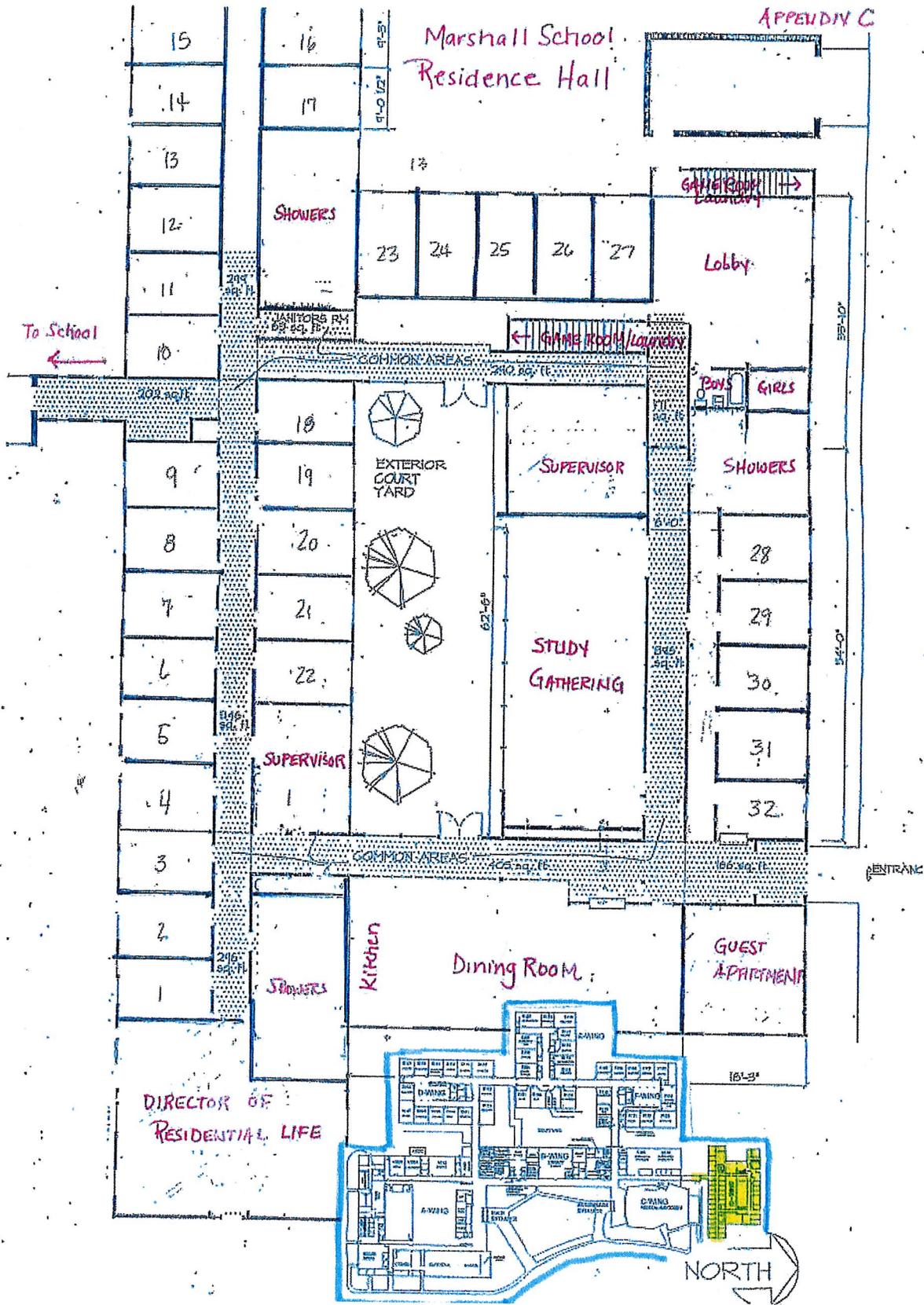
- Perform all the duties of the Supervisors when the usual staff are on vacation or taking the monthly weekend off.

### Marshall School Food Service Director/Staff:

- Make and deliver meals that will be warmed and served by the Supervisors
- Create a meal calendar to post for the students

### Marshall School Health Center Staff:

- Administer daytime medication to students at school
- Remain up-to-date on all student health records



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