CITY OF DULUTH
Planning Division

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

STAFF REPORT

File Number	PL 16-014		**Contact**	Steven Robertson	
Application Type	Variance from Maximum Off-Street Parking		**Planning Commission Date**	May 10, 2016	
Deadline for Action	**Application Date**	April 11, 2016*	**60 Days**	June 10, 2016	
	Date Extension Letter Mailed	April 28, 2016	**120 Days**	August 9, 2016	
Location of Subject	NE Side or Rice Lake Road, Between Technology Drive and Krueger Road				
Applicant	Duluth Public Schools Academy		**Contact**	Pacific Education Partners	
Agent	David Chmielewski, Blackhoof Development		**Contact**	dave@blackhoof.com	
Legal Description	PIN 010-2710-0515				
Site Visit Date	April 30, 2016		**Sign Notice Date**	April 26, 2016	
Neighbor Letter Date	April 28, 2016		**Number of Letters Sent**	9	

Proposal

The applicant is seeking a variance to the maximum allowed off-street parking spaces allowed in the UDC. The maximum limit based on current UDC standards for high schools of 3 stalls per classroom or 1 stall per 8 auditorium seats, is 111 parking spaces (167 parking spaces after the allowed adjustment of 150% of the base requirement). The applicant is seeking 330 parking spaces.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	RR-1*	Recreation/Green Space	Business Park*
North	RR-1	Recreation/Green Space	Business Park/Rural Residential
South	RR-1	Undeveloped	Rural Residential
East	R-2	Elementary School/Office	Urban Residential/Light Industrial
West	MU-B	Recreation/Light Industrial	Business Park

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

Sec. 50-37.9.C. - General Variance Criteria. See attachment setting forth standards related to General Variance Criteria.

Sec. 50-37.9.G.3 - Exceeding required parking spaces. Variances from the maximum parking limits provided for in 50-2.4 shall not exceed 200 percent of the minimum requirement provided in table 50-24.1.

II. 6-1

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

Business Park-Primarily office and light industrial areas developed in a unified manner, with standards for site design and circulation patterns, signage, landscaping and building design.

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

This project is related to 3 variance applications, PL 16-014 (to allow more off-street parking spaces than allowed by the zoning code), PL 16-015 (to allow front yard parking in a residential district), and PL 16-029 (to exceed the maximum height allowed for structures in the RR-1 district). See PL 16-013 for additional background information (traffic study, wetland replacement plan, etc). The applicant had SRF Consulting study the impacts on the surrounding area; a peak parking demand of 285 parking spaces was determined for the school.

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

1) In the Variance Application Supplemental Form (attached with staff report) the applicant states that "the use of the property, high school in an RR-1 district, is permitted by Special Use Permit. There is a demonstrated need for more parking at schools than is presently permitted by the UDC. That the need is felt acutely at the neighboring North Star Academy site, leading to parking overflowing unsafely onto streets and also requiring leased space at neighboring business. The need for the relief is due to the uniqueness of the school and use on any property. The attached comparison of area high schools and their parking accommodations suggest the UDC maximum is woefully short of the real parking needs of a high school. Such a need may be less acute in a traditional neighborhood where on street parking is available. Parking on Rice Lake Road and other roadways nearby is not safe for this site nor is it desirable for neighboring properties or the City of Duluth, and that may be considered a difficulty specific to this site."

2) General Variance Standards:
2A) Lot Characteristics. The property does contain topographic conditions, such as significant wetlands, that may constitute a practical difficulty to use the property. The site is very large however, and other conditions typically associated with practical difficulty related to the lot (small lot area, narrow lot width, unusual shape of the lot, significant shoreland setbacks, floodplains, etc.) are not present on this property.
2B) Special Circumstances. The special circumstances or conditions that exist on this property (wetlands) were not created by the applicant. Significant wetlands are not unusual in this area nor specific to this property.
2C) Property Right. The relief requested by the applicant is not necessary for the preservation and enjoyment of the continuing property right. This property has a current reasonable use (recreation/athletic). It is understood, however, that there are traffic and parking impacts created by the DPSA Elementary School, and that additional parking on this site would reduce the traffic and parking problems that currently exist.
2D) Light and Air. The relief, if granted, would not impair an adequate supply of light and air to adjacent property owners.
2E) Intent. The relief, if granted, may impair the intent of this Chapter. The UDC adopted maximum parking standards based on the 2006 Comprehensive Plan (Principle #10, Take Sustainable Actions). Site design that minimizes impact on the natural environment by reducing impervious surfaces where possible (such as reducing, or limiting the increase of stormwater runoff), is one of the reasons that the City adopted off-street parking maximums in the 2010 UDC.

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

Staff recommend that the Planning Commission hear public comment at the May 10th regular Planning Commission meeting, but table discussion until the June 14th regular meeting. This will allow time for the City Council to consider text changes to the Unified Development Chapter (off-street parking requirements).

Planning staff are recommending an increase to the current parking requirement, to 5.5 parking spaces for each classroom or 2 parking spaces per 1,000 square feet, whichever is greater. This would have the net result of 314 off street parking spaces (38 class rooms multiplied by 5.5 is 209 parking spaces, multiplied by 1.5 for maximum parking is 314 off-street parking spaces). If the City Council approves the UDC change, it may negate the applicant's need for a off-street parking variance.

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

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COMMERCIAL RESIDENTIAL

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email: gps.foundations@gmail.com

DSPA 8-12 SCHOOL

PARKING COUNT VARIANCE
VARIANCE APPLICATION - SUPPLEMENTAL FORM

List UDC Section you are seeking relief from:
Section 50-24.4: Maximum Number of Parking Spaces.

Is the applicant proposing to use the lot in a reasonable manner? YES
The use of the property - High School in and RR-1 District - is permitted by Special Use Permit. There is a demonstrated need for more parking at schools than is presently permitted by the UDC. That need is felt acutely at the neighboring North Star Academy site, leading to parking overflowing unsafely onto streets and also requiring leased space at neighboring businesses.

Is the need for relief due to circumstances unique to this property? NO*
The need for the relief is due to the uniqueness of the school land-use on any property. The attached comparison of area high schools and their parking accommodations suggests that the UDC maximum is woefully short of the real parking needs of a high school. *Such a need may be less acute in a traditional neighborhood where on street parking is available. Parking on Rice Lake Road and other roadways nearby is not safe for this site nor is it desirable for neighboring properties or the City of Duluth, and that may be considered a difficulty specific to this site.

Will granting this variance alter the essential character of this area? NO
On the contrary, making sure that on-site parking is adequate to meet the needs of the school will protect the neighboring businesses and traffic traveling through.

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Is this request consistent with the intent of the UDC and Comprehensive Plan? YES
As stated above, the current UDC allows a school to be developed in the current RR-1 District, and we maintain that more parking is necessary for this land use.

Explain how the special circumstances or conditions that create the need for relief are NOT directly or indirectly created by the action or inaction of the property owner or applicant:
The UDC restrictions do not align with the safe and functional use of a school. Because no on street parking is available, the only reasonable alternative is adequate off street parking.

Will the variance impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety or unreasonably diminish or impair the established property values within the surrounding areas or in any other respect impair the health, safety, and welfare of the inhabitants of the city? NO
Again on the contrary, having adequate on-site parking will only benefit adjacent properties and roadways.

Does the relief allow any type of sign that is not allowed in the zone district where the property is located? NO

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D - M? YES
The G provision does apply. As maintained above, neither the provisions on 50-24.4 nor the minimal increase allowed by 50-37.9.G.3 is adequate. This inadequacy produces a demonstrable threat to the health, safety and welfare of the tenants of this site as well as to neighboring sites and area traffic.

Attachments: "Variance Request for Additional Required Parking Spaces" - Northland Consulting Engineers
Site Plan - Northland Consulting Engineers

Respectfully Submitted:
Greg Strom, Architect

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Variance Request for Additional Required Parking Spaces:

In reference to UDC Section 50-24.2, Required Parking Spaces, it is requested that the City of Duluth consider allowing a variance to increase the required amount of off-street parking. Based on Table 50-24-1, Off-Street Parking Spaces Required, the maximum allowable amount of off street parking is 167 spaces. Number of classrooms and auditorium seating were both considered, see below:

- UDC Off Street Parking Language: School, Middle or High: 1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom whichever is greater.

Allowable Parking Based on UDC	
Number of Classrooms:	37
3 Stalls Per Classroom:	111
Maximum Allowable Stalls (150%):	**167**
Number of Auditorium Seats:	518
1 Stall Per 8 Auditorium Seats:	65
Maximum Allowable Stalls (150%):	**97**

NCE researched the parking conditions at other local high schools to compare the ratio of parking stalls per student. A traffic study was also conducted by SRF Consulting to study the impacts on the surrounding area. A peak parking demand of 285 spaces was determined for the school. The new high school will have about 85 staff and 825 students. See tables below showing the findings:

School Name	Parking Stall Count	Student Population	Stalls/Student
East High School	382	1345	0.28
Denfeld High School	373	1071	0.35
Proctor High School	289	500	0.58
Hermantown High School	630	626	1.01
Marshall High School	330	450	0.73
Central High School (closed)	506	853	0.59
Averages:	**418.3**	**808**	**0.59**

DPSA Parking Characteristics	Parking Stall Count	Student Population	Stalls/Student
UDC Maximum Allowable:	167	825	0.20
SRF Peak Demand (Traffic Study):	285	825	0.35
Site Plan (dated 2/4/16):	330	825	0.40

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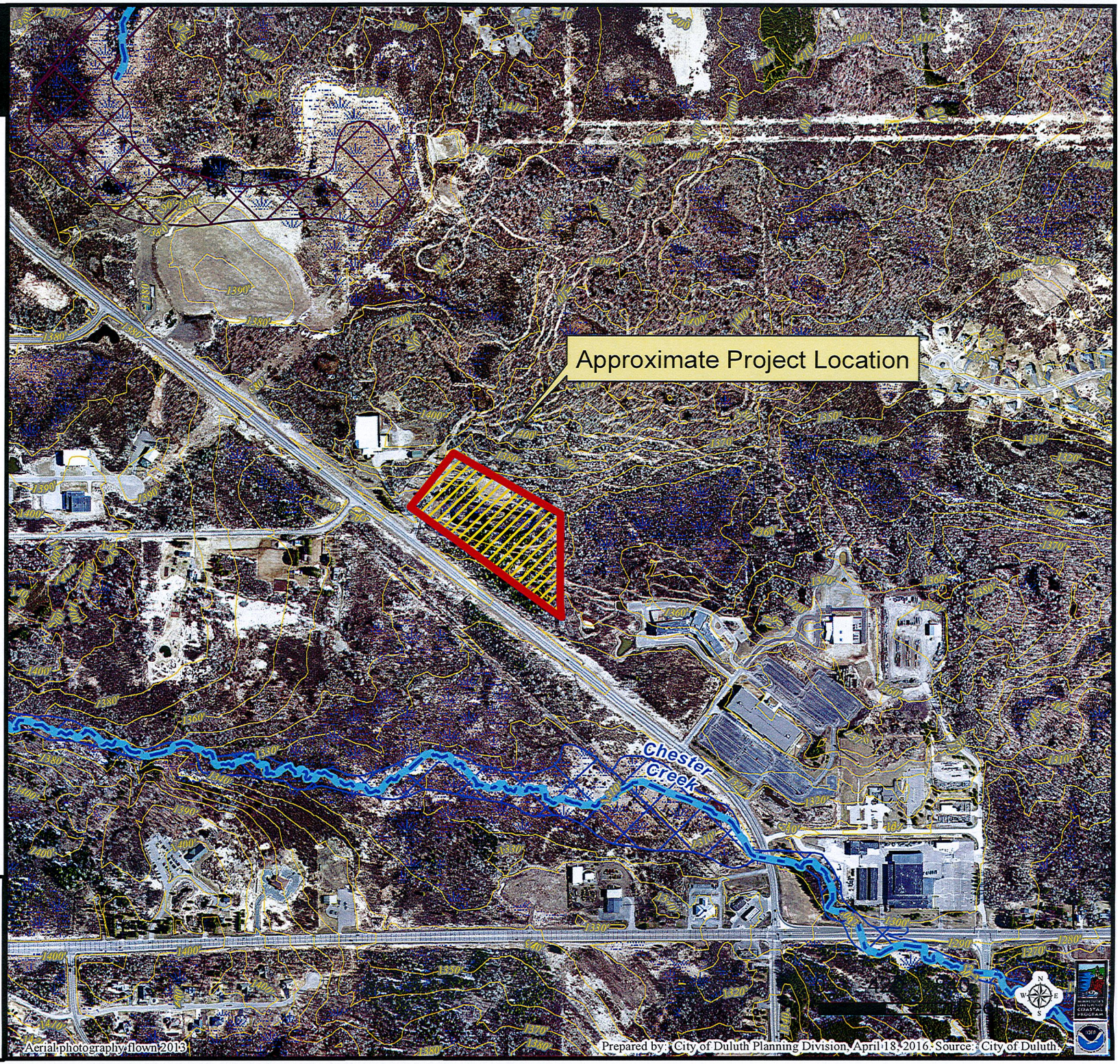
The results show a major discrepancy on the amount of allowable parking. Today the area is a safety hazard for students and staff of the adjacent Northstar Academy. Some staff park in leased spaces at the Arrowhead Tennis Center and Involta andare then shuttled to the school. Parents also wait along Rice Lake Road to pick up the students, again crating a major safety concern due to the lack of parking near on the Northstar site. By not allowing adequate parking on the site, this trend will only continue at the new high school.Therefore we are requesting a variance to accommodate 330 new parking spaces.

City Planning
Edison High School
SUP and 3 Variances



Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Wetlands (NRRI)
- 10' Contour (elev. change)

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.

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City Planning
Edison High School
SUP and 3 Variances

Legend

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

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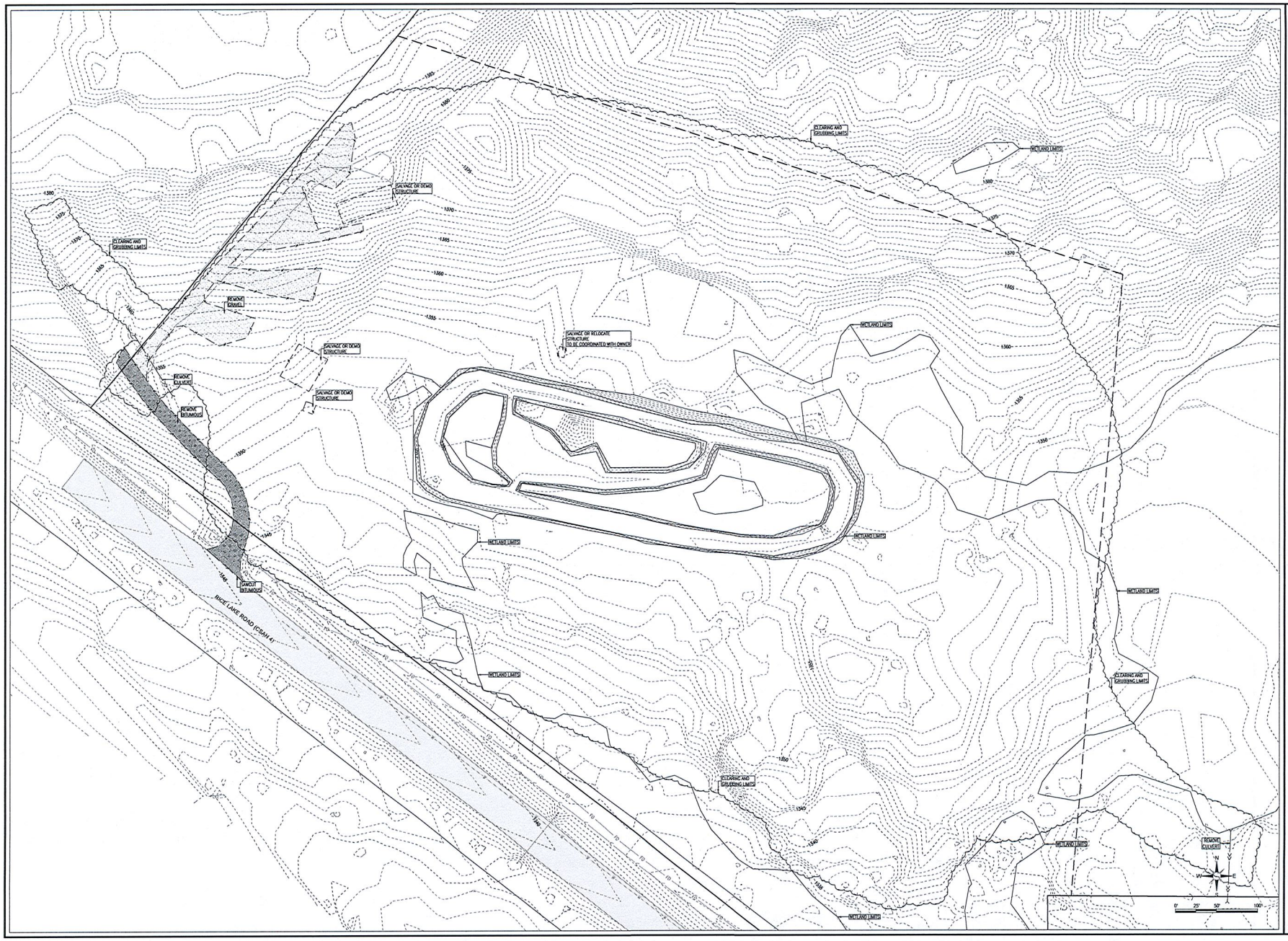
POSSIBLE SKI STAGING AREA
SCHOOL
FFE 1353.00
EVENT BUS PARKING/DROP OFF
BUS DROP OFF/FIRE LANE
high point
low point
Northland
Consulting Engineers L.L.P.
DULUTH, MN
SCHOOL SITE
Proj #: 15-504-C
Date: 01/26/2016
Drawn By: ARZ
Checked By: DCB
SCHOOL SITE
Sheet Title
Sheet Number

G-9



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JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
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PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE _____
DAVID BOLF, PE

DATE XX/XX/XX LICENSE No. 40926

PROPOSED BUILDING FOR:
DECS 8-12 SCHOOL
43xx RICE LAKE ROAD
DULUTH, MINNESOTA 55811

OWNER:
PROJECT OWNER

REVISIONS

ISSUED DATE
04/15/2016

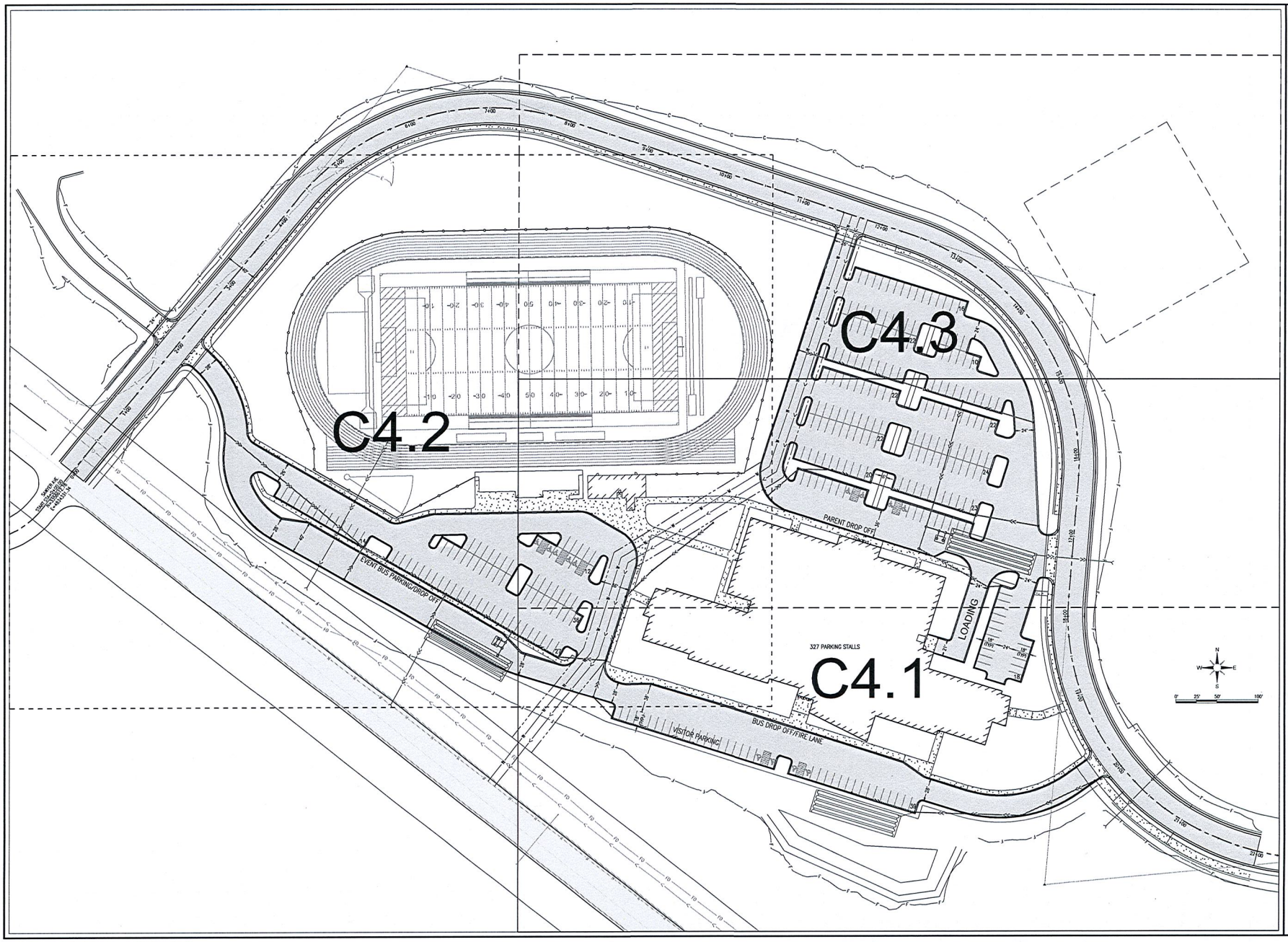
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

0 2
SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C3.0

G-10



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OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
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APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

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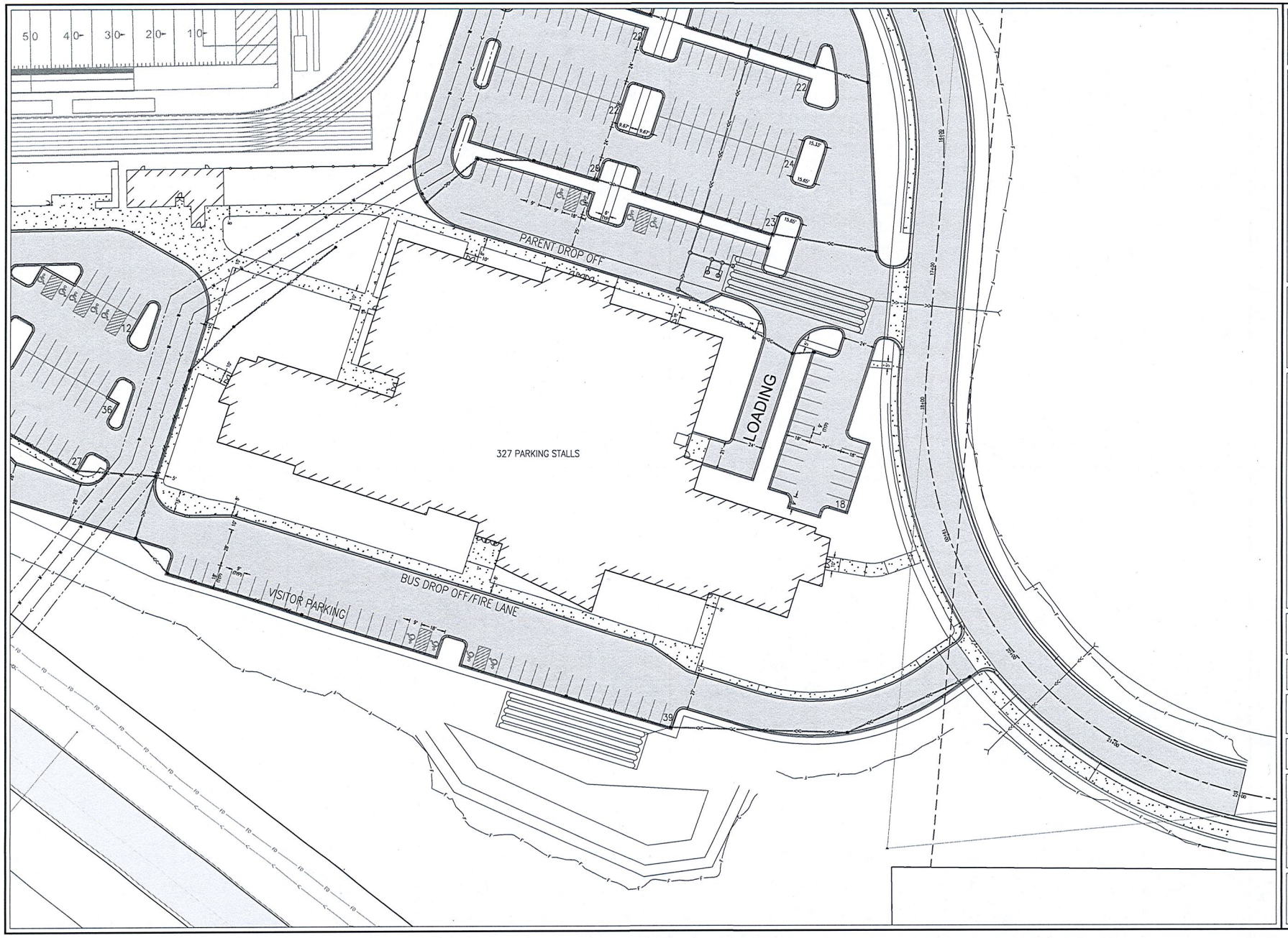
G-11



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KEY

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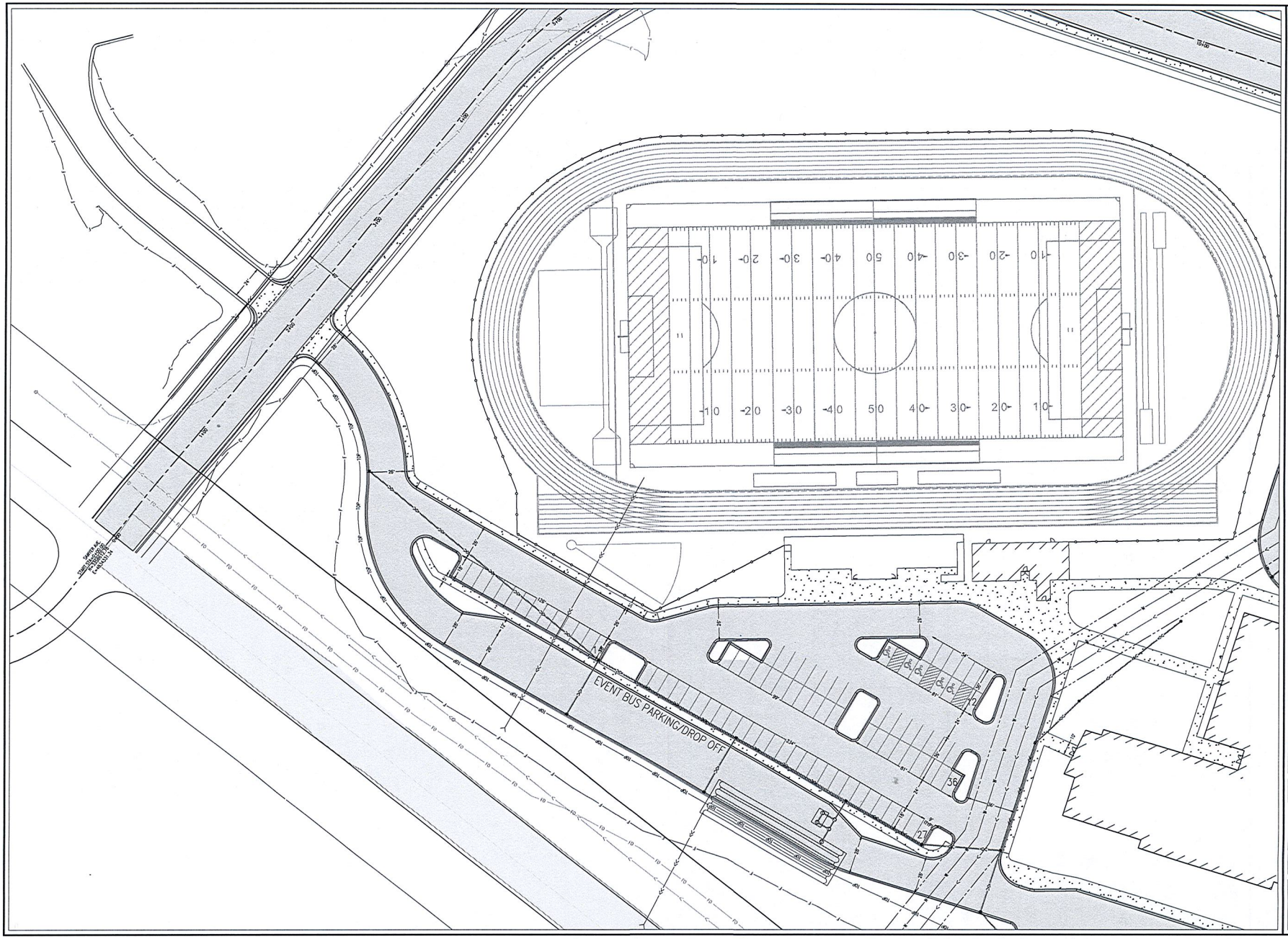
G-12



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OWNER: PROJECT OWNER

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SCALE = 2" AT FULL SCALE

KEY

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G-13