City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

An Equal Opportunity Employer

MEMORANDUM

DATE: May 19, 2016
TO: Planning Commission
FROM: Steven Robertson
SUBJECT: Staff Recommendation

The Planning Commission has four active zoning applications on its agenda related to the Duluth Public Schools Academy's proposed high school: one special use permit and 3 variances. The information, as it relates to the Planning Commission review of the zoning applications before it, includes the following:

Staff reports (and attachments) for PL 16-013 SUP, PL 16-014 Variance (Off-Street Parking), PL 16-015 Variance (Front Yard Parking), and PL 16-029 Variance (Height). This information was mailed to the Planning Commission as part of the planning commission placket on Tuesday, May 3rd. The supplemental information (maps, exhibits, etc.) that was attached to PL 16-013 is being included in this packet of information.

Applicant response to staff recommendations (emailed to the Planning Commission on Monday, May 9th, and handed out prior to the cancelled meeting on Tuesday, May 10). A total of 52 pages, but only the first 30 pages are copied (the remaining pages are attachments from a recent staff report related to the future land use change). This response from the applicant includes, in addition to a cover memo, information on an amended May 6, 2016 traffic study, amended May 5, 2016 preliminary drainage report, and additional or revised information related to the 3 variances.

St. Louis County correspondence (received Monday, May 9th) related to the proposed new road that would provide service to the existing elementary school and the proposed new high school.

Applicant correspondence (received Monday, May 16, 2016), asking to remove the requirement for a new road as a condition of approval. Also, email from applicant and additional information related to site plan (potential location for new housing and portions of the site to be not developed as this time).

US Army Corps of Engineers correspondence (received Monday, May 16, 2016), including email correspondence from the US EPA Region 5 representative to the local Army Corps representative recommending denial of the permit for the project. Also included is a letter from the USACE to Pacific Education Partners on February 29, 2016 related to an initial incomplete application.

On Wednesday, May 18, 2016, based on a recommendation from the WCA Technical Evaluation Panel, the Local Unit of Government's representative denied the wetland replacement application (revised wetland replacement plan submitted Friday, April 8, and addendum submitted Monday, May 9). UDC section 50-18.1.C (Natural Resources Overlay District, Wetlands), requires that "all development in the city shall comply with state statutes and regulations. In addition, any development impacting wetlands requires formal approval by the designated city wetland representative".

At this time, Planning Staff recommend denial of the Special Use Permit application per the attached amended staff report for PL 16-013. Also, Planning Staff recommend denial of the variances for the reasons stated in the respective staff reports, in addition to the fact that the variances (if approved) would only be applicable if the Special Use Permit and the current, proposed, site plan was approved.

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 16-013 (Amended for May 24th PC Mtg)		**Contact**	Steven Robertson	
Application Type	Special Use Permit, High School in RR-1		**Planning Commission Date**		May 10, 2016 (May 24)
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 proposing to construct a new high school, grades 8 -12, approximately 100,610 square feet (2 levels), with 330 parking stalls and a track and field.

	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):

Section 50-19.8. A high school in the RR-1 district requires a Special Use Permit.

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.

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 variances 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 pages 3 to 7 of the staff report for additional information.

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

1) UDC Sec. 50-18.1 (Natural Resources Overlay) The proposed school, athletic field, and accesorry parking lots will not be within the shoreland overlay, nor will they be near a designed floodplain. Approximately 2.5 acres of wetlands will be impacted by the proposed project. A wetland replacement plan was being reviewed by the Duluth WCA Technical Evaluation Panel earlier in month was denied by the City on May 18, 2016.
2) UDC Sec. 50-23 (Connectivity) A backage road is required to adequately and safely serve this development. The property owner must dedicated a street, utility, and pedestrian easement to the city or the county of at least 66 feet wide as condition of this project. The road width, as suggested by previous communication with the county, should be 36 feet wide. Planning staff recommend that the new road have sufficient room for at least one side of on-street parking (on street parking on both sides of the road would be preferred, if there is room). The applicant has included an internal circulation plan. There currently is no public sidewalk on Rice Lake Road, but the County will construct a 10 foot path on the western side of Rice Lake Road from Central Entrance to Arrowhead Road, which could be connected to this development when the new public road is developed.
3) UDC Sec. 50-24 (Parking) - The project is proposing more off-street parking than currently allowed. The applicant is seeking a variance, and the city is also submitting a UDC text change to increase the standard off-street parking requirement. The applicant will need to verify if the snow storage areas designated by the applicant on the site map will sufficient capacity; snow storage cannot take place on required landscaping islands nor in stormwater plans.
4) UDC Sec. 50-25 (Landscaping) - The project has planned for some street frontage landscaping along Rice Lake Road and the new backage road, and some tree canopy coverage in the parking lot; staff are still reviewing to ensure compliance. The tree preservation plan is being reviewed by city staff.
5) UDC Sec. 50-26 (Screening) - Exterior mechanicals (if provided) and dumpsters/loading area at the NE side of the school must be screened.
6) UDC Sec. 50-27 (Signs) - Applicant will need to comply with sign requirements.
7) UDC Sec. 50-29 (Sustainability) and 50-30 (Building Design Standards) - Applicant will provide sustainability points (but will need to provide additional information related to preserving pre-development vegetation) and meet design standards
8) UDC Sec. 50-31 (Exterior Lighting) - Applicant has submitted a lighting plan that generally conforms to the UDC standards (downcast lighting, no light trespass over the property line). Athletic field lighting will need to be verified, however; strong lighting, if not properly planned and directed, may have an impact on adjacent properties.

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

Staff recommend that the Planning Commission deny the application as it does not meet the criteria required in UDC Section 50-37.10 for Special Use Permits:
-The application is not consistent with the comprehensive land use plan: principle 5 (strengthen neighborhoods), principle 10 (take sustainable actions), principle 12 (create efficiencies in delivery of public services).
-The application does not comply with all applicable provisions of this Chapter: Section 50-18.1.C (Natural Resources Overlay District, Wetlands).
-The application 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.

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

Additional Staff Report Information Related to PL 16-013 for May 10, 2016 PC Meeting

(Revised for May 24, 2016 Special PC Meeting)

Previous Zoning Applications

Previous zoning applications for this general area include WRMO variance to construct an approximate 50,000 square foot, 107 parking stall, K-8 school (impacted 9,205 square feet of wetlands). FN 10-087 approved September 14, 2010.

Environmental Assessment Worksheet

A mandatory EAW is not required for this project, per Minnesota Administrative Rules 4410.4300. Two categories were reviewed, size of new structure and number of units in a new residential development.

An EAW is required for when new industrial, commercial, and institutional facilities have a gross floor space that meets or exceeds 400,000 square feet (in a city of the first class). This project will be approximately 100,000 square feet.

An EAW is required for residential development if the total number of units that may ultimately be developed on all contiguous land owned or under an option to purchase by the proposer, except land identified by an applicable comprehensive plan, ordinance, resolution, or agreement of a local governmental unit for a future use other than residential development, equals or exceeds a threshold of 100 unattached units or 150 attached units. To staff's knowledge, there are no definitive plans for residential dwellings on this site at this time, although at one point multi-family dwellings were being considered by the applicant and was briefly discussed at a applicant/staff meeting on Thursday, April 28, 2016. Note, however, that the April 6, 2016, Duluth Edison High School Traffic Study included in the trip generation calculation 800 students and 400 dwelling units. *Note, the number of dwellings was revised to 100 in the applicant's May 6, 2016 amended traffic study in the May 9, 2016 response).*

Future land use designation for much of this site is "Rural Residential". According to the 2006 Comprehensive Plan, this land use would typically have: "1 unit/5 or more acres (may vary depending on soils), conservation development encouraged or required, undeveloped areas of large lots are used to complement open space patterns (viewsheds, buffers)." Of the land that the Duluth Pacific Associates LLC owns around the development site, approximately 115 acres has the future land use designation (or sufficient density for approximately 23 single family units).

No citizen petition for an EAW was received by the City.

Stormwater Plan

A preliminary stormwater management plan was submitted and reviewed by the City in February 2016 A final drainage report that will need to be prepared for the planned (detailed construction plans); stormwater management system will need to show in detail how the system meet the goals and requirements in the UDC and other referenced documents. No building permit, including site clearing and grading/foundation package will be issued without an approved drainage report. Items that will need to be addressed in the drainage report and final plans are:

1. Roads/driveways (private or public) built to provide access to the project will also need to follow the UDC in regards to stormwater management.

F-3

2. The MPCA NPDES CA permit requires a 50' undisturbed buffer from wetlands.
3. The conveyance system for the school will need to be able to capture and convey the 100 year storm event to the storm BMPs to be effective for flood control.
4. An approved wetland disturbance permit.
5. BMPs shall reduce temperature increase impacts for down gradient receiving waters.

Note that snow storage is not allowed to occur on stormwater ponds, or required landscaping elements.

Note that the City Engineering Department staff have stated that they will not approve a final stormwater plan that uses shredded scrap tires, also known as Tire Derived Aggregate (TDA) or Tire Derived Products (TDP), as part of the stormwater retention or treatment process unless there is written approval from the DNR and MPCA.

Wetland Replacement Plan

A wetland delineation for this site was prepared on October 22, 2014, submitted for review on November 12, 2014, and approved by the Duluth WCA Technical Evaluation Panel on December 23, 2014.

The wetland replacement plan was submitted, and accepted as complete and ready for review, on Monday April 11, 2016. The wetland replacement plan proposes a total wetland impact of 108,937 square feet (approximately 2.5 acres). Due to its length, the complete study is not included with this planning staff report, but it is public record and available for reading.

The Duluth WCA TEP reviewed the wetland replacement plan at a meeting on Monday, May 2nd, and has asked for additional information from the applicant. After reviewing the additional information, the TEP will then make a recommendation to the City to approve, approve with conditions, or deny the replacement plan.

On Wednesday, May 18, 2016, based on a recommendation from the WCA Technical Evaluation Panel, the Local Unit of Government's representative denied the wetland replacement application (revised wetland replacement plan submitted Friday, April 8, and addendum submitted Monday, May 9).

Traffic Study

The City typically requires traffic impact studies for developments where the anticipated traffic will be 100 trips per hour, or 1,000 trips per day. The County, as the road authority for Rice Lake Road, review and accepted, on Thursday April 7, 2016, the revised traffic study. Due to its length, the complete study is not included with this planning staff report, but it is public record and available for reading. Note, however, that the final determination and timeline of the traffic signal at Rice Lake Road and the Edison High School Driveway (Sawyer Avenue) will be determined during any future negotiations between St. Louis County and the developer. Excepts of the traffic study have been included in the staff report.

Construction of the new road prior to occupancy of the school will be a condition of approval of the SUP, if granted by the City. The applicant and the county should enter into a development agreement for construction and cost share of the new road.

F-4

Future Land Use and Rezoning

On Monday April 25, 2016, the Duluth City Council approve Resolution 16-0305R, the proposed future land use designations for some properties along Arrowhead Road and Rice Lake Road. At the time that the Special Use Permit application was submitted and accepted as complete for review, the future land use designation was Business Park. With the City Council action on April 25, the future land use designation has been changed to Institutional. The City will proceed with rezoning this area, and other areas impacted by the future land use change, around June or July of this year. This property would be rezoned from RR-1 to MU-I. A high school is also a Special Use in the MU-I district, though additional or different standards may apply.

Comprehensive Plan

The guiding principles set the foundation for the entire framework for the comprehensive plan by providing the fundamental concepts by which physical planning needs to take place. The principles can provide direction when the details of the plan are insufficient to clearly resolve issues or make decisions.

Before approving a Special Use Permit, the Planning Commission must determine that the zoning application is consistent with the Comprehensive Land Use Plan. The commission may also 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.

There are 12 guiding principles:

Principle #1 - **Reuse previously developed lands**
Reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and is preferred to a dispersed development pattern with attendant alteration of natural landscapes and extensions of public services. Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets, utilities, and transit, fire and police services.

Principle #2 - **Declare the necessity and secure the future of undeveloped places**
Undeveloped areas are an essential part of Duluth's municipal fabric - urban plazas, neighborhood parks, large tracts of public ownership and private lands zoned for minimal development. These minimally or undeveloped areas collectively create an open space system. These areas contribute to Duluth's cultural, health, recreational, and economic value and community identity. This open space system provides vistas, encourages active recreation, provides natural infrastructure as storm water retention, plant and animal habitat and water quality, and is the strongest visual element defining Duluth's sense of place.

Principle #3 - **Support traditional economic base**
Supporting Duluth's traditional economic foundation maintains jobs, tax base, and opportunity. Economic activity with specific location requirements may be subject to displacement or site competition with changes in real estate values. This traditional economic activity faces change as result of global economic patterns, changing markets, new regulation and aging of extensive infrastructure. Nevertheless, fundamentals remain and the economic contribution, sometimes taken for granted, is significant.

Principle #4 - **Support emerging economic growth sectors**
Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

Principle #5 - **Strengthen neighborhoods**
The present city is an historical amalgam of villages and other independent units of government, contributing to the present condition of Duluth being strongly defined by its neighborhoods. This condition should be reinforced through land use, transportation and public service delivery patterns which strengthen neighborhood identity. New institutional expansions, major public infrastructure or large commercial or industrial uses should not divide historic neighborhood patterns.

Principle #6 - **Reinforce the place-specific**
Public and private actions should reinforce cultural, physical and economic features which have traditionally defined Duluth, its open space and its neighborhoods. This includes commercial areas providing neighborhood goods and services, ravine parks and other natural features that define neighborhood edges and view corridors to the Lake or River which serve to provide location and context.

Principle #7 - **Create and maintain connectivity**
Connectivity is established through our streets and highways, transit system, sidewalks, bikeways and trails, (local and regional). The non-vehicular modes should be considered more than recreation. They are important components of an overall transportation system. Winter maintenance of sidewalks and other public ways is critical to creation of usable pedestrian systems.

Principle #8 - **Encourage mix of activities, uses and densities**
Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Principle #9 - **Support private actions that contribute to the public realm**
Private building construction and site design influences activity in adjacent public areas. Building form, height, setbacks and detailing effect the adjacent areas. The uses and activity contained in the buildings directly impacts the surroundings. Public areas should benefit from adjacent private investment.

Principle #10 - **Take sustainable actions**
Initiate land use, site design, transportation, building design and materials policies which reduce consumption of finite resources, generation of solid waste and introduction of toxic materials to land, air or waters.

Principle #11 - **Include consideration for education systems in land use actions**
For K-12 and higher education both, there is a connection between land use patterns and educational facilities. School locations in neighborhoods and housing opportunities for higher education students require consideration of impacts on transportation systems, housing densities, parking and non-student uses.

F-9

Principle #12 - **Create efficiencies in delivery of public services**
The costs of public service must be considered in land use decisions. Street construction and maintenance, utilities, libraries, fire, police, snowplowing and recreation facilities are services directly related to the physical location of development. Infrastructure should help prescribe development location rather than react to it.

Staff believe that this zoning application may be supported by:

- Principle 2 (secure the future of undeveloped place), but only if a large portion of the current ski trails are preserved under a conservation easement or similar tool. *Note that the May 16, 2016, correspondence from the applicant identifies an area to potentially be preserved, but without a conservation easement or similar tool, the area could be further developed in the future*
- Principle 7 (create and maintain connectivity) but only if the applicant, with the possible participation of the county, commits to paying for the new public road required to service this facility and reduce the congestion that increased after the applicant's other school opened. *Note that the May 16, 2016, correspondence from the applicant ask the city staff remove the condition of special use permit approval that a public road be constructed.*
- Principle 11 (education systems in land use actions)

Staff believe that this zoning application is not supported by :

- Principle 1 (reuse previously developed lands), other than the (very low impact) ski trail/recreation use, this land is not developed.
- Principle 5 (strengthen neighborhoods), this application does not strengthen neighborhoods; creating new large school uses apart from residential areas does not strengthen neighborhoods and may in fact increase urban sprawl.
- *Principle 10 (take sustainable actions), if Tire Derived Aggregate is used in this project, it may impact the water quality as it leaves the stormwater system and enters the wetlands and Chester Creek waterway.*
- Principle 12 (create efficiencies in delivery of public services), creating additional public infrastructure, even if required by the city to reduce congestion and caused by earlier development, does not create efficiencies in deliveries of public services.

Note that for the 2010 variance for the Edison Elementary School, the staff report stated the principles 1, 10, and 12 applied to the variance application, as well as the following principles:

P&P 1. Water is a defining element in Duluth's physical and cultural landscape. Consistent with the sensitive lands overlay on all stream corridors and shorelines, the City will protect and enhance the quality of streams, rivers, and Lake Superior.

I&PS 1. Prioritize areas for development, restoration, or adaptive reuse that increase utilization of Duluth's existing infrastructure and favor maintenance and reconstruction of older infrastructure over infrastructure expansions.

City Planning
Edison High School
SUP and 3 Variances

Legend

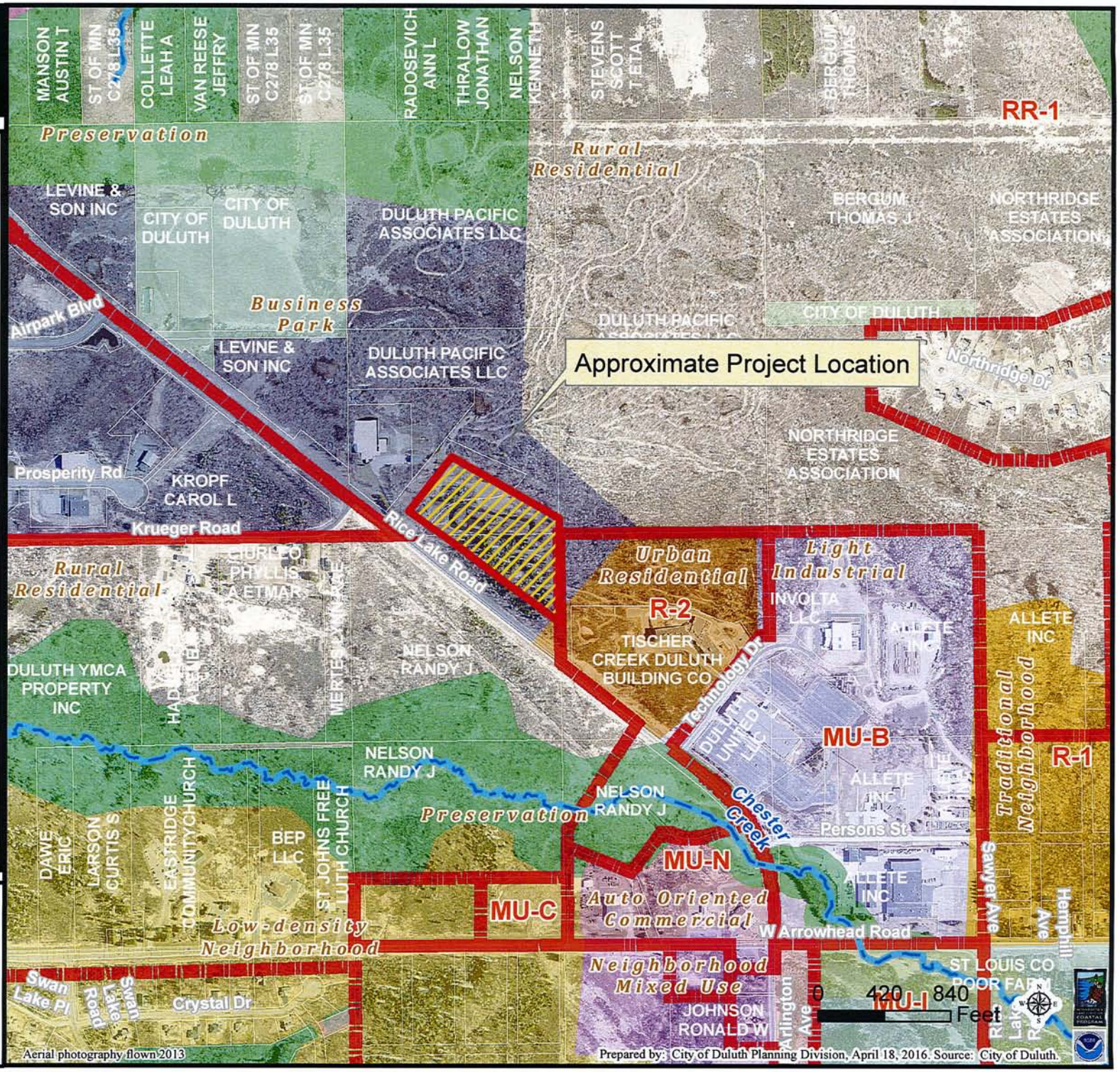
- Trout Stream (GPS)
- Other Stream (GPS)

Zoning Boundaries

- Zoning Boundaries

Future Land Use

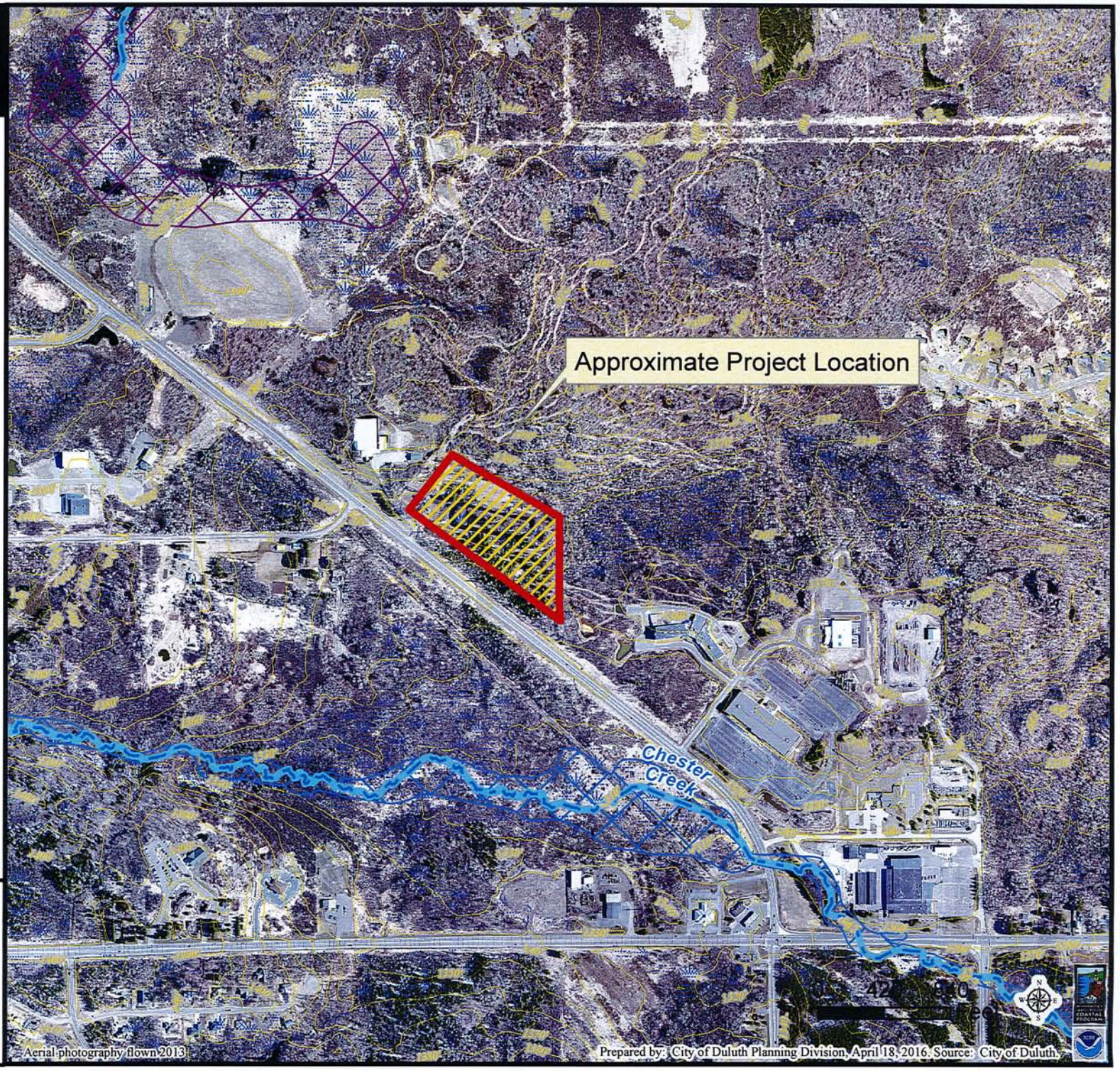
- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities



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.

E-8

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.

F-9

City Planning
Edison High School
SUP and 3 Variances

Legend

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

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
- Wetlands (NRRI)

Shoreland Overlay Zone

- Cold Water
- Natural Environment
- General Development

Floodplain Type

- General Flood Plain
- Flood Way
- Flood Fringe

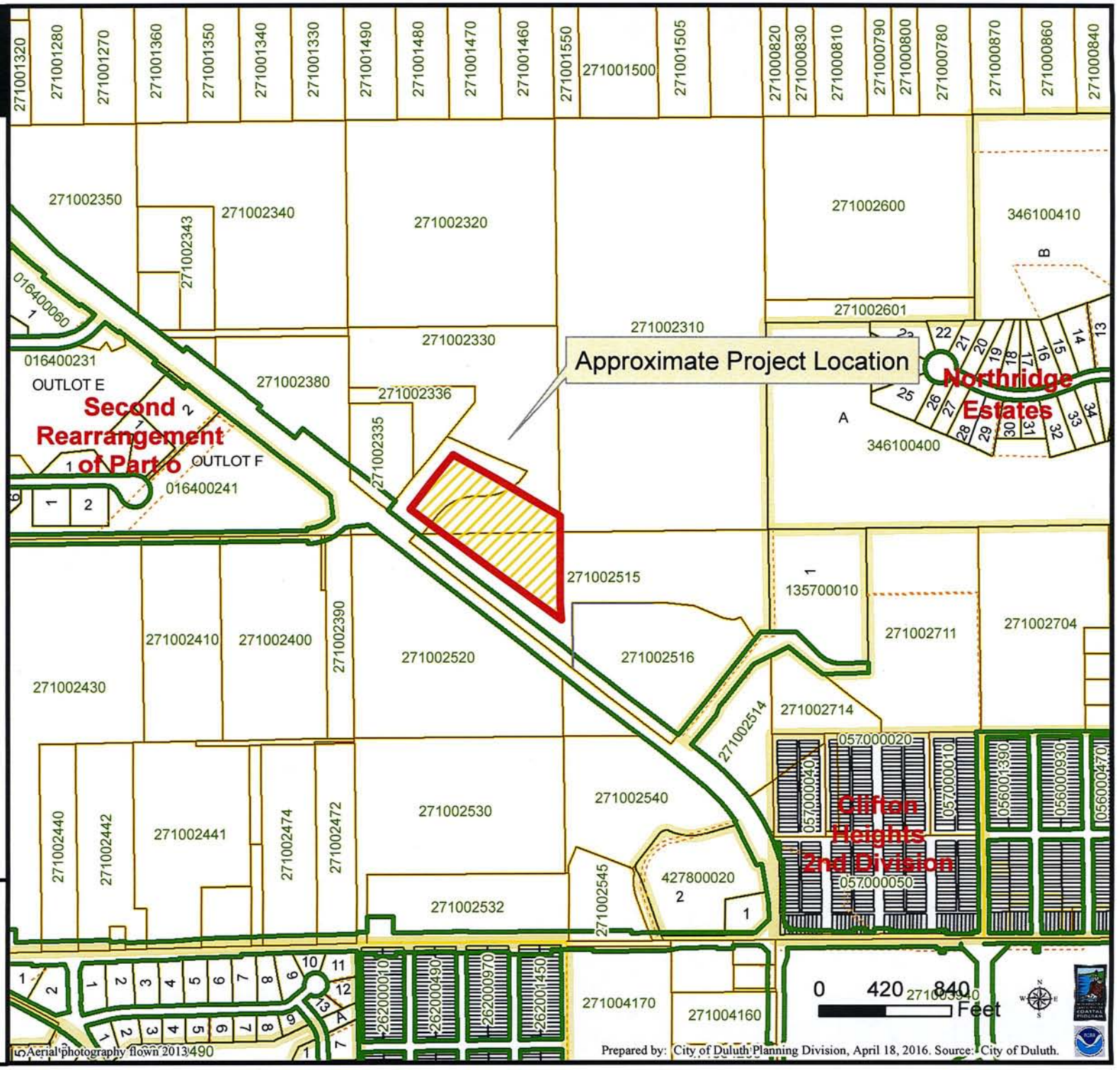
Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, April 18, 2016. Source: City of Duluth.

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.

F-10

City Planning
Edison High School
SUP and 3 Variances



Legend

Boundary Lines

- <all other values>

Subtype, ROW_TYPE

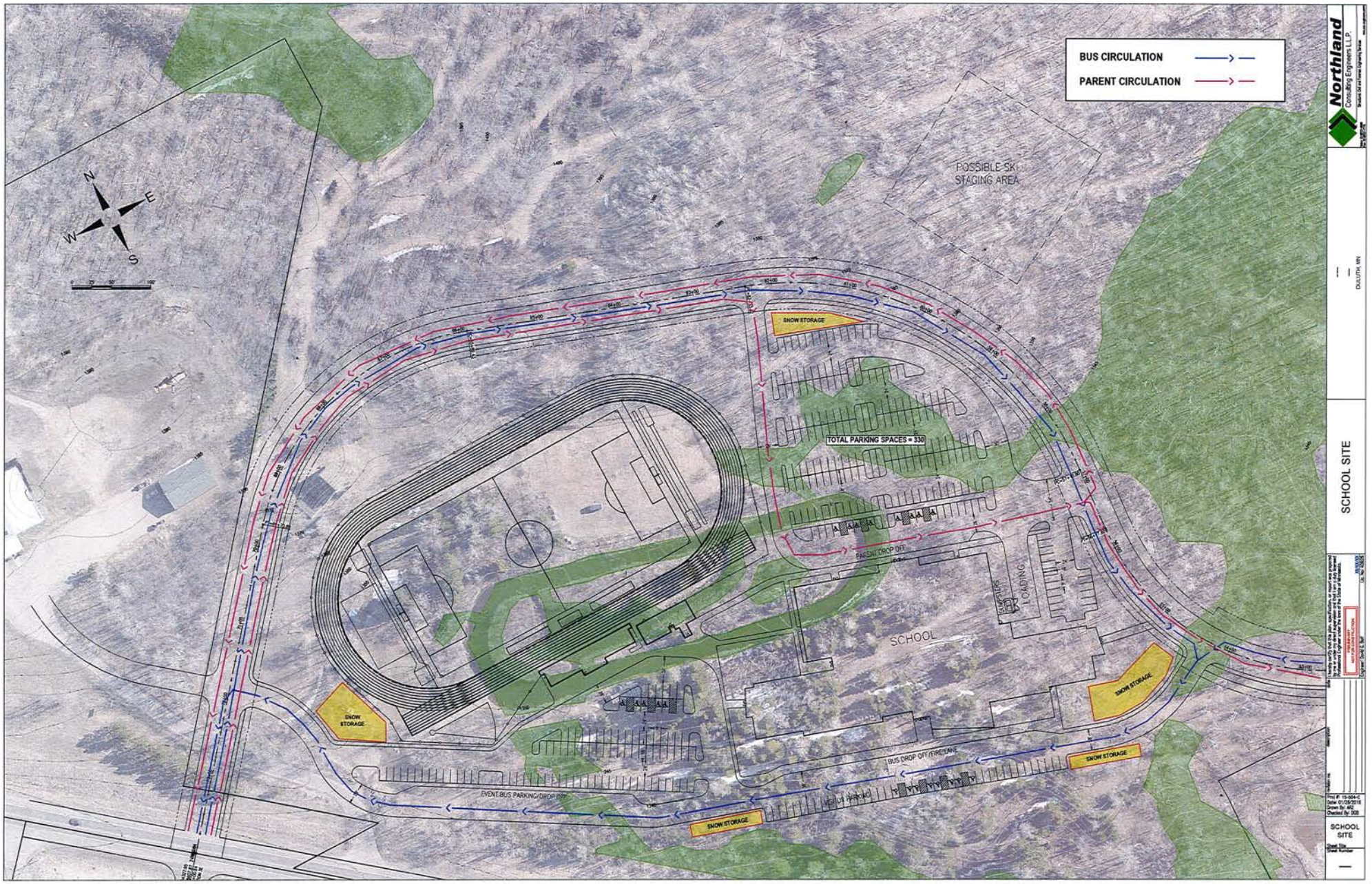
- Lot Line
- Parcel Line
- ROW (Road)
- ROW (Not Road)
- Subdivision Line
- Water Line
- Survey Line
- Municipal Boundary

Lots

- Parcels
- Subdivision Boundaries

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.

F-11


BUS CIRCULATION
PARENT CIRCULATION
POSSIBLE SK STAGING AREA
TOTAL PARKING SPACES = 330
SNOW STORAGE
PASSN DROP OFF
DUMPSTER LOADING
SCHOOL
BUS DROP OFF/FIRE LANE
EVENT BUS PARKING/DROP OFF
VISITOR PARKING
Northland
Consulting Engineers L.L.P.
DULUTH, MN
SCHOOL SITE
SCHOOL SITE

F-12

POSSIBLE SKI STAGING AREA
TOTAL PARKING SPACES = 330
PARENT DROP OFF
LOADING
SCHOOL
102,276 SF
BUS DROP OFF/FIRE LANE
EVENT BUS PARKING/DROP OFF
STORM WATER TREATMENT
N
E
W
S
Northland
Consulting Engineers LLP
DULUTH, MN
SCHOOL SITE
SCHOOL SITE

F-13

GENERAL TURF
ALL AREAS NOT BUILDING, PARKING, DRIVEWAYS, TRACK AND FIELD OR RIP RAP SLOPE, EDGE EMBANKMENT OR STORM WATER POND WILL BE SEEDED WITH TURF GRASS AND HYDROMULCHED

STORMWATER FACILITIES
BWSR 36-361 STORM WATER NE
7 LBS/ACRE ON GRASS MIX PORTION
1.5 LBS/ACRE ON FORBS
50 LBS/ACRE ON SEED OATS (SPRING) OR WINTER WHEAT (FALL). ALL AREAS TO BE SEEDED MUST BE SPRAYED WITH ROUNDUP TWO WEEKS PRIOR TO SEEDING. USE EXISTING SOIL. COVER WITH DOUBLE NET **STRAW BLANKET. SECURE WITH 6" STAPLE AT 1 PER SY**

EMBANKMENTS GREATER THAN 2:1
ON SITE BLAST ROCK 2-30"
GEOTEXTILE SEPARATOR FABRIC
APPLY ENOUGH RIP-RAP TO COVER
THE SEP**ARATOR FABRIC IMPORT**
MATCHING MATERIAL IF REQUIRED

SLOPES OFF EMBANKMENTS TO EXISTING FORESTED AREAS
BWSR 36-311 WOODLAND EDGE NORTHEAST
7 LBS/ACRE ON GRASS MIX PORTION
1.5 LBS/ACRE ON FORBS
50 LBS/ACRE ON SEED OATS (SPRING) OR WINTER WHEAT (FALL). ALL AREAS TO BE SEEDED MUST BE SPRAYED WITH ROUNDUP TWO WEEKS PRIOR TO SEEDING. USE EXISTING SOIL. COVER WITH DOUBLE NET STRAW BLANKET. SECURE WITH 6" STAPLE AT 1 PER SY

SPECIAL AND SIGNIFICANT REPLACEMENT TREES
2.5" CALIPER BB SPECIAL TREE REPLACEMENT
55 TOTAL TREES: 18 SUGAR MAPLE, 18 BUR OAK, 19 LINDEN
SEE TABLE TR.1 FOR REPLA**CEMENT CALCULATIONS**

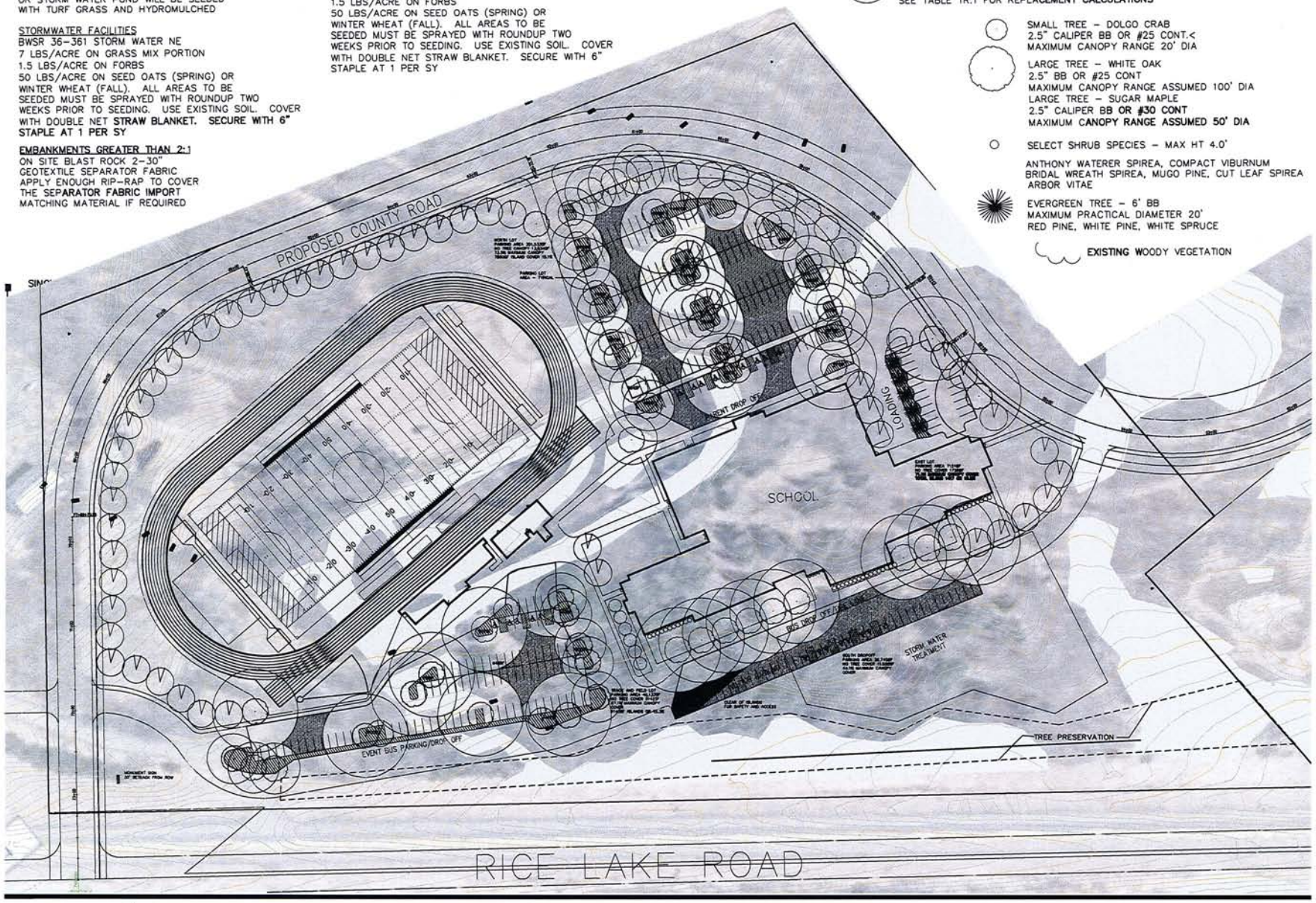
SMALL TREE - DOLGO CRAB
2.5" CALIPER BB OR #25 CONT.<
MAXIMUM CANOPY RANGE 20' DIA

LARGE TREE - WHITE OAK
2.5" BB OR #25 CONT
MAXIMUM CANOPY RANGE ASSUMED 100' DIA
LARGE TREE - SUGAR MAPLE
2.5" CALIPER BB **OR #30 CONT**
MAXIMUM **CANOPY RANGE ASSUMED 50' DIA**

SELECT SHRUB SPECIES - MAX HT 4.0'
ANTHONY WATERER SPIREA, COMPACT VIBURNUM
BRIDAL WREATH SPIREA, MUGO PINE, CUT LEAF SPIREA
ARBOR VITAE

EVERGREEN TREE - 6' BB
MAXIMUM PRACTICAL DIAMETER 20'
RED PINE, WHITE PINE, WHITE SPRUCE

EXISTING WOODY VEGETATION



BLACKHOOF

0 25' 50' 100'

CLIENT:

PACIFIC EDUCATION PARTNERS

02-08-16 CITY UDC SUBMITTAL
03-08-16 CITY UDC SUBMITTAL

NO DATE REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: _____

Typed or Printed Name: DAVID M. CHAMBLISS

Date 02-08-16 Reg. No. 43630

PROJECT NAME:

GENERAL LANDSCAPE PLAN

DRAWING TITLE:

DPSA 8-12

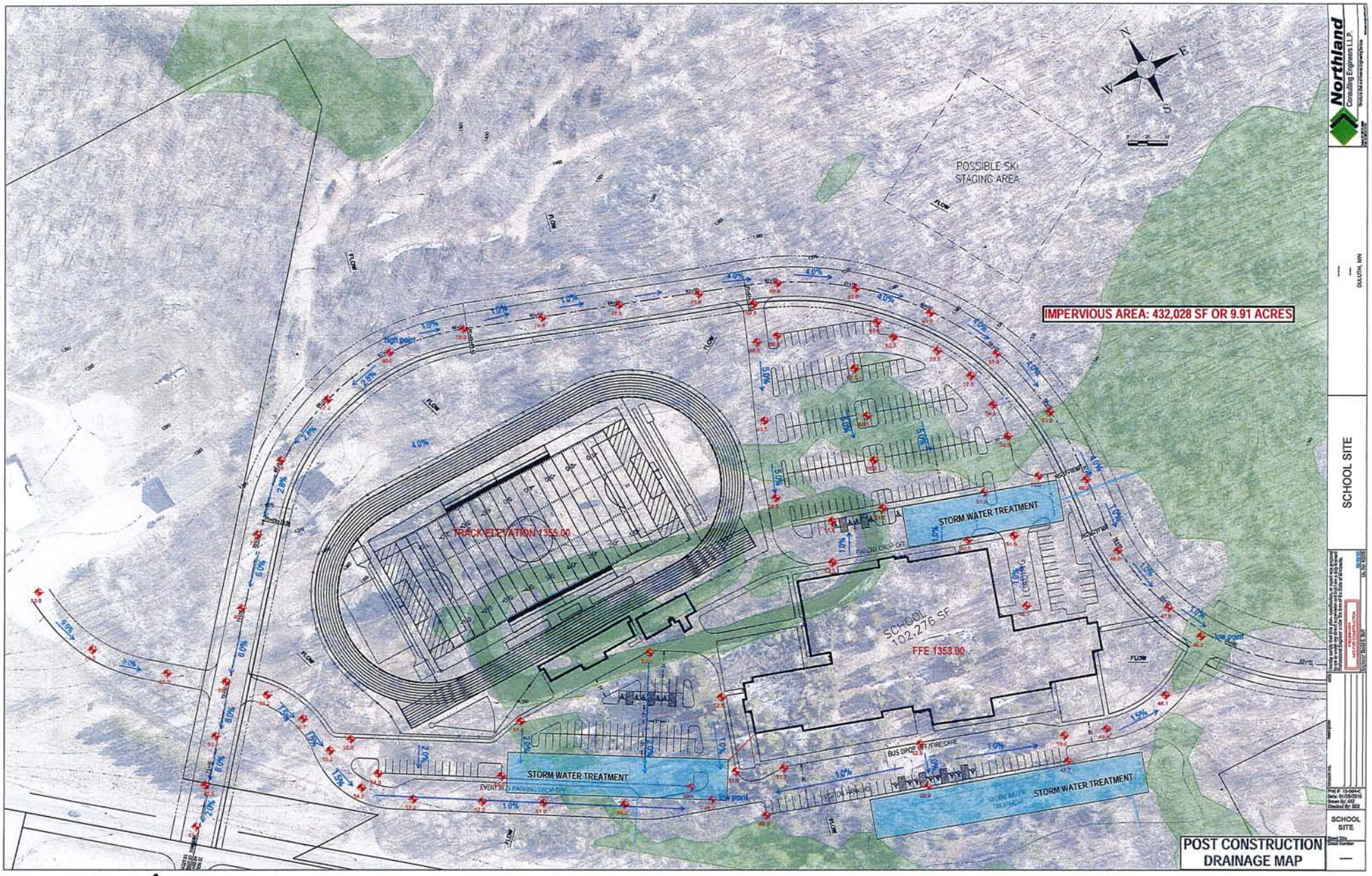
FILE:
DRAWN BY:
CHECKED BY:
PROJ. NO: -
DRAWING NO:

D1

F-14

IMPERVIOUS AREA: 26,455 SF OR 0.61 ACRES
FLOW
N
E
S
W
Northland
Consulting Engineers L.L.P.
SCHOOL SITE
DULUTH, MN
SCHOOL SITE
EXISTING DRAINAGE MAP

F-15


POSSIBLE SKI STAGING AREA
IMPERVIOUS AREA: 432,028 SF OR 9.91 ACRES
TRACK ELEVATION 1355.00
STORM WATER TREATMENT
SCHOOL 102,276 SF
FFE 1353.00
STORM WATER TREATMENT
STORM WATER TREATMENT
high point
low point
FLOW
Northland Consulting Engineers L.L.P.
SCHOOL SITE
DULUTH, MN
POST CONSTRUCTION DRAINAGE MAP

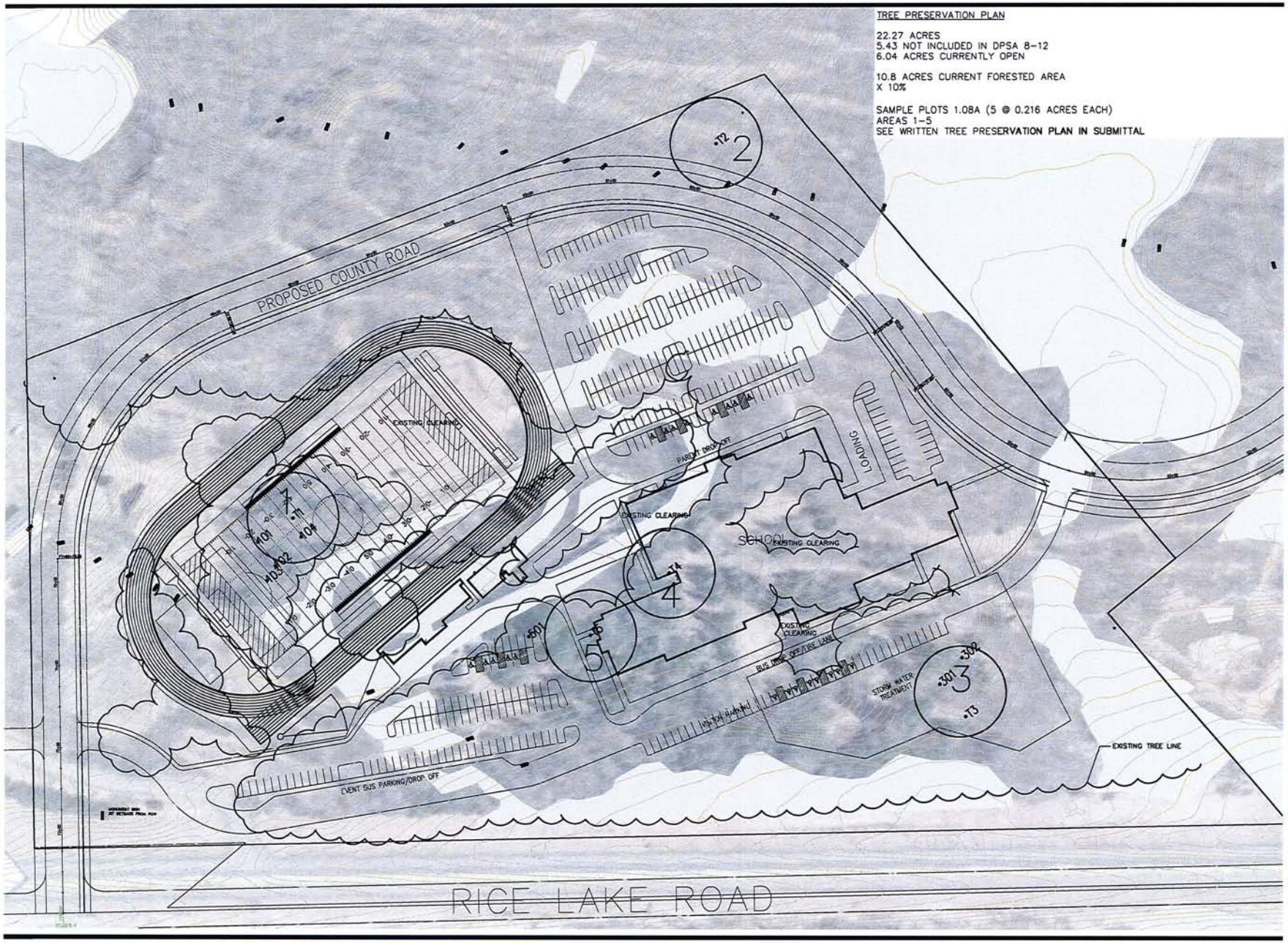
F-16

TREE PRESERVATION PLAN

22.27 ACRES
5.43 NOT INCLUDED IN DPSA 8-12
6.04 ACRES CURRENTLY OPEN

10.8 ACRES CURRENT FORESTED AREA
X 10%

SAMPLE PLOTS 1.08A (5 @ 0.216 ACRES EACH)
AREAS 1-5
SEE WRITTEN TREE PRESERVATION PLAN IN SUBMITTAL



BLACKHOOF

0 25' 50' 100'

CLIENT:

PACIFIC EDUCATION PARTNERS

△ 02-08-16 CITY UDC SUBMITTAL

NO DATE REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: _____

Typed or Printed Name: DAVID M. CHMIELEWSKI

Date 02-08-16 Reg. No. 40636

PROJECT NAME:

DPSA 8-12

DRAWING TITLE:

TREE PRESERVATION PLAN

FILE:
DRAWN BY:
CHECKED BY:
PROJ. NO: -
DRAWING NO:

D1

F-17

SINGLE LAMP 1.000 LCF VISIONAIRE PARKING STAR PST 2-L-T3 22.5' OR BUIDLING MOUNT

CLUSTER LAMP 875W MH 100 0WHPS 50' STANDARD

PROPOSED COUNTY ROAD

PARENT DROP OFF

LOADING

SCHOOL

BUS DROP OFF/FIRE LANE

STORM WATER TREATMENT

EVENT BUS PARKING/DROP OFF

RICE LAKE ROAD

BLACKHOOF

0 25' 50' 100'

CLIENT:

PACIFIC EDUCATION PARTNERS

△ 02-08-16 CITY UDC SUBMITTAL

NO DATE REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: _____

Typed or Printed Name: DAVID M. CHWIEJ

Date: 02-08-16 Reg. No. 40630

PROJECT NAME:

DPSA 8-12

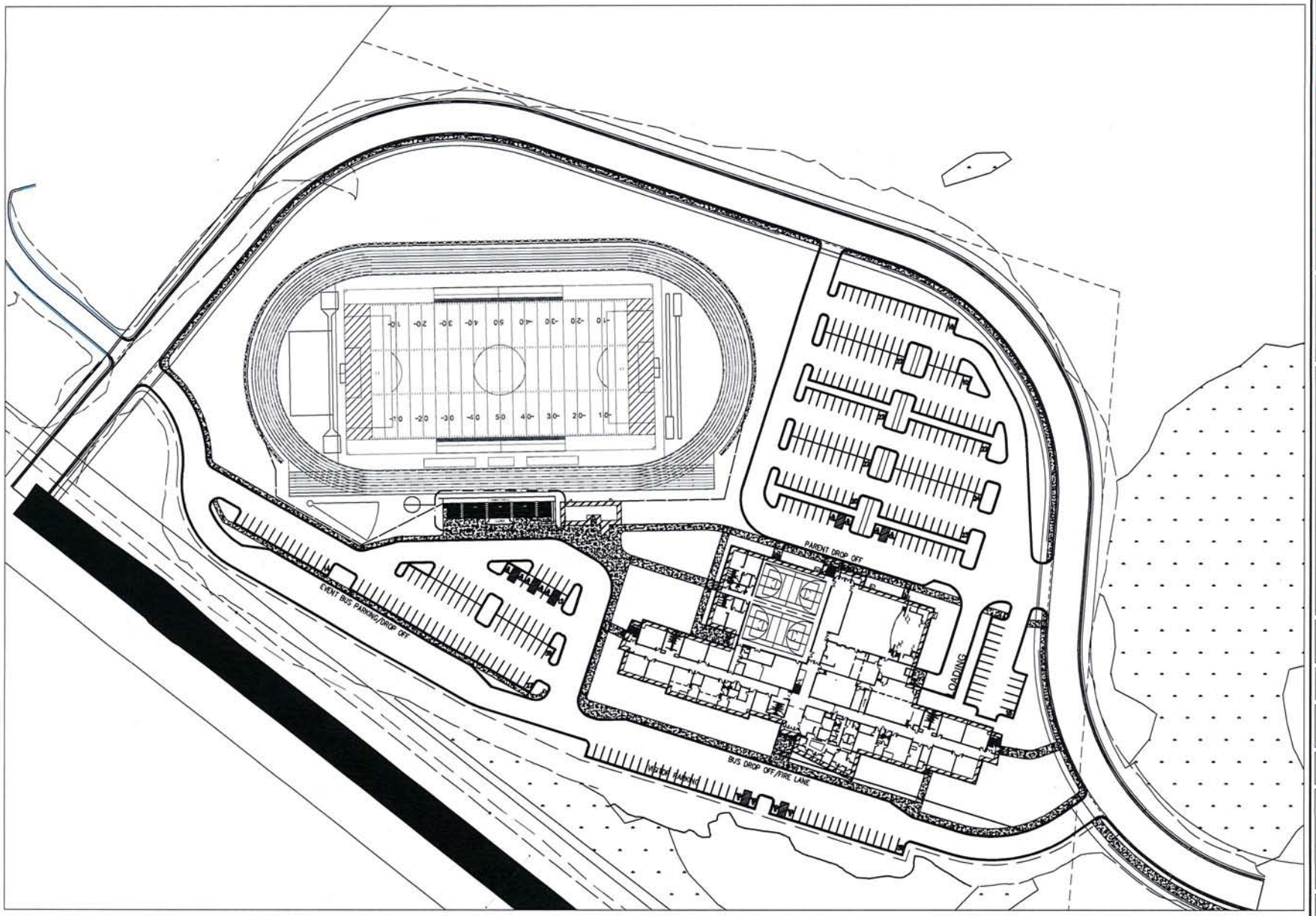
DRAWING TITLE:

LIGHTING PLAN

FILE:
DRAWN BY:
CHECKED BY:
PROJ. NO: -
DRAWING NO:

L1

F-18



FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT

CONSULTANTS

AROLA ARCHITECTURE STUDIO, LLC
205 WEST FIRST STREET • DULUTH, MN • 218.310.9959

EAPC ARCHITECTS ENGINEERS
701.461.7222 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ECOLA JOHNSON
LICENSED INTERIOR DESIGNER
PHONE: 218.349.0650
NORTH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural, Civil and Mechanical Engineering
302 South 23rd Ave. West, Duluth, MN 55806
(218) 727-1996, (218) 727-2179

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 04.28.16

DATE LICENSE NO. 29197

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

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
XX-XX-XXXX

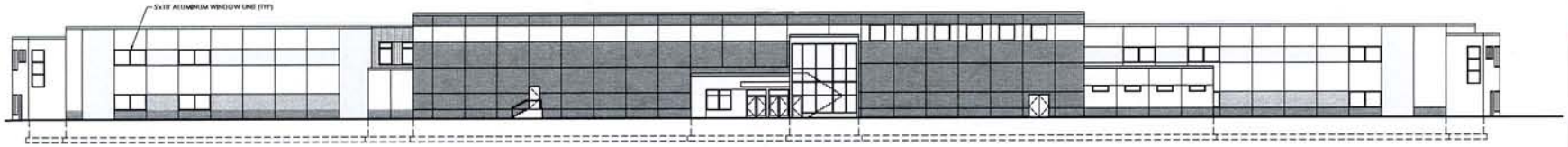
PROJECT NO.	1529
DRAWN BY	RJA, TJB
APPROVED BY	GPS

SCALE = 2" AT FULL SCALE

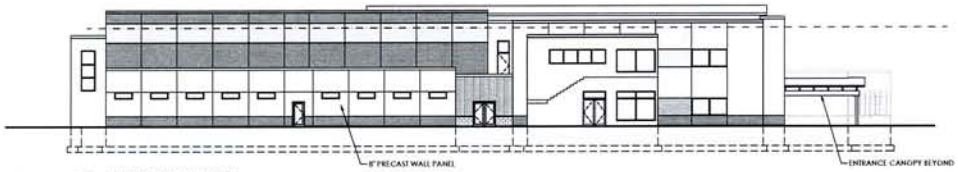
KEY

SHEET NO.
SITE

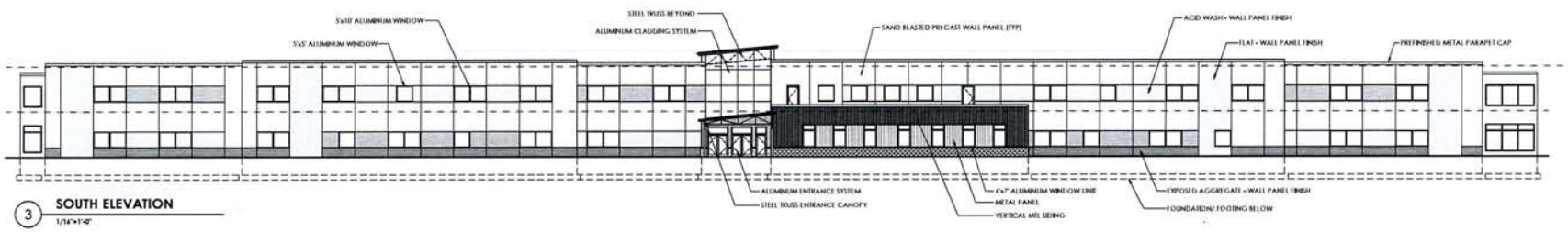
F-19



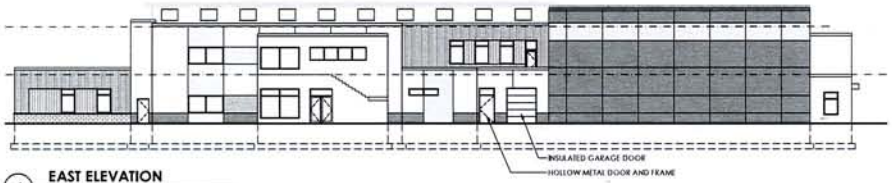
1 NORTH ELEVATION
1/14"=1'-0"



2 WEST ELEVATION
1/14"=1'-0"



3 SOUTH ELEVATION
1/14"=1'-0"



4 EAST ELEVATION
1/14"=1'-0"

FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT
2139 CYGAS ROAD DULUTH, MN 55804 PH. 218-721-1559 CELL: 218-391-7390

CONSULTANTS

AROLA ARCHITECTURE STUDIO,
205 WEST FIRST STREET – DULUTH, MN 55802
218.310.3958

EAPC ARCHITECTS ENGINEERS
701.461.7222 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL BOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.349.0656
WITH BUILDING
13 WEST SUPERIOR ST. #201
Duluth, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(218)-727-1999, (218)-727-1779

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 3-10-2016

SIGNATURE _____
GREGORY P. STROM
DATE _____ LICENSE No. 26197

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

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
XX-XX-XXXX

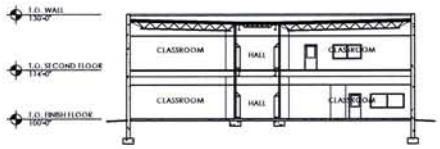
PROJECT NO.	1529
DRAWN BY	RJA, TJB
APPROVED BY	GPS

0 2
SCALE = 2" AT FULL SCALE

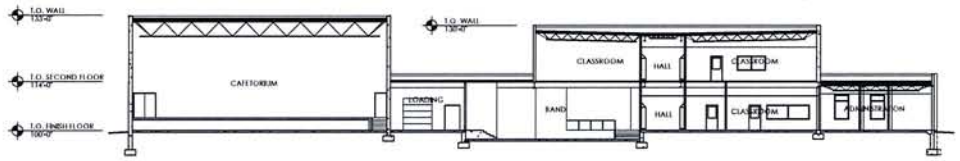
KEY

SHEET NO.
SC-3

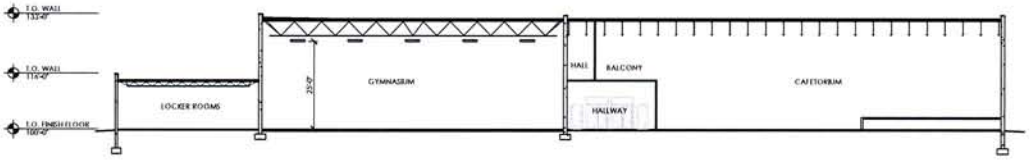
F-20



3 **BUILDING SECTION**
1/16"=1'-0"



2 **BUILDING SECTION**
1/16"=1'-0"



1 **BUILDING SECTION**
1/16"=1'-0"

FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT

CONSULTANTS

AROLA ARCHITECTURE STUDIO, LLC

EAPC ARCHITECTS ENGINEERS

Northland Consulting Engineers L.L.P.

I HEREBY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 3-14-2016

SIGNATURE _____ GREGORY P. STROM

DATE _____ LICENSE No. 26197

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

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
XX-XX-XXXX

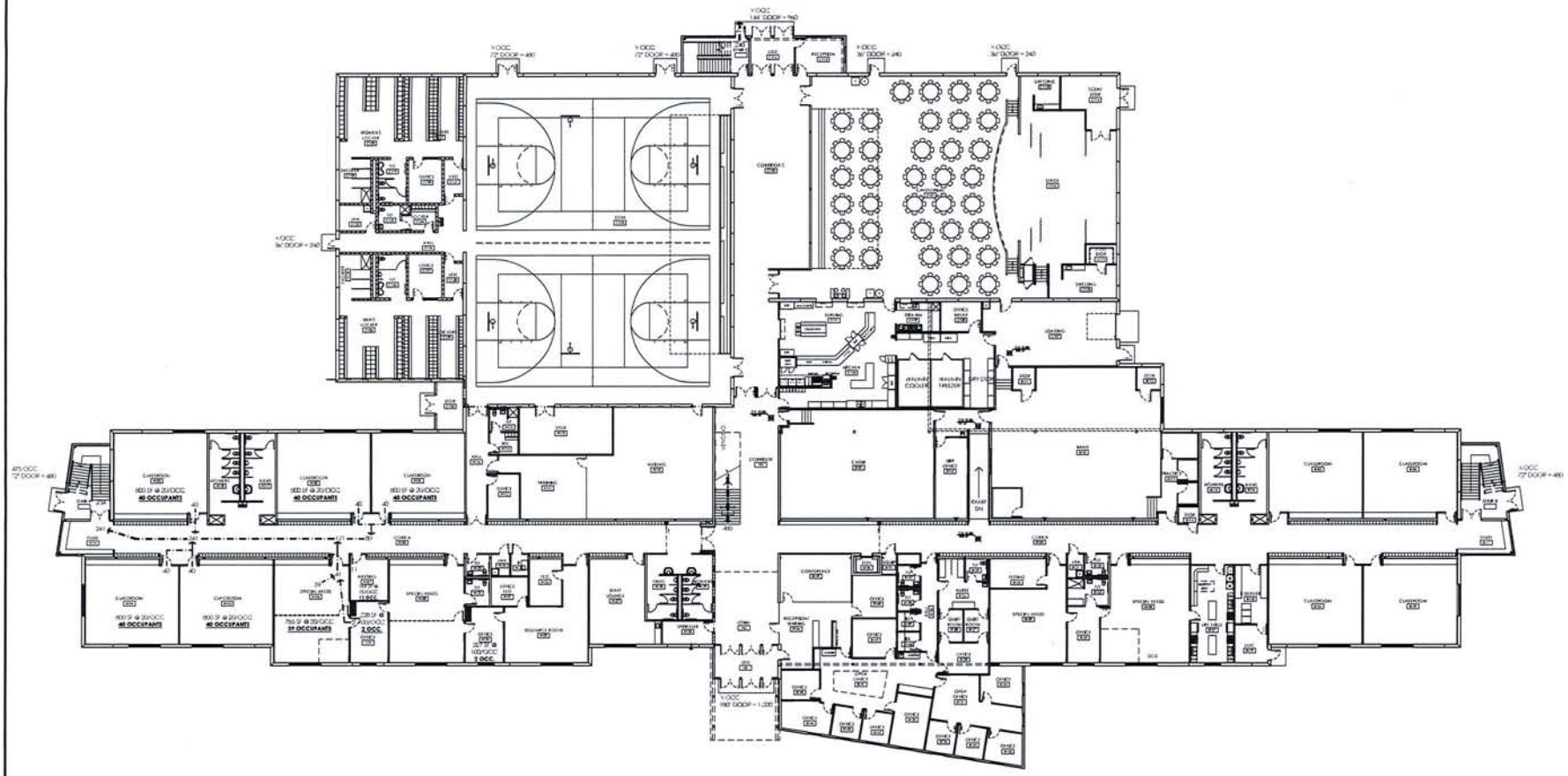
PROJECT NO.	1529
DRAWN BY	RJA, TJB
APPROVED BY	GPS

SCALE = 2' AT FULL SCALE

KEY

SHEET NO.
SC-4

F-21



1 **FIRST FLOOR LIFE SAFETY PLAN**
1/16"=1'-0"

LIFE SAFETY LEGEND

- EXIT ACCESS TRAVEL DISTANCE (SHORTEST DISTANCE)
- COMMON PATH OF EGRESS TRAVEL
- COMMON PATH OF EGRESS TERMINATION POINT
- PATH OF TRAVEL WITH DIRECTION AND DISTANCE
- EXIT SIGN
- EMERGENCY LIGHT
- COMBINATION EXIT SIGN / EMERGENCY LIGHT
- MANEUVERING CLEARANCE
- FIRE EXTINGUISHER
- 1 HOUR FIRE-RESISTIVE RATED CONSTRUCTION
- 2 HOUR FIRE-RESISTIVE RATED CONSTRUCTION
- FIRE RATED DOOR / FRAME ASSEMBLY (NUMBER INDICATES RATING IN MINUTES)
- OCCUPANT LOADING FOR FIGURING EGRESS WIDTH AT EGRESS STAIRS AND DOORS

OCCUPANT LOAD NOTES:
LEVEL 2 TOTAL: 1,178 OCCUPANTS
MINIMUM WIDTH - STAIRS: 1178 X 0.2 = 236"
MINIMUM WIDTH - OTHER: 1178 X 0.15 = 177"
MINIMUM # RESCUE UNITS: 1178 X 1/300 = 6 UNITS

FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT
2114 CEDAR ROAD
DULUTH, MN 55804
PH: 218 723-4526
CELL: 218 785-7062

CONSULTANTS

AROLA ARCHITECTURE STUDIO, LLC
205 WEST FIRST STREET • DULUTH, MN • 218.310.3959

EAPC ARCHITECTS ENGINEERS
TEL 701.461.7222 FAX 701.461.7223
112 No. Roberts Street Suite 300, Fargo ND 58102

JILL ROLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.349.0655
NORTH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural, Civil and Interior Engineering
102 South 21st Ave. West, Duluth, MN 55806
(612)8-127-1965, (612)8-127-1979

I HERE BY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 04.28.16

DATE LICENSE NO. 29170

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

OWNER: PROJECT OWNER

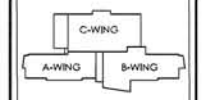
REVISIONS

ISSUED DATE
XX-XX-XXXX

PROJECT NO.	1529
DRAWN BY	RJA, TJB
APPROVED BY	GPS

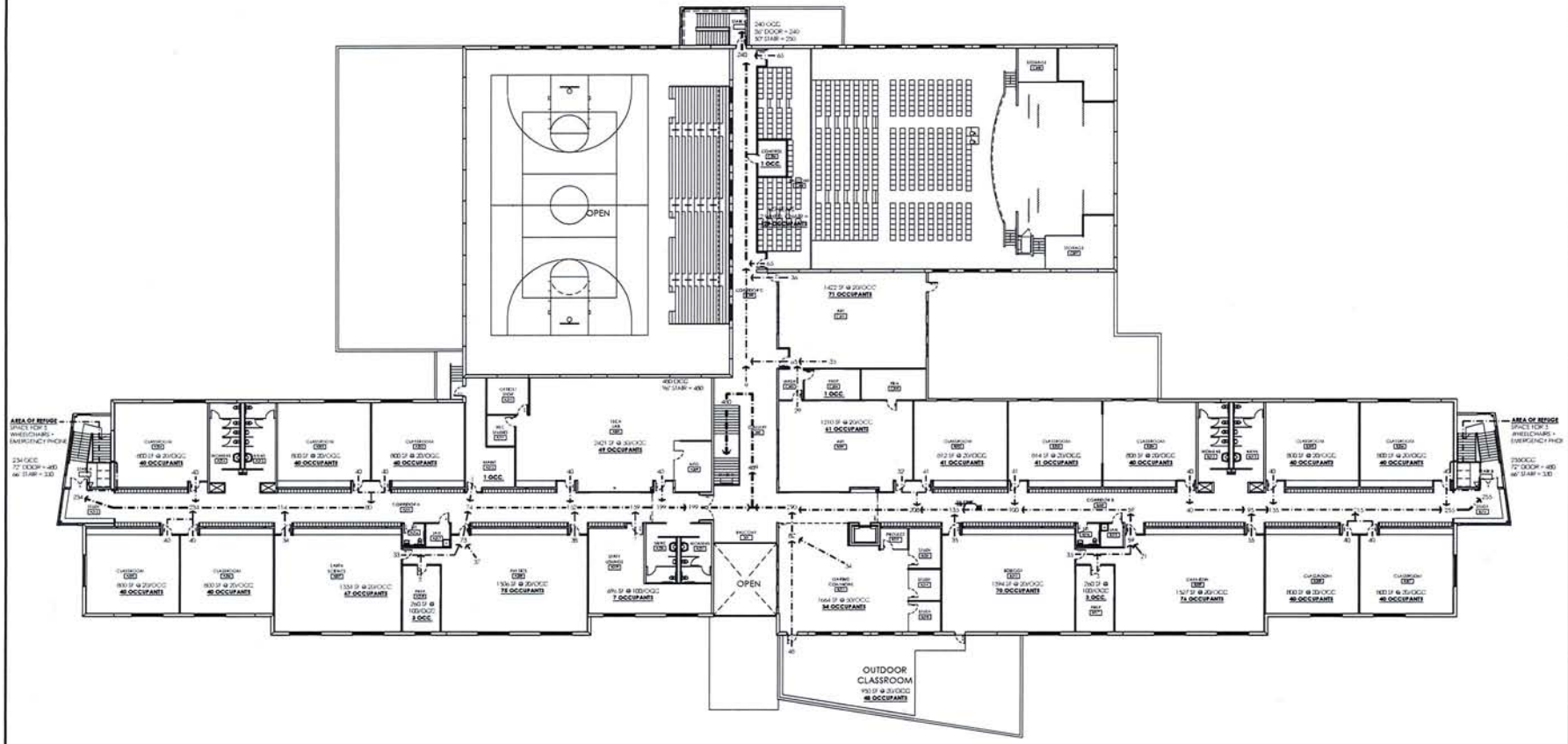
0 2
SCALE = 2" AT FULL SCALE

KEY



SHEET NO.
A0.1

F-22



1 **SECOND FLOOR LIFE SAFETY PLAN**
1/16"=1'-0"

LIFE SAFETY LEGEND

- EXIT ACCESS TRAVEL DISTANCE (SHORTEST DISTANCE)
- COMMON PATH OF EGRESS TRAVEL
- COMMON PATH OF EGRESS TERMINATION POINT
- PATH OF TRAVEL WITH DIRECTION AND DISTANCE
- EXIT SIGN
- EMERGENCY LIGHT
- COMBINATION EXIT SIGN / EMERGENCY LIGHT
- MANEUVERING CLEARANCE
- FIRE EXTINGUISHER
- 1 HOUR FIRE-RESISTIVE RATED CONSTRUCTION
- 2 HOUR FIRE-RESISTIVE RATED CONSTRUCTION
- FIRE RATED DOOR / FRAME ASSEMBLY (NUMBER INDICATES RATING IN MINUTES)
- OCCUPANT LOADING FOR FIGURING EGRESS WIDTH AT EGRESS STAIRS AND DOORS

OCCUPANT LOAD NOTES:
LEVEL 2 TOTAL: 1,178 OCCUPANTS
MINIMUM WIDTH - STAIRS: 1178 X 0.2 = 236"
MINIMUM WIDTH - OTHER: 1178 X 0.15 = 177"
MINIMUM # RESCUE UNITS: 1178 X $\frac{1}{300}$ = 6 UNITS

F-23

FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT

CONSULTANTS

AROLA ARCHITECTURE STUDIO, LLC

EAPC ARCHITECTS ENGINEERS

Northland Consulting Engineers L.L.P.

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 04.28.16

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

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
XX-XX-XXXX

PROJECT NO.	1529
DRAWN BY	RJA, TJB
APPROVED BY	GPS

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
A0.2

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" CONCURRENT WITH THE PERMIT DATE. AVAILABLE AT: http://www.dot.state.mn.us/pre-letting/spec/

2. ALL WORK SHALL ADHERE TO THE MUNICIPALITY WITH JURISDICTION OF PUBLIC WORKS AND UTILITIES STANDARD CONSTRUCTION DOCUMENTS AND SPECIFICATIONS. SUPPLEMENTS OR ADDENDUMS SHALL APPLY.

3. CONTRACTOR SHALL ACQUIRE ALL NECESSARY PERMITS.

4. ANY DIFFERENCES BETWEEN PLANS AND SPECIFICATIONS AND QUESTIONS REGARDING INTERPRETATIONS OF PLANS AND SPECIFICATIONS SHALL BE RESOLVED BY THE ENGINEER OR OWNER. THE CONTRACTOR WILL NOT BE PERMITTED TO TAKE ADVANTAGE OF ANY ERRORS OR OMISSIONS IN THE PLANS AND SPECIFICATIONS. THE GENERAL INTENT AND MEANING WILL GOVERN. THE ENGINEER OR OWNER WILL PROVIDE FULL INSTRUCTIONS WHEN CHANGED CONDITIONS, ERRORS OR OMISSIONS ARE DISCOVERED BY THE CONTRACTOR.

5. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING "GSOC" AT (1-800-252-1166) TWO WORKING DAYS PRIOR TO ANY EXCAVATION OR CONSTRUCTION.

6. ALTHOUGH SUCH WORK MAY NOT BE SPECIFICALLY NOTED ON THESE PLANS, CONTRACTOR SHALL FURNISH AND INSTALL ALL SUPPLEMENTARY OR MISCELLANEOUS FITTINGS, APPURTENANCES AND DEVICES INCIDENTAL TO OR NECESSARY FOR A SOUND, SECURE AND COMPLETE INSTALLATION.

7. ALL CONCRETE STRUCTURES SHALL CONFORM TO SPEC 2461 STRUCTURAL CONCRETE OF MINNESOTA MATERIALS LAB SUPPLEMENTAL SPECIFICATIONS FOR CONSTRUCTION CURRENT EDITION CONCURRENT WITH THE PERMIT DATE.. AVAILABLE AT: http://www.dot.state.mn.us/pre-letting/spec/2014/2014-Materials-Lab-Supplement.pdf)

8. ALL CONCRETE CURB SHALL CONFORM TO SPEC 2531 CONCRETE CURBING OF MINNESOTA MATERIALS LAB SUPPLEMENTAL SPECIFICATIONS FOR CONSTRUCTION CURRENT EDITION CONCURRENT WITH THE PERMIT DATE. AVAILABLE AT: http://www.dot.state.mn.us/pre-letting/spec/2014/2014-Materials-Lab-Supplement.pdf)

9. EQUIPMENT OR MATERIALS SPECIFIED IN THESE PLANS HAVE BEEN SPECIFIED BECAUSE THEY MEET THE PARAMETERS NEEDED TO PERFORM A CERTAIN FUNCTION. THERE MAY BE OTHER MANUFACTURERS OF SIMILAR EQUIPMENT OR MATERIALS THAT CAN BE USED IN LIEU OF THE ONES SPECIFIED HEREIN. ANY MODIFICATIONS TO SAID EQUIPMENT OR MATERIALS NEED TO BE APPROVED IN WRITING BY THE ENGINEER PRIOR TO THEIR BEING CONSIDERED FOR USE.

10. BY SUBMISSION OF HIS BID PROPOSAL THE CONTRACT ACKNOWLEDGES THAT HE/SHE HAS THOROUGHLY EXAMINED THE LOCATION OF THE WORK TO BE PERFORMED, IS FAMILIAR WITH LOCAL CONDITIONS, AND HAS THE RESOURCES TO LAYOUT AND CONSTRUCT THESE PLANS.

11. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL SURVEY CONTROL STAKES SET FOR LINE, GRADE, OR CONTROL IN THEIR ORIGINAL LOCATIONS. ANY EXPENSES INCURRED IN REPLACING ANY SUCH SURVEY STAKES WHICH THE CONTRACTOR OR HIS SUBCONTRACTORS MAY HAVE FAILED TO PRESERVE SHALL BE THE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.

12. THE CONTRACTOR IS RESPONSIBLE FOR UNCOVERING ALL EXISTING UTILITY LINES BEING CONNECTED TO BY VIRTUE OF THESE PLANS. HE/SHE SHALL BE RESPONSIBLE FOR VERIFYING THEIR ELEVATION AND LOCATION. THE CONTRACTOR IS ALSO RESPONSIBLE FOR PROTECTING ALL UTILITIES WHETHER BEING CONNECTED TO OR NOT.

13. ALL WORKMANSHIP AND MATERIALS THROUGHOUT THE JOB SHALL BE OF THE HIGHEST QUALITY. ALL MATERIALS SHALL BE NEW, UNLESS APPROVED BY THE ENGINEER.

14. CONTRACTOR SHALL AT ALL TIMES COORDINATE WORK WITH OTHER CONTRACTORS INVOLVED WITH ONGOING CONSTRUCTION OF THIS PROJECT.

15. ALL WORK AND MATERIALS WHICH DO NOT CONFORM TO THE SPECIFICATIONS AND / OR PLANS ARE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.

16. ALL WORK IS TO BE COMPLETED IN A SAFE MANNER IN ACCORDANCE WITH THESE CONSTRUCTION SPECIFICATIONS. ANY DEVIATION THEREFROM MUST BE APPROVED IN WRITING BY THE ENGINEER. INSTALLATION MUST CONFORM WITH THE REQUIREMENTS OF ALL GOVERNMENTAL REGULATING AGENCIES AND THE COST OF CONFORMING TO SUCH REGULATIONS MUST BE INCLUDED IN THE UNIT BID PRICES. EXAMPLES OF SUCH REGULATIONS, WITHOUT ATTEMPTING TO BE INCLUSIVE, ARE:

A. SPECIAL COMPACTION AND PAVING FOR STREET CROSSINGS.

B. SHORING WHEN REQUIRED BECAUSE OF THE TRENCH DEPTH.

C. CLOSING A TRENCH IN THOSE AREAS WHERE NO OPEN TRENCH IS ALLOWED OVERNIGHT.

D. BARRICADING AND TRAFFIC CONTROL AS REQUIRED.

17. ALL REVISIONS TO THE APPROVED CONSTRUCTION DRAWINGS AND SPECIFICATIONS MUST BE APPROVED BY THE OWNER PRIOR TO CONSTRUCTION. ANY UNAPPROVED REVISIONS ARE SUBJECT TO REMOVAL AND/OR REPLACEMENT AT THE CONTRACTOR'S EXPENSE.

18. THE QUANTITIES AND SITE CONDITIONS DEPICTED IN THESE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE SUBJECT TO ERROR AND OMISSION. CONTRACTORS SHALL SATISFY THEMSELVES AS TO ACTUAL QUANTITIES AND SITE CONDITIONS PRIOR TO BIDDING THE WORK FOR THE CONSTRUCTION COVERED BY THESE PLANS.

19. A REASONABLE EFFORT HAS BEEN MADE TO SHOW THE LOCATIONS OF EXISTING UNDERGROUND FACILITIES AND UTILITIES IN THE CONSTRUCTION AREA. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND/OR FACILITIES CAUSED DURING THEIR CONSTRUCTION OPERATIONS. CONTRACTOR SHALL CALL "GSOC" AT (1-800-252-1166) PRIOR TO ANY EXCAVATION.

20. THE CONTRACTOR IS RESPONSIBLE FOR ALL COORDINATION OF CONSTRUCTION AFFECTING UTILITIES AND THE COORDINATION OF ANY NECESSARY UTILITY RELOCATION WORK.

21. THESE PLANS ARE SUBJECT TO THE INTERPRETATION OF INTENT BY THE ENGINEER. ALL QUESTIONS REGARDING THESE PLANS SHALL BE PRESENTED TO THE ENGINEER. ANYONE WHO TAKES UPON THEMSELVES THE INTERPRETATION OF THE DRAWINGS OR MAKES REVISIONS TO THEM WITHOUT CONFERRING WITH THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR THE CONSEQUENCES THEREOF.

22. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.

23. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK. THE ENGINEER WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

24. PRIOR TO BIDDING THE WORK, THE CONTRACTOR SHALL THOROUGHLY SATISFY HIMSELF AS TO THE ACTUAL CONDITIONS, EARTHWORK QUANTITIES AND REQUIREMENTS OF WORK AND EXCESS OR DEFICIENCY IN EARTHWORK QUANTITIES, IF ANY. NO CLAIM SHALL BE MADE AGAINST THE OWNER/DEVELOPER OR ENGINEER FOR ANY EXCESS OR DEFICIENCY THEREIN, ACTUAL OR RELATIVE.

25. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURES RECOMMENDATIONS UNLESS OTHERWISE DIRECTED BY THE PROJECT SPECIFICATIONS.

26. ALL PAVING AND GRADING CONSTRUCTION WORK WITHIN THE PUBLIC RIGHT OF WAY, ON PRIVATE STREETS, ACCESS WAYS, PARKING AREAS, EASEMENTS AND LOT GRADING SHALL CONFORM TO THE GOVERNING MUNICIPALITY MINIMUM STANDARDS AND SPECIFICATIONS, MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD PLATES WILL CONTINUE TO APPLY WHERE NOT ADOPTED OR INCLUDED BY THE GOVERNING MUNICIPALITY. THE REFERENCE DOCUMENTS AND SPECIFICATIONS INCLUDED WITHIN THIS PLAN ARE HEREBY MADE A PART OF THE CONTRACT DOCUMENTS AND PROJECTS MANUAL. WHERE THERE IS A CONFLICT BETWEEN THESE NOTES AND THE PROJECT MANUAL, THE MORE STRINGENT OF THE REQUIREMENTS SHALL GOVERN UNLESS PRIOR CLARIFICATION FROM THE DESIGN ENGINEER HAS BEEN GIVEN IN WRITING TO THE CONTRACTOR.

27. CONTRACTOR TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT AND SERVICES NECESSARY TO COMPLETE ALL PROJECT SITE WORK, SITE CLEARING, DEMOLITION, ROADWAY EXCAVATION, RELOCATIONS, STRUCTURE EXCAVATION, TRENCHING/BACKFILLING, ALL BORING, DRILLING, SITE GRADING AND EARTHWORK INCLUDING ALL PAVING, PIPING, UTILITY LINE CONSTRUCTION, CURBS, SIDEWALKS, SITE CONCRETE WORK AND OTHER MISCELLANEOUS SITE WORK STRUCTURES AND ITEMS INDICATED ON THE PLANS AND IN THE CONTRACT DOCUMENTS.

28. THE ENGINEER OR OWNER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION.

29. ALL OBSTRUCTIONS IN RIGHT OF WAY SHALL BE REMOVED BEFORE ANY CONSTRUCTION IS PERMITTED.

30. ANY QUANTITIES SHOWN ON PLANS ARE NOT VERIFIED BY THE ENGINEER. QUANTITIES ARE APPROXIMATE ONLY AND INTENDED AS A GUIDE FOR ESTIMATING PURPOSES. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING HIS OWN QUANTITY TAKE OFFS. THE OWNER DOES NOT VERIFY ANY CUT/FILL QUANTITIES IF SHOWN ON THE PLANS.

31. ALL WORK DONE UNDER THIS CONTRACT SHALL BE DONE TO THE SATISFACTION OF THE OWNER AND ENGINEER. THE OWNER AND ENGINEER SHALL MAKE DECISIONS REGARDING QUESTIONS THAT MAY ARISE WITH RESPECT TO THE MEANING OF THE PLANS AND SPECIFICATIONS. THE OWNER'S AND ENGINEER'S DETERMINATIONS AND DECISIONS THEREON SHALL BE FINAL AND CONCLUSIVE.

32. THE CONTRACTOR OR SUBCONTRACTORS SHALL NOT DEVIATE FROM THESE PLANS OR MAKE FIELD CHANGES WITHOUT NOTIFYING IN WRITING THE OWNER AND ENGINEER REQUESTING APPROVAL OF THESE MODIFICATIONS. ANY CHANGES MADE WITHOUT EXPRESS WRITTEN APPROVAL OF THE OWNER AND ENGINEER ARE SUBJECT TO REMOVAL AT THE EXPENSE OF THE CONTRACTOR OR SUBCONTRACTOR.

33. THE 2360 PLANT MIXED ASPHALT PAVEMENT COMBINED 2360/2350 GYRATORY/MARSHALL DESIGN SPECIFICATION FOR 2012 CONSTRUCTION SEASON SHALL APPLY. BITUMINOUS AND QUANTITIES BASED ON 115 LBS / SY-IN. AVAILABLE AT: http://www.mrr.dot.state.mn.us/pavement/bituminous/bituminous.asp

34. ALL CONSTRUCTION REMOVAL ITEMS SHALL BE DISPOSED OF AT AN APPROVED WASTE SITE.

35. CONTRACTOR IS REQUIRED TO POSSESS & FOLLOW THE GOVERNING SPECIFICATIONS REFERENCED IN THIS PLAN.

APPROVALS

1. THE CONTRACTOR IS TO USE THE OFFICIAL CONSTRUCTION SET OF PLANS AND DRAWINGS FOR CONSTRUCTION. IT IS THE CONTRACTORS DUTY TO ACQUIRE AN OFFICIAL SET OF APPROVED PLANS AND SHALL HAVE A SET OF THOSE PLANS WITH HIM/HER ON SITE AT ALL TIMES DURING THE DURATION OF THIS PROJECT.

INSPECTION

1. ALL MATERIALS USED AND ALL WORK DONE BY THE CONTRACTOR SHALL BE SUBJECT AT ALL TIMES TO THE INSPECTION, TESTING, AND APPROVAL OF THE OWNER OR HIS REPRESENTATIVE AND THE ENGINEER.

2. THE OWNER OR HIS REPRESENTATIVE WILL MAKE PERIODIC INSPECTIONS OF THE DIFFERENT PHASES OF THE SITE WORK.

3. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE PUBLIC UTILITY COMPANIES FOR COORDINATION AND INSPECTION OF TRENCHING, BEDDING AND BACKFILLING DONE IN CONJUNCTION WITH THE INSTALLATION OF THOSE UTILITIES ASSOCIATED WITH THIS PROJECT.

FIELD ENGINEERING:

1. THE CONTRACTOR SHALL CAREFULLY PRESERVE ALL STAKES, REFERENCE AND CONTROL POINTS, ETC. AGAINST DESTRUCTION AND SHALL PROMPTLY NOTIFY HIS ENGINEER/SURVEYOR OF ANY STAKES WHICH HAVE BEEN DISTURBED. IN CASE OF RESTAKING DUE TO TIMING LAG CAUSED BY THE CONTRACTOR'S WILLFUL OR CARELESS DESTRUCTION, THE CONTRACTOR MAY BE CHARGED BY THE OWNER WITH THE RESULTING EXPENSE FOR THE RESTAKING.

2. ENGINEER/SURVEYOR SHALL BE NOTIFIED TWO WORKING DAYS (48 HOURS) MINIMUM PRIOR TO THE FIELD STAKING SCHEDULING.

3. ANY QUESTIONS RAISED RELATIVE TO THE ACCURACY OF IMPROVEMENT INSTALLATION SHALL NOT BE RAISED SUBSEQUENT TO COMPLETION OF THE WORK UNLESS ALL SURVEY STAKES ARE MAINTAINED INTACT. SHOULD SUCH STAKES NOT BE PRESENT AND VERIFIED AS TO THEIR ORIGIN, NO CLAIM FOR ADDITIONAL COMPENSATION FOR CORRECTION SHALL BE PRESENTED TO ANY PARTY AND SUCH WORK SHALL BE CORRECTED BY THE CONTRACTOR AT HIS EXPENSE.

4. ALL CONSTRUCTION STAKING FOR GRADE, ALIGNMENT AND CONTROLS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AS SPECIFIED BELOW.

5. THE CONTRACTOR'S ENGINEER/SURVEYOR AND THE DESIGN ENGINEER CANNOT GUARANTEE THE ACCURACY OF CONSTRUCTION STAKES FOR GRADE OR ALIGNMENT AFTER THE SURVEY CREW HAS LEFT THE SITE DUE TO VANDALISM AND CONSTRUCTION OPERATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW IN THE FIELD ALL CONSTRUCTION STAKING DONE PRIOR TO BEGINNING THE PLACEMENT OF FORMS OR BEGINNING CONSTRUCTION FOR THAT PHASE OF THE WORK. THE CONTRACTOR SHALL NOTIFY HIS ENGINEER/SURVEYOR IMMEDIATELY FOR VERIFICATION OF GRADE AND ALIGNMENT SHOULD A PROBLEM ARISE IN THE FIELD. IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE COMPENSATION TO HIS ENGINEER/SURVEYOR FOR PRECHECKS AND RESTAKING.

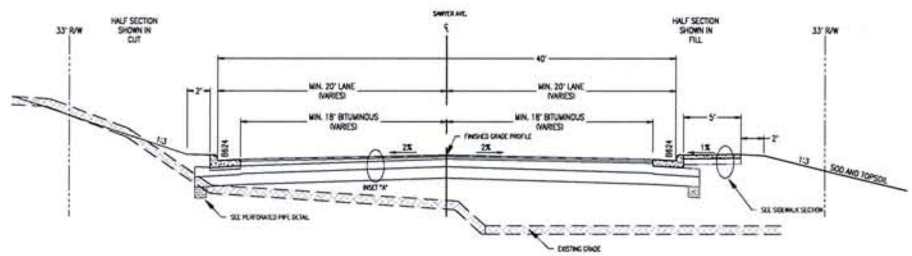
GSOC

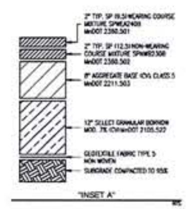
1-800-252-1166

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".

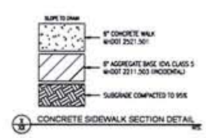
WARNING:
LOCATION OF UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR. CALL BEFORE DIGGING. GOPHER STATE ONE CALL 1-800-252-1166 REQUIRED BY LAW.

TYPICAL ROADWAY SECTION
SAWYER AVENUE
STA. XXX+XX TO STA XXX+XX

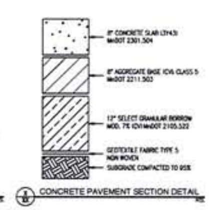




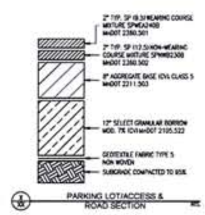
"INSET A"



CONCRETE SIDEWALK SECTION DETAIL



CONCRETE PAVEMENT SECTION DETAIL



PARKING LOT/ACCESS & ROAD SECTION

LEGEND

DESCRIPTION	REMOVAL	EXISTING	PROPOSED
SITE PROPERTY	N/A		
SECTION	N/A		
RIGHT OF WAY	N/A		
EASEMENT	N/A		
LOT	N/A		
BENCHMARK	N/A		
PLS MONUMENT	N/A		
T-BAR	N/A		
CHISELED X	N/A	N/A	N/A
CALCULATED	N/A	N/A	N/A
REBAR / NAIL	N/A		
CENTERLINE	N/A		
PAVEMENT			
PAVERS			
CONCRETE			
SIDEWALK			
GRAVEL			
RIP RAP			
CURB & GUTTER			
STRIPING			
ADA DOMES			
FLAG POLE			
MAIL BOX			
POST			
BOLLARD			
PARKING METER			
SIGN			
CHAIN LINK FNC			
BARB WIRE FNC			
FNC			
GUARD RAIL			
VEGETATION			
TREE			
WETLAND			
BUILDING			
WALL			
DOOR			
OVERHANG			
STOOP		N/A	
FOOTING			
DOWN DRAIN	N/A		
MJR CONTOUR	N/A		
MNR CONTOUR	N/A		
TOP OF SLOPE			TOP
TOE OF SLOPE			TOE
DAYLIGHT FILL		N/A	
DAYLIGHT CUT		N/A	
FLOW LINE			
OVERHEAD	OH		OH
UTILITY POLE			
GUY WIRE			
VALVE			
UTILITY BOX			
METER			
CLEANOUT			
STORM PIPE			
STORM MH			
CB - SQUARE			
CB - ROUND			
APRON			
FORCEMAIN	FM		FM
SANITARY			
SANITARY MH			
WATER LINE			
WATER MH			
HYDRANT			
WELL			
GAS PIPE			
GAS MH			
REGULATOR			
ELECTRICAL			
ELEC MH			
LIGHT POLE			
TRANSFORMER			
OUTLET			
FIBER OPTIC	FO		FO
TELECOM	T		T
CABLE			
COMM MH			

DEFINITIONS

REF	DESCRIPTION
C	DAYLIGHT - CUT SLOPE
EG	EXISTING GRADE
F	DAYLIGHT - FILL SLOPE
FFE	FINISH FLOOR ELEVATION
FG	FINISH GRADE
N/A	NOT AVAILABLE
PC	POINT OF CURVATURE
PI	POINT OF INTERSECTION
PT	POINT OF TANGENT
R	RADIUS
T/BIT	TOP OF BITUMINOUS
T/CURB	TOP OF CURB
T/CONC	TOP OF CONCRETE
T/WALL	TOP OF WALL
TOE	BOTTOM OF SLOPE
TOP	TOP OF SLOPE

FOUNDATIONS ARCHITECTURE
GREG STROM, ARCHITECT
2158 CUYLAS ROAD DULUTH, MN 55803
PH: 218-525-4326 CELL: 218-391-7558

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TELE 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.349.0650
WIRTH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Forensic Engineering

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE
DAVID BOLF, PE

DATE XX/XX/XXXX 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

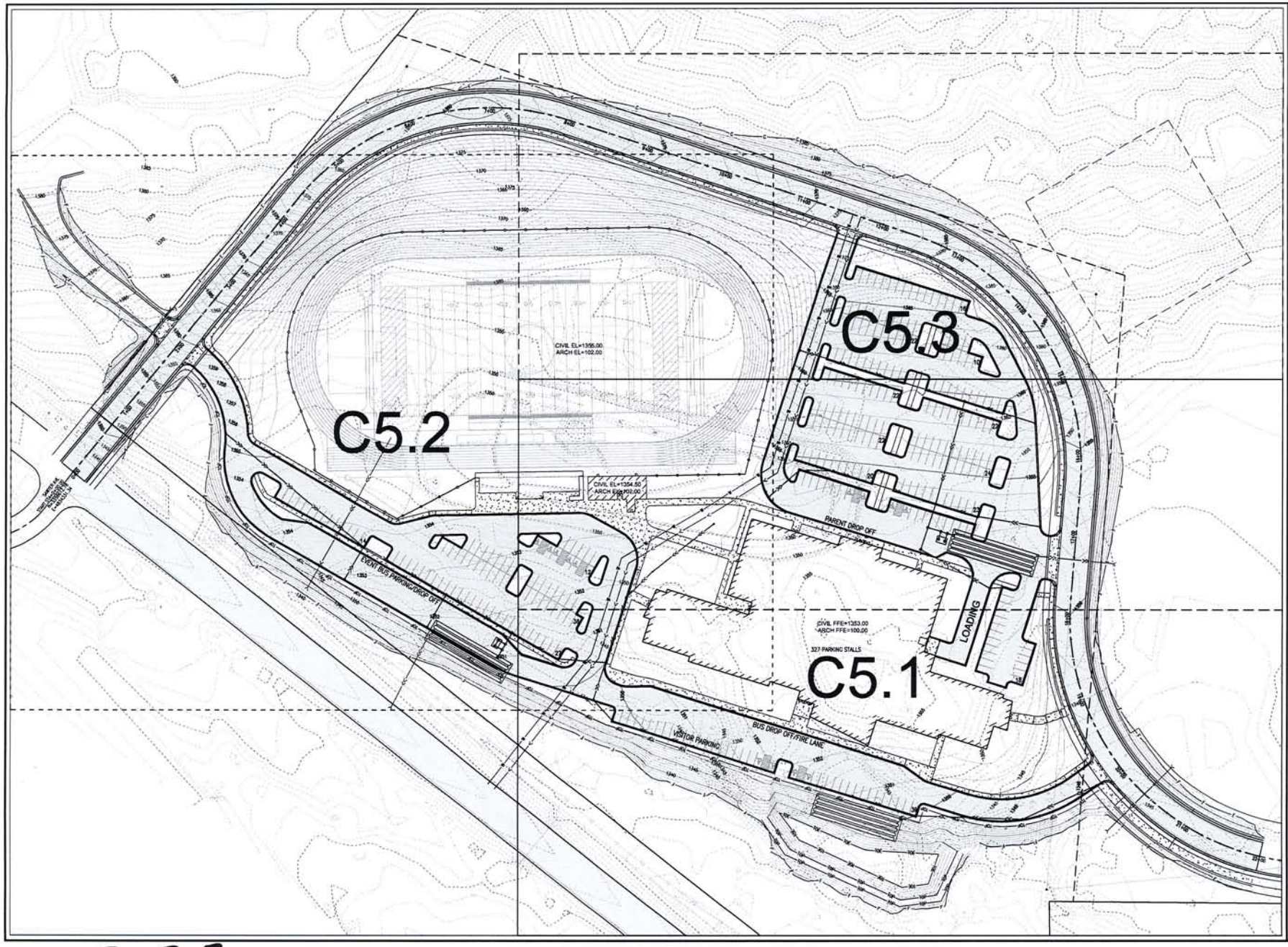
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C1.0

F.24



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TELE 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.349.0655
WITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Cosmic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(218)-721-0995, (218)-721-7175

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE
DAVID BOLT, 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

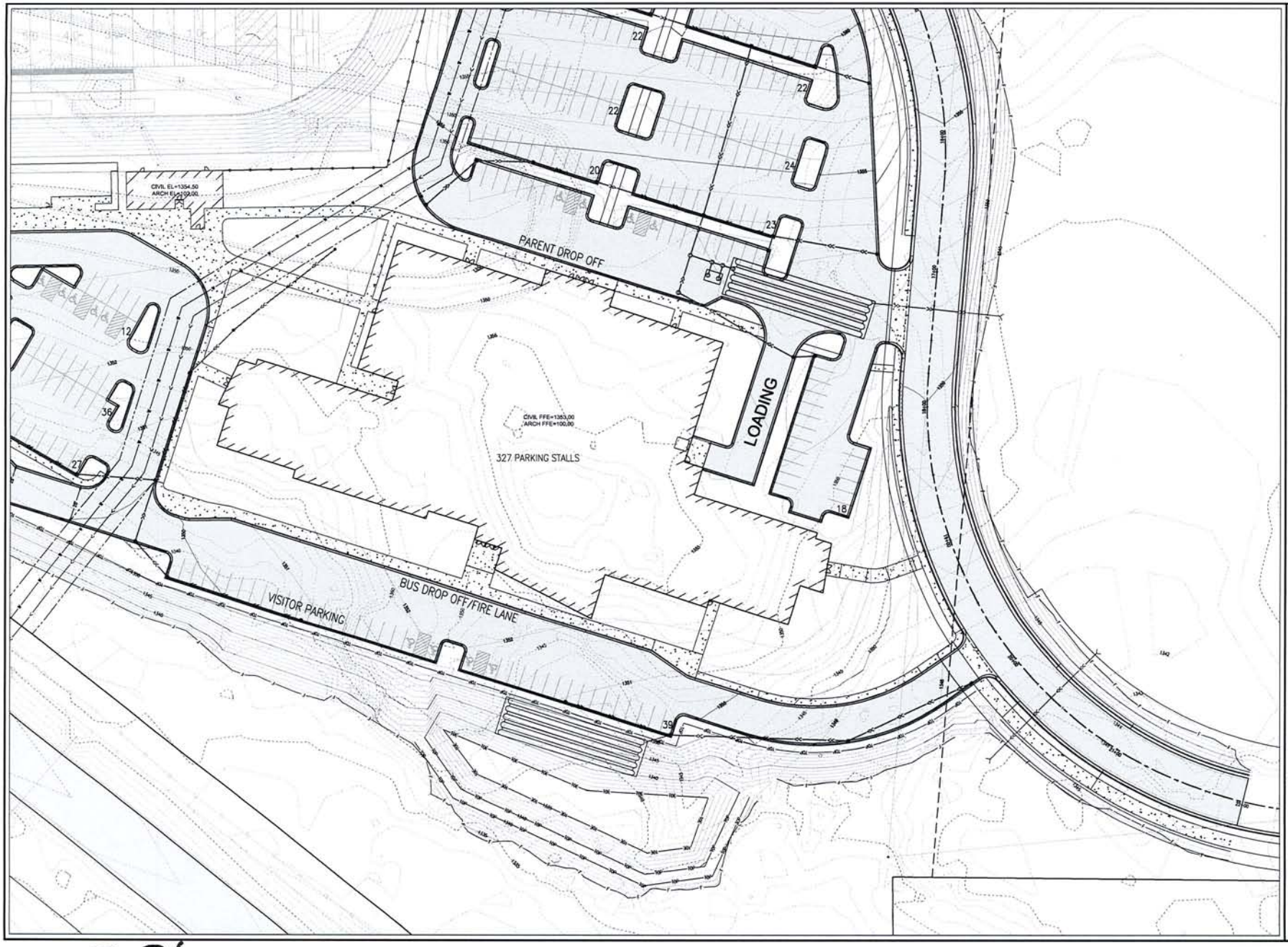
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C5.0

F-25



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS

TELE 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.349.0655

NIRTH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.

Structural, Civil and Control Engineering
102 South 21st Ave. West, Duluth, MN 55806
(0218-727-0995), (0218-727-7775)

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE DAVID ROLF, PE

DATE 00/00/00 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

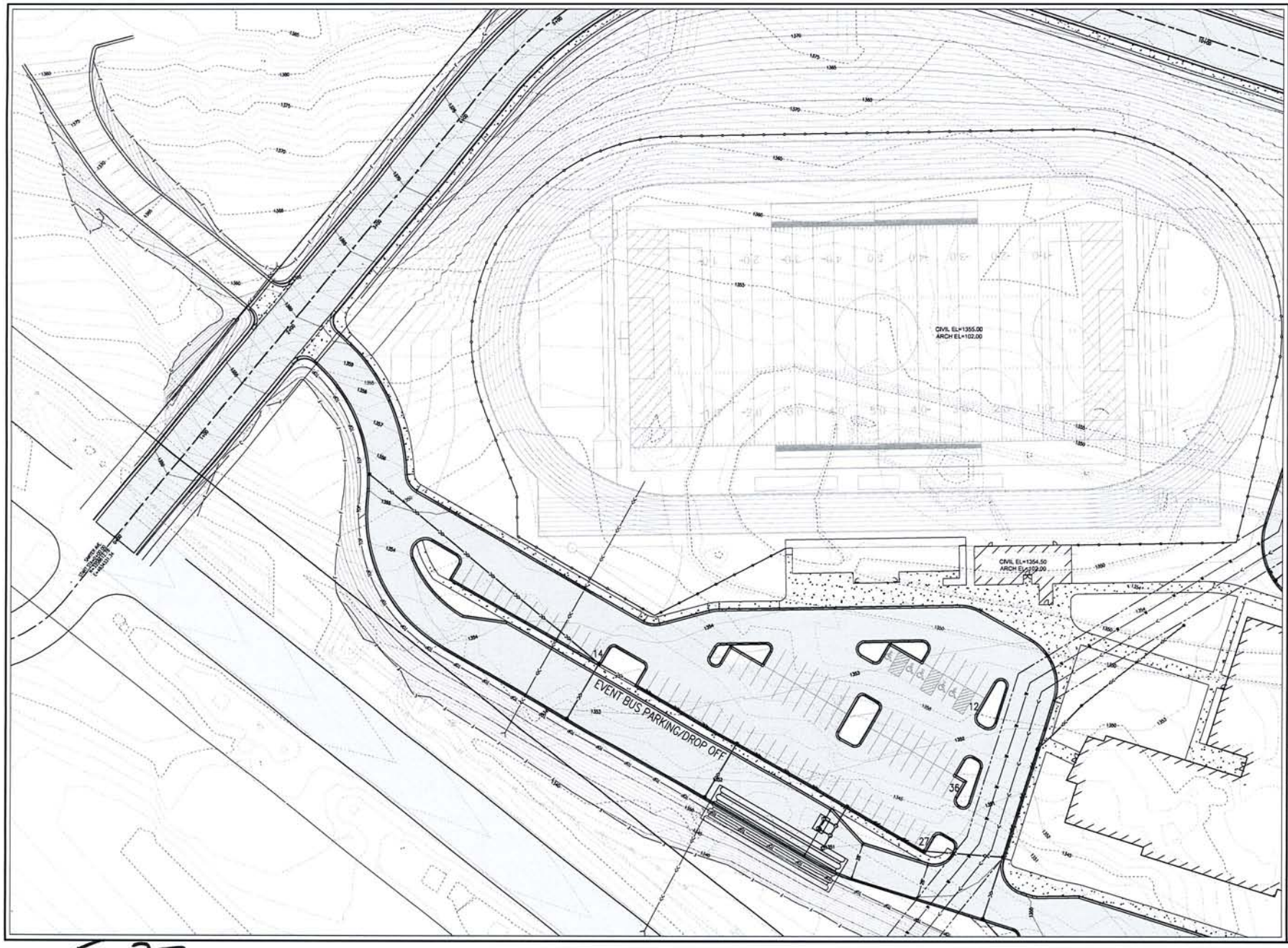
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C5.1

F. 26



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TELE 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.340.0650
NIRTH BUILDING
12 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
302 South 25th Ave. West, Duluth, MN 55806
(218)-721-0005, (218)-721-0775

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE: DAVID BOLI, PE

DATE 00/00/00 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

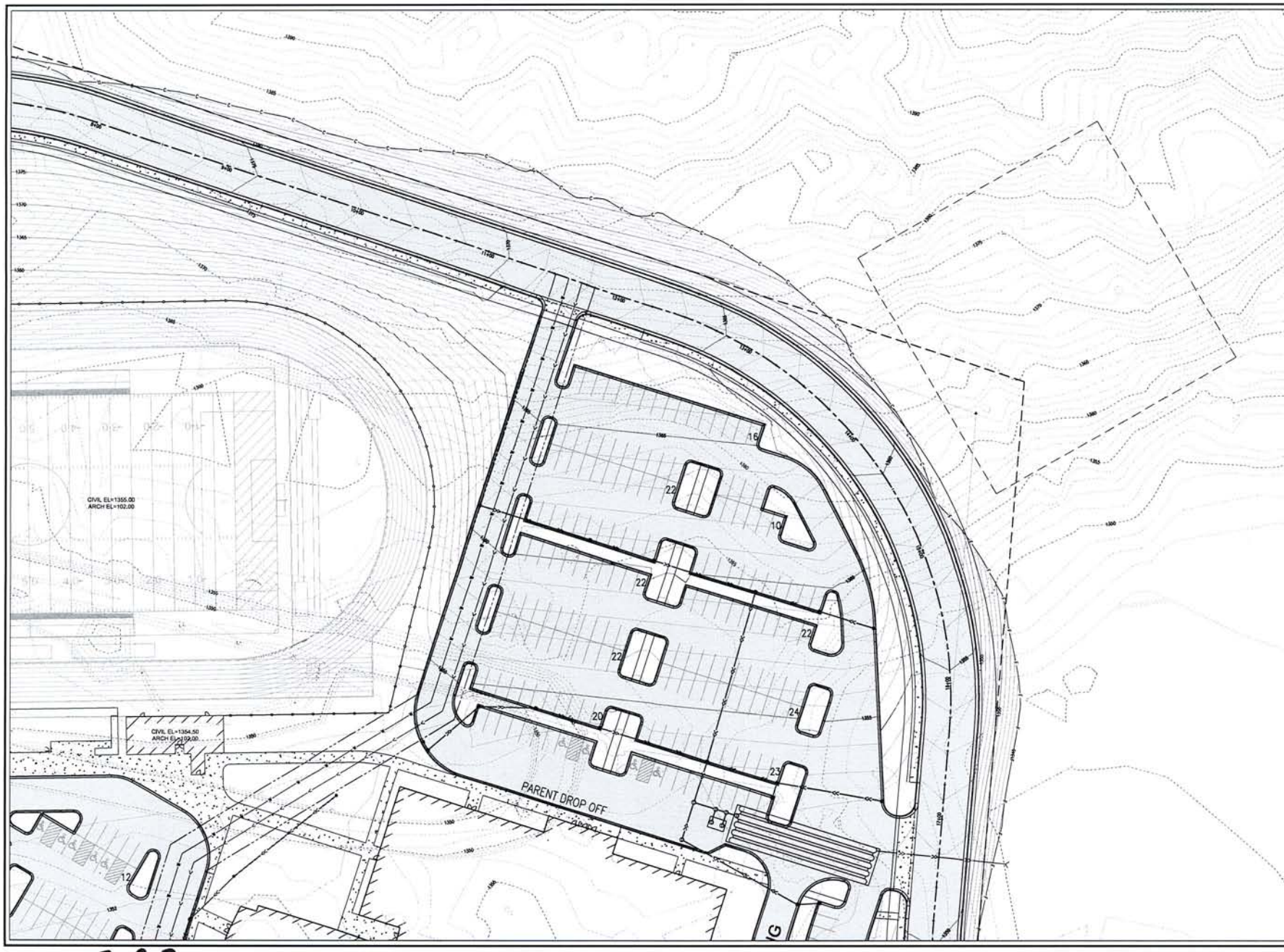
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C5.2

F-27



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TEL: 701.461.7222 FAX: 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.348.0655
WITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Electrical Engineering
100 South 21st Ave West, Duluth, MN 55806
(218)-721-0485, (218)-721-7779

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE

DAVID BOLT, PE

DATE XX/XX/XX LICENSE No. #0926

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

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
04/15/2016

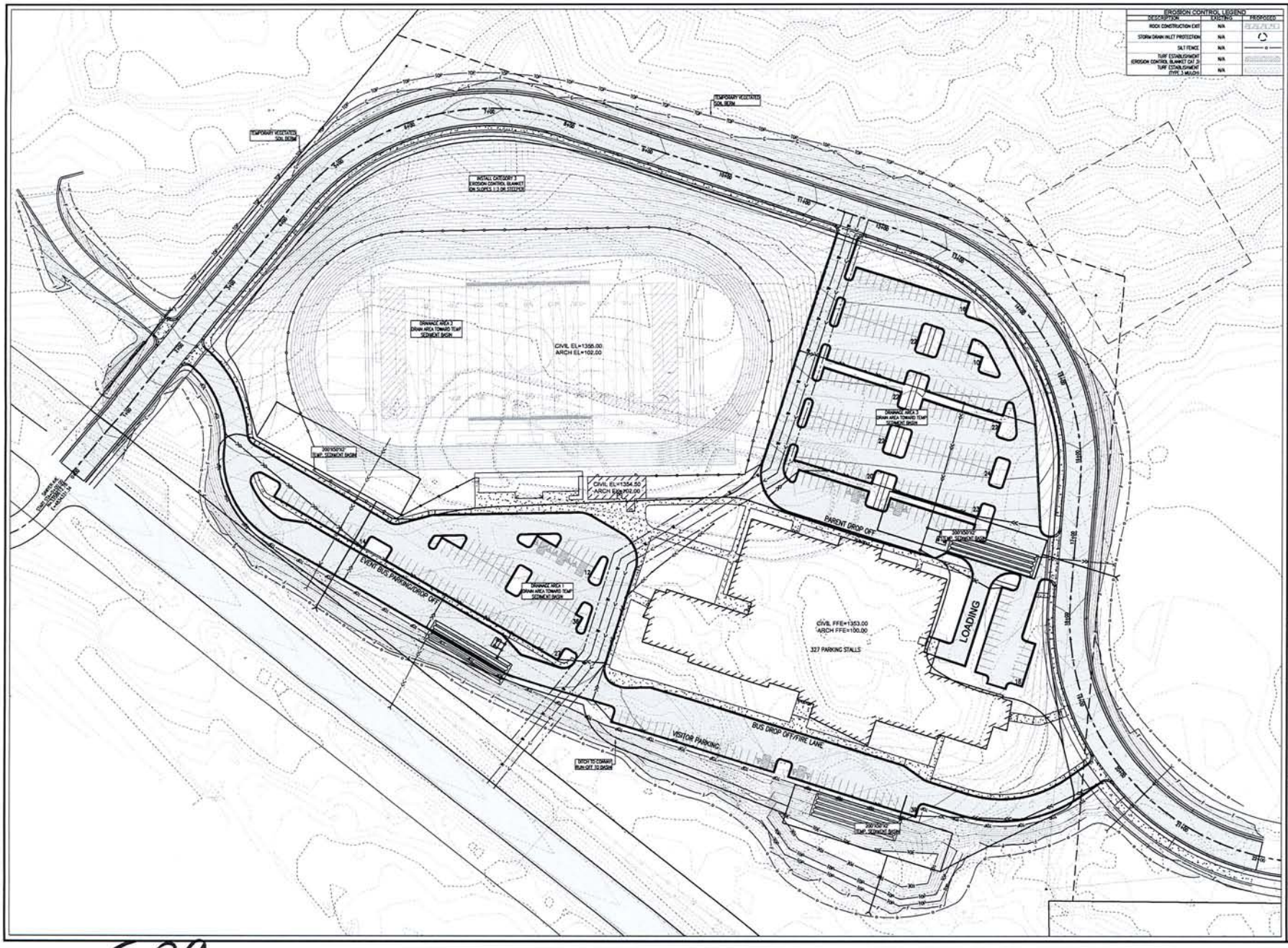
PROJECT NO.	15-S04-C
DRAWN BY	JDO
APPROVED BY	AR2

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C5.3

F-28



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TELE 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED NATIVE SEEDING
PHONE 218.349.0655
NATIVE BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Forensic Engineering
100 South 21st Ave. West, Duluth, MN 55806
(218)-727-5995, F(218)-727-7179

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE DAVID BOLF, PE

DATE XXXXXXXX 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

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C7.0

F-29

Duluth Edison Charter Schools
Your K-8 Schools of Choice

NORTH STAR ACADEMY: K-8
3301 Technology Drive
Duluth, MN 55811
Ph: (218) 728-9556
Fax: (218) 728-2075

RALEIGH ACADEMY: K-5
5905 Raleigh Street
Duluth, MN 55807
Ph: (218) 628-0697
Fax: (218) 628-2264

March 11, 2016

To Whom It May Concern,

Duluth Public Schools Academy, also known as Duluth Edison Charter Schools, (4020-07) is committed to academic and personal excellence for every student. We achieve our mission and vision through the following principles:

-- Expect a commitment of excellence from the students, families and staff.

-- Appreciate each student's diverse character and interests through an active approach to curriculum, programs and projects.

-- Provide a safe and accepting learning environment.

-- Sustain a culture of teaching living the following core values -- respect, responsibility, compassion,courage, hope, integrity, justice and wisdom.

-- Uphold the professional innovation, creativity and collegiality of exceptional staff.

-- Require sound and responsible business and operational management practice.

Our school opened in the fall of 1997 as a response to ISD 709's call for a public charter school in the city. The opening enrollment of about 450 students has now grown to 1,370 students. Over time we have been housed at the Central Administration Building and former Kenwood and Washburn schools. At this time, we have about 280 students in our K-5 Raleigh Academy in West Duluth and the remainder in our K-8 North Star Academy. North Star Academy was built by Tischer Creek Duluth Building Company and opened in the fall of 2011.

We offer a rich curriculum that includes reading, math, science and social studies instruction as well as daily specialist subjects of music, Spanish, art, and physical education. We offer math, reading and behavior interventions for students with those needs. We have enjoyed great growth throughout our history and been asked more and more by our families to open a high school.

Significant research was done by a Board appointed task force over the past years to research the feasibility of opening a high school. This included enrollment and financial projections, programmatic design work, and research on potential sites for a high school. In a parent/guardian survey in 2013 to measure interest in a DPSA high school 491 families (49 percent) responded. In those responses 420 (86 percent) said it was very likely their child would attend, 50 (10 percent) likely and only 21 (four percent) not likely. Clearly the demand by our families exists.

Our focus is on providing a high school that meets the needs of students moving into the 21st century workforce. The Manhattan Institute states that nationally 70 percent of all students in public high schools graduate but only 32 percent are ready to attend a four year college. We want to change that.

F-30

Our intent is to take the culture and academic programming in our current North Star Academy (grades K-8) and Raleigh Academy (grades K-5) and shape a rich high school program for our students. We will begin with grades nine/ten and then expand to a 9-12 program with at approximately 660 students by 2019-20.

To fulfill this vision our high school program will:

1) Offer a student advisory with the same teacher for all four years creating a strong connection between each student and at least one adult. This is where students will develop their college/career ready work plan as part of the state's focus on the World's Best Workforce. This will include a plan to ensure high school graduation.

2) Adopt DPSA's school wide PBIS focus of being safe, kind and responsible as well as our shared core values -- wisdom, justice, courage, compassion, hope, respect, integrity and responsibility to shape our school culture.

3) Address the needs of the "whole" student by meeting or exceeding required Minnesota graduation standards and offering a rich arts program that includes music and visual arts.

4) Provide students with differentiated learning opportunities through blended learning that allow mastery of required standards for students interested in post-secondary education or career training to better prepare them for the rigor and demands of continued learning.

5) Offer a variety of after school programs or extra curricular options that include sports (beginning with Junior Varsity teams), speech, theater, music, and more as student interests dictate.

6) Utilize a multi-tiered level of supports framework to assist students with academic or behavioral needs with a particular focus on reading and math skills.

7) Utilize digital and telecommunication technologies to enable collaborative learning with national and international colleges, universities and businesses related to STEM (science, technology, engineering and math).

Please let me know of any additional questions or concerns.

Sincerely,

Bonnie Jorgenson, Head of School

F.31

FOUNDATIONS ARCHITECTURE
COMMERCIAL RESIDENTIAL
GREGORY P. STROM, ARCHITECT
2150 culas road - duluth, minnesota
phone (218) 525-4326 cell: (218) 391-7334
email: gps.foundations@gmail.com

DSPA 8-12 SCHOOL

ADDITIONAL INFORMATION SECTION
SECTION 3.11 CHECKLIST

Site Plan

A site plan has been included that includes information about sidewalks, driveways, parking lots and existing pedestrian features and a building footprint. Note that the existing western driveway onto Rice Lake Road is proposed be shifted slightly west as part of the St. Louis County backage road (Sawyer Road) construction plan. Another connection is associated with the site, connecting the proposed High School Campus, past the north end of the existing North Star Academy elementary school, west of the existing Minnesota Power campus and back to Arrowhead Road at the intersection of Arrowhead and Rice Lake Road South.

Parking – See variance Request Section 3.10

Snow Storage

Some of the parking lot islands could be used as limited snow storage. Most snow storage will occur in the storm water pond at the southern most edge of the proposed HS Campus. The remainder of snow storage will occur at the outer perimeter of paved roads and parking areas. This practice is similar to most commercial snow storage scenarios. In heavy years, there is plenty of space in the storm water pond.

Architectural Plans

Floor plans and elevations are included for the proposed High School as well as a more detailed plan drawing of the structures servicing the track and field facilities. A 3D color rendering is being provided to give a true image of how the campus will appear to the public.

The major building systems will be architectural precast concrete wall panels with metal wall panel accents at selected locations. The plan is laid out for a welcoming feel while maintaining the security required of modern schools. The proposed parking locations are critical to that plan security, especially the proximity the visitor parking to the front door. The layout also sets up event areas at the rear and side so that the bulk of the parking has been moved from the front of the building to the side and rear yards.

Mechanical and service equipment (such as trash and recycling) have been placed at locations where the building will naturally screen them from public view. These items will be further screened using walls and or fences or vegetation as prescribed in the UDC.

Sidewalks

Sidewalks are included on all pick up and drop off areas on the north and south sides of the building. Sidewalks are also included between the track and field facility and the parking lot to the south, between the visitor bus drop of and the track and Field parking lot, and through the center of the student and staff lot north of the school building.

Current Pedestrian Access

There is no pedestrian access to the site but for a shoulder along Rice Lake Road and via ski trails that come near to the existing Northstar Academy Campus. The site is proposed to be connected internally with a network of sidewalks. This campus will be connected to the sidewalk that is proposed to run along the County Backage Road. The proposed County Backage Road will connect Rice Lake Road, to Arrowhead Tennis, to Snowflake Nordic, DPSA 8-12, to Northstar Academy, to United Health, to Involta, to Minnesota Power to Arrowhead and beyond.

Landscape Plan

Nearly all forested wetland along the frontage with Rice Lake Road will be preserved. Shrubs of 36-48" in height and spread will be placed between the sidewalk and the front façade of the proposed school where there is not adequate space for a colonnade of trees and snow/salt crush is a consideration. Shrub species will be all or any of the following:

- Anthony Waterer Spirea
- Compact Viburnum
- Bridal Wreath Spirea
- Mugo Pine

F. 33

Cut Leaf Spirea
Arbor Vitae
All minimum 2 gallon size at planting
Large Tree species will be Minimum 2.5" caliper at planting:
- White Oak
- Red/Silver Maple
- Sugar Maple
- Red Pine
- White Pine
- White Spruce

Small Tree species will be:
- Dolgo Crab (*Malus 'Dolgo'*) or equivalent
- Minimum 2.5" caliper at planting

Screening

For perimeter planting and parking lot screening along public streets, existing vegetation is being preserved. Along the proposed Sawyer Avenue backage road, street trees have been prescribed. For this plan, a line of trees has been specified around the west, north and east sides of the proposed campus in the event the Sawyer Avenue project does not go as planned.

A loading and dumpster area is planned for the northeast side of the proposed High School building and will be heavily screened.

Tree preservation

Nearly all trees that exist in the forested wetland along the entire project frontage with Rice Lake Road will be preserved with the exception of those trees that must be removed for the utility extension. That corridor must be maintained open, but will be re-vegetated with herbaceous vegetation and will be allowed to re-vegetate with native Specked Alder which is a hydrophyte via natural succession.

Loading Zones

Loading of supplies for the school will occur through a loading dock on the northeast side of the building. Student Pick up and drop off will occur along the front façade of the proposed School building and along the north façade. Further visitor bus parking and pickup/drop off will be provided south of the track and field parking area.

Signage

Lettering will be placed on the front and rear façade of the building near drop off areas.

F. 34

A 6.9' tall and 8' long monument sign will be added to the
SW corner of the property near the entrance off of Rice Lake Road, if permitted and in the budget.

Lighting

LED parking lot lighting has been selected with a maximum of 1FC coverage. The attached analysis is for a sign shoebox light on a pole.

Athletic field lighting has been prescribed for the track and field area. This lighting will be similar to the lighting that has been constructed at the Duluth East High School track and field.

Respectfully Submitted:
Greg Strom, Architect

FOUNDATIONS
ARCHITECTURE
COMMERCIAL RESIDENTIAL

GREGORY P. STROM, ARCHITECT
2150 culas road - duluth, minnesota
phone (218) 525-4326 cell: (218) 391-7334
email: gps.foundations@gmail.com

DSPA 8-12 SCHOOL

SUSTAINABILITY CHECKLIST
4 POINTS REQUIRED

Location:

0.25 Development on a previously undeveloped site that is located immediately adjacent to existing city roadway and utility infrastructure.

Energy Efficiency:

0.75 Meet ASHRAE standard 189.1 (Section 7.4.6) for lighting.

Passive Solar:

1.00 Building's longer access is east-west orientation for maximum solar exposure.

Vegetation:

0.75 Retain at least 20% of the existing pre-development natural vegetation.

Transportation:

1.50 Source a minimum of 20% by cost of construction materials from recycled products or products manufactured. extracted, harvested, or recovered within 250 miles of the site.

4.25 Total

Respectfully Submitted:
Greg Strom, Architect

F-36

F-37

Excerpt from Wetland Replacent

Project Name and/or Number: CMS

PART FOUR: Aquatic Resource Impact[1] Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	**Aquatic Resource Type** (wetland, lake, tributary etc.)	**Type of Impact** (fill, excavate, drain, or remove vegetation)	**Duration of Impact** Permanent (P) or Temporary (T)[1]	**Size of Impact**[2]	**Overall Size of Aquatic Resource**[3]	**Existing Plant Community Type(s)** in Impact Area[4]	**County, Major Watershed #, and Bank Service Area #** of Impact Area[5]
3/4	WETLAND	FILL	P	53053	923472	PUB3	SEE BELOW
6/7	WETLAND	FILL	9	55884	923472	PF03B	SEE BELOW

[1]If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".
[2]Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).
[3]This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".
[4]Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.
[5]Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

NONE: Wetland Bank #1532, 02- Lake Superior South, BSA 1

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: David M. Chmielewski Date: 04-06-16

I hereby authorize DAVID CHMIELEWSKI to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

4/6/16

[1] The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

F-38

WCA AND 404 ADDITIONAL INFORMATION

WETLAND EVALUATION

The site was visited in the fall of 2014 and wetlands were delineated within the area of interest. A NOD dated December 9th, 2014 was issued by the LGU representative the SSLSWCD, on behalf of the City of Duluth for the Wetland Conservation Act.
Site plan and architectural development led by the firm of Foundations Architecture has been underway since August of 2015. Those concepts have been included in this application as exhibits.

On December 10th, the applicant met with representatives from the LGU and the USACE.

EXISTING CONDITIONS (SETTING)

The DPSA 8-12 wetlands proposed for impact are as follows:
Wetland groups 1, 2 and 3 (proposed for impact) could be characterized as PUB3 (type 3) and PFO3B (type 7). Wetland 1 has been converted from prior wetlands noted as being PSS1 (type 6) and PFO3B in an LGU no net loss decision dated December 7th, 2001. See exhibit 1 and 1.1. This decision permitted a change in wetland type of 1.3 acres of wetland for the creation of a speed skating oval. Excavated material was hauled off site (source George Hovland).
Wetland 1 has maintained standing water since we began evaluating the site. A small part of wetland 3 is the wetland formed by the drainage to the wetlands along Rice Lake Road. This drainage is primarily forested and is a PF03B wetland.
Wetland 2 appears to be fed from surface runoff from the adjacent clearing which is used for a ski staging area in the winter and a recreational field in the summer. Flows from the hillside to the north also provide hydrology for this wetland entity.

The area surrounding the site is mostly wooded. To the north, there is forest comprised of relatively mature Aspen, Birch, White Pine, Ash, Balsam Fir and Maple. This forest is bisected by ski trails that make up the Snowflake Nordic Center, which is a non-profit ski organization that provides groomed ski trails for school events and members as well as camping and hiking in the summer months.

The immediate watershed feeding wetland 1 is 6.19 acres to the north; nearly all forested, with some turf, a small portion of the Chalet and a small portion of the ATC overflow parking area. This wetland appears to have minimal bounce in the water level and drains overland out of its southwest corner, eventually draining into the wetlands that bank into Rice Lake Road, then through a culvert under Rice Lake Road and into the wetland complex surrounding the headwaters of Chester Creek.

Wetland 2 is fed by approximately 6.04 acres of immediate watershed, which is almost entirely forested, with the exception of ski trails. There is no evidence of any bounce and minimal surface water in this wetland entity, which is a finger to a larger wetland entity.
Wetland 1 has been altered by human activity, lacks diversity of vegetation, contained little or no emergent or submergent vegetation at the time of the wetland delineation or during any subsequent visits. The most apparent value of this wetland appears to be storm water runoff detention.

Wetland 2 and 3 are of moderate value, as they contain a diverse plant community of hardwoods, softwoods and understory. Some ski trails bisect these wetland entities and there is land clearing immediately to the west of wetland 2 and to the north of wetland 3. To the east is

a large wetland complex, to the south are patches of forest and cleared areas, then Rice Lake Road. As mentioned earlier, to the north is the forested watershed. Wetland three accepts drainage from the north, including discharge from wetland 2. It is essentially wet due to presence of Rice Lake Road, which effectively dams flows moving south, forcing those flows through two culverts.

The total size of the wetland entity group that wetland 1, 2 and 3 are part of is 21.16 acres, not including hydraulic connections that pass under Rice Lake Road (not including wetlands on the other side of Rice Lake Road, which are significant).

There is no fish habitat potential in wetland 1,2 and 3. Wetland 1 is very shallow and likely freezes out most winters. These wetlands do, however, eventually drain into Chester Creek which is a designated trout stream. This is not a direct connection, but about 1360 LF of straight line distance to reach the first semblance of tributary channel. See exhibit 2. Wetland 1 does not have an overstory of significant woody vegetation, but is ringed on the edges by Aspen and some Speckled Alder. Wetland 2 and 3 have a dominant overstory of Aspen and Black Ash.

Habitat Structure in wetlands 2 and 3 is moderate because the site does stay fairly saturated, runoff bounce is minimal, and there is some biodiversity in the native vegetation that exists. We observed no significant wildlife utilizing these wetland entities, probably due to the time of year. In the case of wetland 1, the lack of emergent and submergent vegetation and a lack of dark organic substrate may reduce its attractiveness as amphibian habitat.
Catkins and buds on the Alder and Aspen are known to be a feed source for some herbivores. As well as the Ash seed and understory vegetation. Deer browsing was not evident, but the plant cover density could provide cover for a variety of game and non-game species.
In summary wetland 1 has a low functioning value and wetland 2 and 3 have a moderate value functioning wetlands. While they are regulated wetlands, no special circumstances appear to exist that would warrant preservation. Given that reality, and the proximity to the headwaters of Chester Creek, storm water attenuation functions of these wetland entities must be extended through any planned development.

PROJECT HISTORY

On May 6th, 2010 a Proposed Project Review and Comment document was submitted by Duluth Public Schools Academy (DPSA) Charter #4020 to the Minnesota Department of Education.

In the state of Minnesota, Charter Schools are public schools that are funded by lease aid payments from the Minnesota Department of Education. Charter schools are not constructed with funds levied from local property tax increases. The purpose of this study was to provide information regarding the condition of the existing facilities, both past and present, projected student enrollment, and why DPSA was making a case for a new facility.

In 2010, enrollment was at 984 students; enough to warrant a discussion about either renovating the buildings they were currently leasing at the Kenwood and Washburn sites, finding another facility that could be utilized, or constructing a new facility. The Raleigh facility would remain as a K-5 with 277 students. Technical evaluations of their existing facilities revealed that they were not cost effective to renovate, and therefore, a search for other facilities would be required. The other aspect of these sites was that the lease arrangements with ISD 709 were becoming increasingly untenable, although at the time, ISD 709 was allowing a lease

arrangement with a Public Charter School. In 2011, Northstar Academy, K-8 was constructed on a site formerly owned by George Hovland across Technology Drive from United Health Care, to replace the Kenwood and Washburn sites.

In 2014, a charter school developer by the name of Caleb Roope of Pacific Education Partners (PEP) was made aware of DPSA's desire to plan and construct a high school. Another site selection process commenced and numerous sites were once again presented by Atwater Group. Many of these sites had been vetted during the DPSA K-8 site search. In the State of Minnesota, Public Charter Schools cannot own their own facilities. The educational entity and the facility entity must be separate. It is often a private developer that will pull the physical development together to accommodate the educational entity. That developer may transfer ownership to another ownership entity that is closely tied to the educational entity. The bonding used to pay for construction is serviced by lease aid payments from the State.

Ultimately, George Hovland was again approached. This was not the first time that the Snowflake Nordic Center was evaluated for development. Before the great recession of 2009, this land had been evaluated for housing, but the economy was blamed for the retraction of construction plans.

Eventually, with other sites vetted, it was decided by PEP to purchase what is currently called the Snowflake Nordic Ski Center, a non-profit organization operating on the Hovland property. A wetland delineation was completed and a clause was added to the purchase agreement that Snowflake Nordic must operate in its current or near current state for at least the next five years. It was George Hovland's wish that the Ski Centers trails on the 160 acres of land be largely maintained, and the Chalet or the functions of the Chalet be preserved. Blackhoof Development was contracted by PEP to perform the wetland work on the site and tasked with assembling the design team that would be responsible for preliminary planning work on the site.

WORK PROPOSED

Public Charter High School, grades 8-12, approximately 100,610 SF (2 level), 320 parking stalls storm water treatment, track and field, access drives. See attached exhibits.

AVOIDANCE AND MINIMIZATION STATEMENT

Mitigation Requirements

The mitigation sequence spans the life of a project. Mitigation is a sequence of actions required by various regulatory efforts to protect and enhance wetlands and the environment that we live in. It involves understanding the affected environment and assessing the effects of actions throughout project planning, development, and construction. This concept is not limited to wetlands, but also involves the erosion/sediment control, storm water, transportation safety and other critical issues.

Project proposers are required to consider ways to make as little impact to wetlands as possible in all stages of the project. All unavoidable impacts to wetlands and other "waters" require compensatory mitigation. Any relevant and reasonable mitigation measures that could improve the project must be identified.

During every phase of project development through construction, each step in the mitigation sequence must be completed before proceeding to the next. This means

F-41

that opportunities to avoid an impact must be evaluated before compensation for the impact is considered.

COMPENSATORY MITITGATION

The total proposed impact is **108,937 SF.** Of this total, 14,050 SF is directly related to the mandated County Backage Road.

Attached is a purchase agreement for wetland credits within the watershed.

PROJECT PURPOSE AND NEED

Pursuant to M.S. 123B.71, Duluth Public Schools Academy (DPSA) and it s Board of Directors has submitted a Review and Comment document for action by the Minnesota Department of Education.

DPSA began operating in August of 1997 as a public charter school and currently serves 1,380 students, grades K-8. After a two year task force study, and significant demand by the student families, they are adding a high school component to our program beginning in fall of 2017

Tischer Creek Duluth Building Company, the affiliated building company for DPSA, will finance this facility through bond financing underwritten by Piper Jaffray and Company. The total cost of the project is $27 million.

The wetland delineation, airport clear zone mapping, current zoning, topography, DOE requirements, DPSA requirements, proximity to Rice Lake Road and Utilities and existing traffic considerations are the main layers of consideration for the proposed DPSA 8-12 campus location. Many questions have been posed, by a multitude of groups. Questions such as why are wetlands being impacted? Why is the campus not further into the site away from Rice Lake Road? Why is a connection being required by St. Louis County? Why is this high school being constructed at all? Why isn't the school constructed already? Why is it taking so long?
The answers to these questions can shed some light into why this wetland replacement plan is being submitted.

Numerous site plans were developed by Blackhoof Development in concert with LHB. Both firms have extensive experience with site planning and wetland considerations. LHB has extensive experience with the design of public schools. Armed with a building program developed by DPSA, Blackhoof and LHB were tasked with doing a "fit" plan. That is, place the required program elements onto the site.

The program requirements developed by DPSA were broken down into "must haves" starting in November of 2014. Knowing that lease aid from the State of MN limits what can be done financially for a new educational facility, without the ability to levy funds from the local tax base, the "must have" items are a way of setting a threshold that cannot be compromised. The basis of this "must have" list is not a wish list, it is a list of mandatory fundamental items that through years of experience and observation, DPSA has identified as "must have" to provide an adequate High School educational facility.

The result of this program planning can be distilled into three programmatic areas:
1. A school building

2. A track and field
3. Parking (The "must have" list required 450 parking stalls. We immediately paired this down, and set a goal for 300 stalls.)

All of these items result in a quantifiable amount of land that is needed. Early drafts of the facility program attached exhibit 4. Later drafted by LHB, exhibit 5. The MN DOE emphasizes 25-35 acres of land for a facility with this program, site planning of the program elements had just begun.

Attached Exhibit 4.1 For those who do not work in the design and construction industry, this is how the process works. Fundamental questions are asked that result in different site plans being manifested. These site plans have resulting consequences, financially, socially and environmentally.

A multi-level school is discussed to reduce cost and impact to the site.
Numerous concepts were explored but were rejected for a variety of reasons, including, but not limited to:

Access

- UDC restrictions to parking in "front yard"
- Protective covenants that do not allow excessive manipulation or destruction of Snowflake Nordic Operations
- Excessive bedrock
- Steep topography
- Site Program elements
- Access to Rice Lake Road
- Access to proposed County Road

OFF SITE LOCATIONS AND CONFIGUATIONS

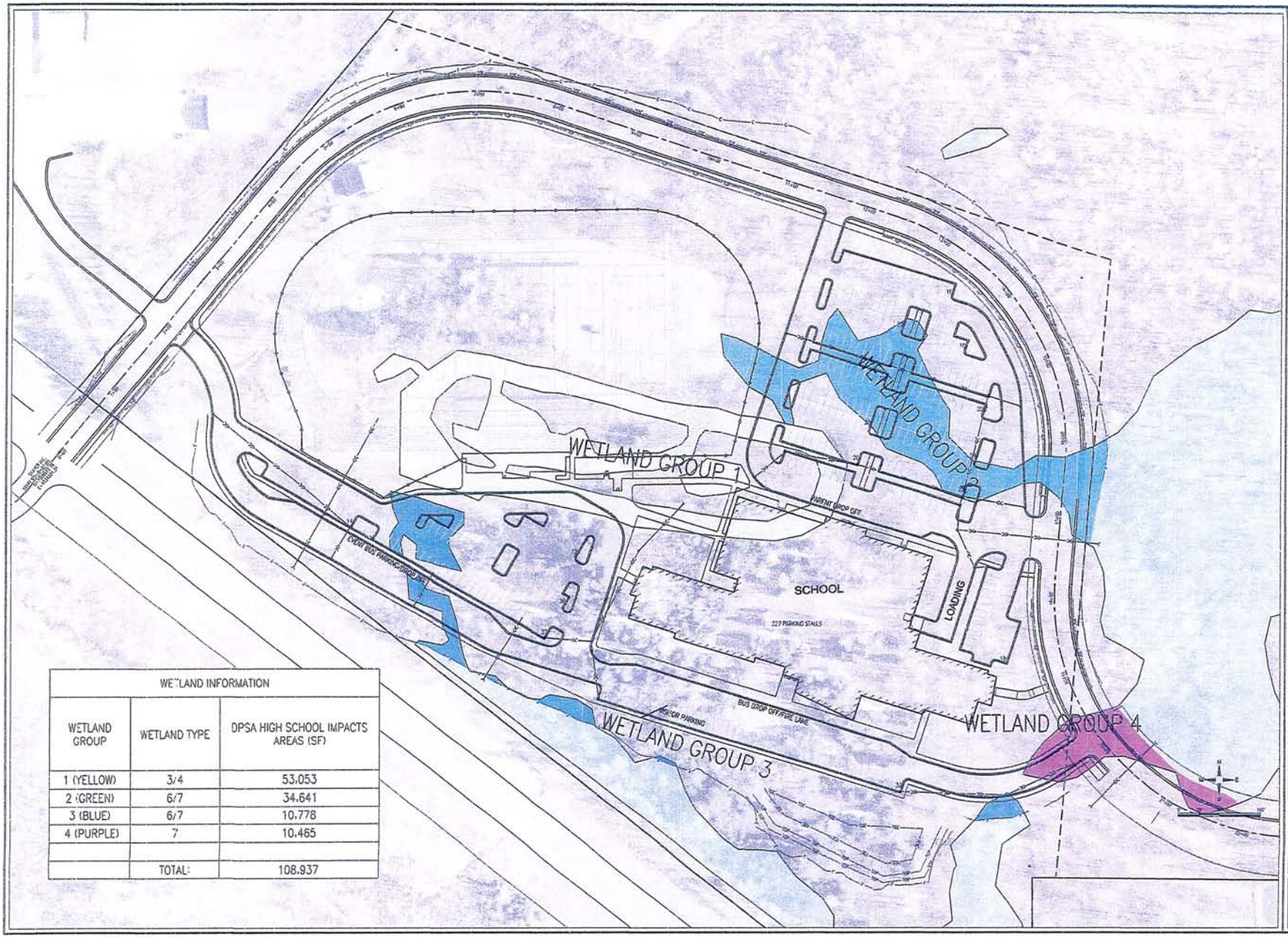
An extensive search for land began in 2010 for DPSA North Star Academy. After that building was constructed in 2011, remaining parcels were re-evaluated for the High School Campus, and one new parcel was made available.

The sites evaluated must be:

Large enough to accommodate the site and building program
Located within the geographic core area for the student population
Contain adequate road access and infrastructure
Contain the appropriate zoning or could be rezoned without issues

The department of education advises that 25-35 acres of land be acquired to accommodate a typical high school campus.

Site 1
Duluth Armory Site: This site was considered as an available existing building with potential for re-use. The Duluth Armory site was evaluated and found to be unsuitable for a high school because it did not have adequate parking, had renovation and structural issues that added



WETLAND INFORMATION		
WETLAND GROUP	WETLAND TYPE	DPSA HIGH SCHOOL IMPACTS AREAS (SF)
1 (YELLOW)	3/4	53.053
2 (GREEN)	6/7	34.641
3 (BLUE)	6/7	10.778
4 (PURPLE)	7	10.465
	TOTAL:	108.937

FOUNDATIONS

CONSULTANTS

AROLA

EAPC ARCHITECTS ENGINEERS

JILL (GOLA) JOHNSON
DIRECTOR OF INTERIOR DESIGN
PHONE: 218.548.3855
SOUTH BUILDING
13 WEST SUPERIOR ST. #200
DULUTH, MN 55802

Northland Consulting Engineers LLP

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE _____
DAVID SOLT, PE

DATE _____ LICENSE No. 40926

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

OWNER:
FORGES CHARTER

REVISIONS

ISSUED DATE
XX-XX-XXXX

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

SCALE = 2" AT FULL SCALE

KEY

SHEET NO.
C4.1 SITE PLAN

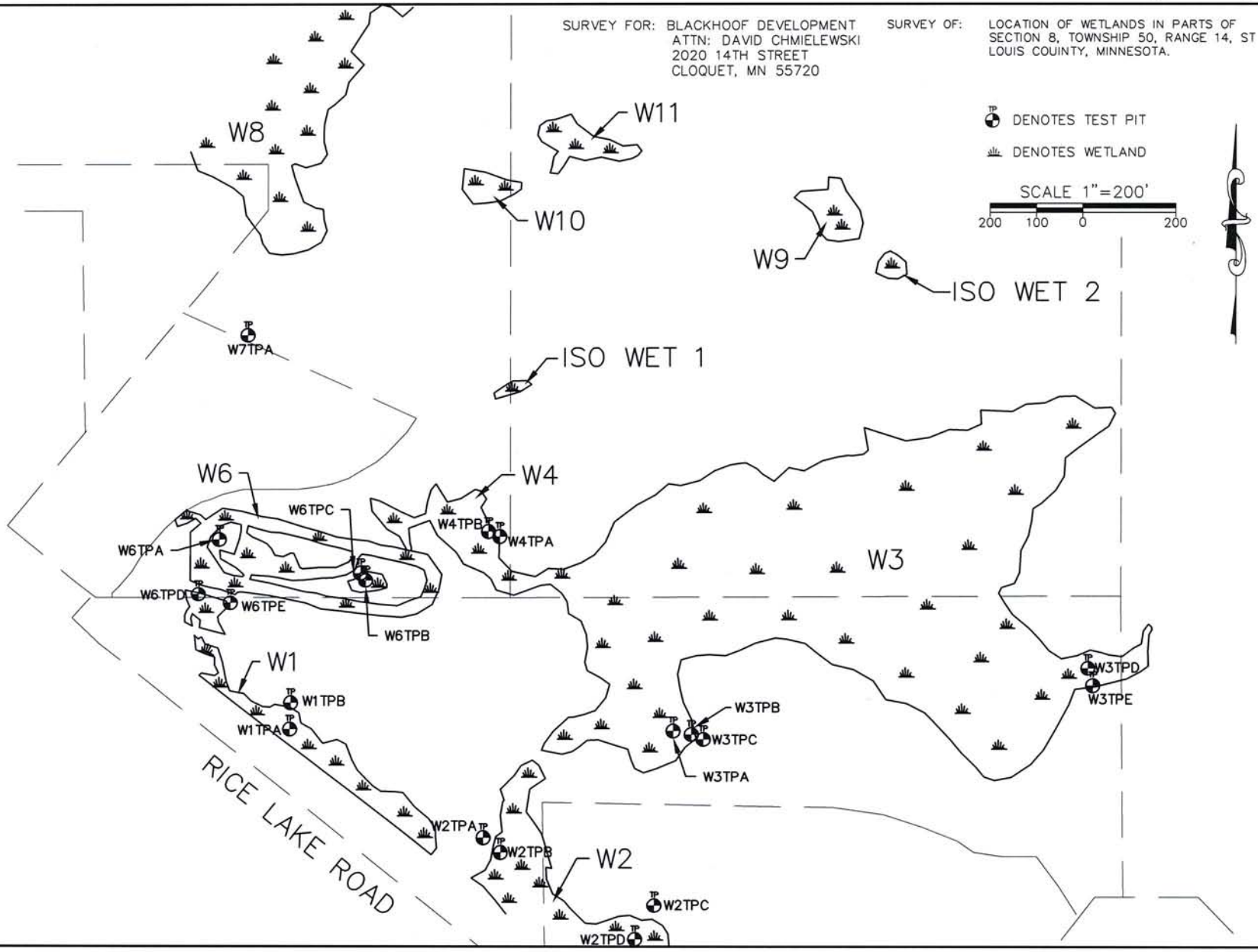
F-44

Gh-1

STRAIGHTLINE SURVEYING, INC.
P.O. Box 510, 500 Fritz Blvd
Moose Lake, MN 55767
E-MAIL: bandersonl@straightlinesurveying.com
Telephone: (218)-485-4811
Fax: (218)-485-4811

SURVEY FOR: BLACKHOOF DEVELOPMENT
ATTN: DAVID CHMIELEWSKI
2020 14TH STREET
CLOQUET, MN 55720

SURVEY OF: LOCATION OF WETLANDS IN PARTS OF SECTION 8, TOWNSHIP 50, RANGE 14, ST LOUIS COUINTY, MINNESOTA.

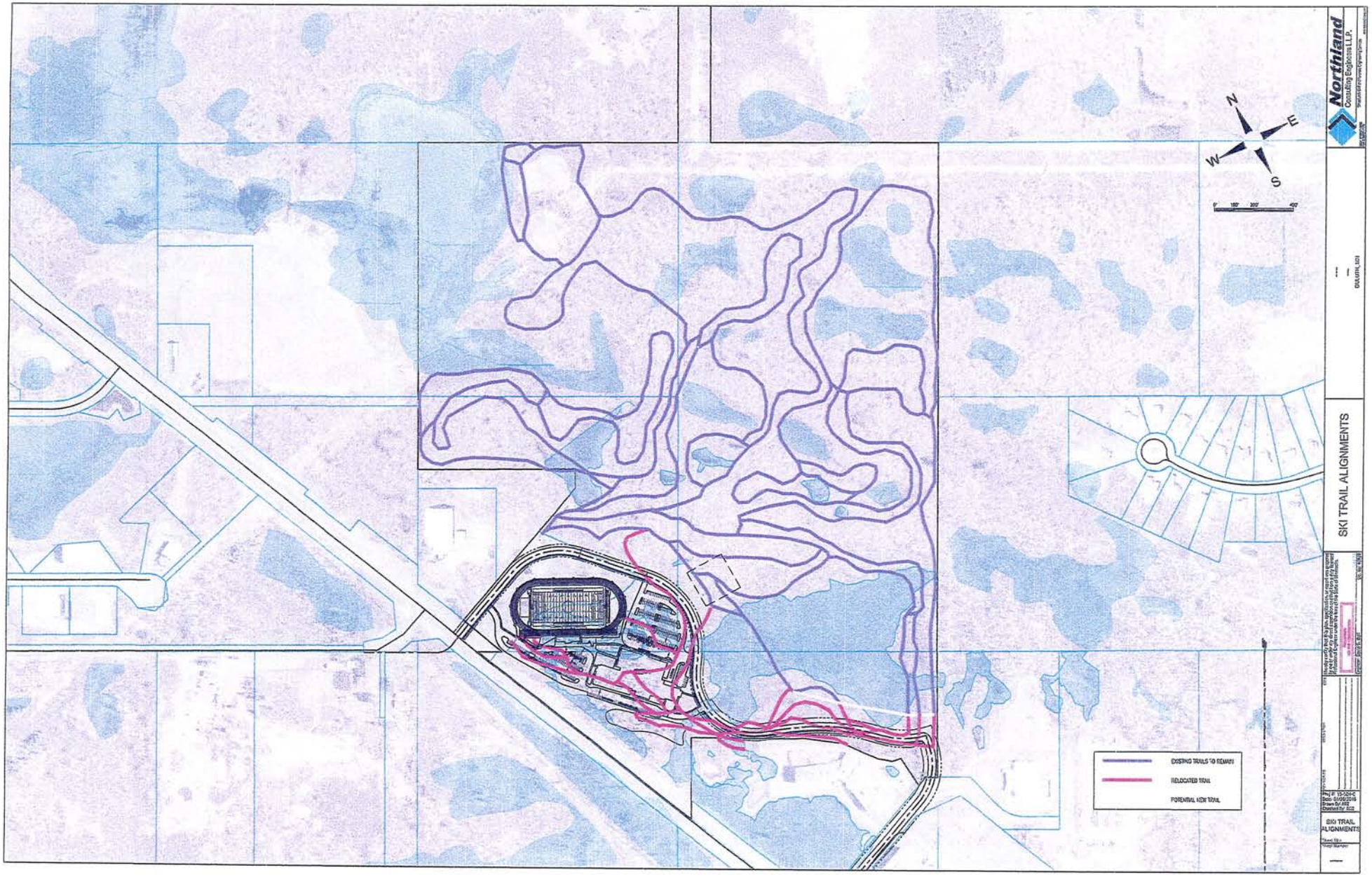


I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Benjamin H. Anderson

Benjamin H. Anderson	45498	11-07-2014	2014-196	ST LOUIS 4 P. 22
	License No.	Date	Job No.	Book No.

ファ-1


Northland
Consulting Engineers LLP.
N
E
S
W
0' 100' 200' 400'
SKI TRAIL ALIGNMENTS
EXISTING TRAILS TO REMAIN
RELOCATED TRAIL
POTENTIAL NEW TRAIL
SKI TRAIL ALIGNMENTS

Excerpt from Traffic Study

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

Memorandum

SRF No. 0159014

To: David Bolf, PE
Northland Consulting Engineers

From: Matt Pacyna, PE, Senior Associate
Tom Sachi, EIT, Engineer

Date: April 6, 2016

Subject: Duluth Edison High School Traffic Study

Introduction

SRF has completed a traffic study for the proposed Duluth Edison Charter High School and apartment complex located north of Rice Lake Road (CSAH 4) between Technology Drive and Krueger Road in the City of Duluth (see Figure 1: Project Location). The proposed high school will be located to the west of the existing Northstar Academy Charter School. The main objectives of this study are to review existing operations within the study area, evaluate traffic impacts to the adjacent roadway network, and recommend any necessary improvements to accommodate the proposed developments. The following sections provide the assumptions, analysis, and study conclusions/ recommendations offered for consideration.

Existing Conditions

The existing conditions were reviewed to establish a baseline in order to identify any future impacts associated with the proposed development. The evaluation of existing conditions includes peak period intersection turning movement counts, field observations, and an intersection capacity analysis.

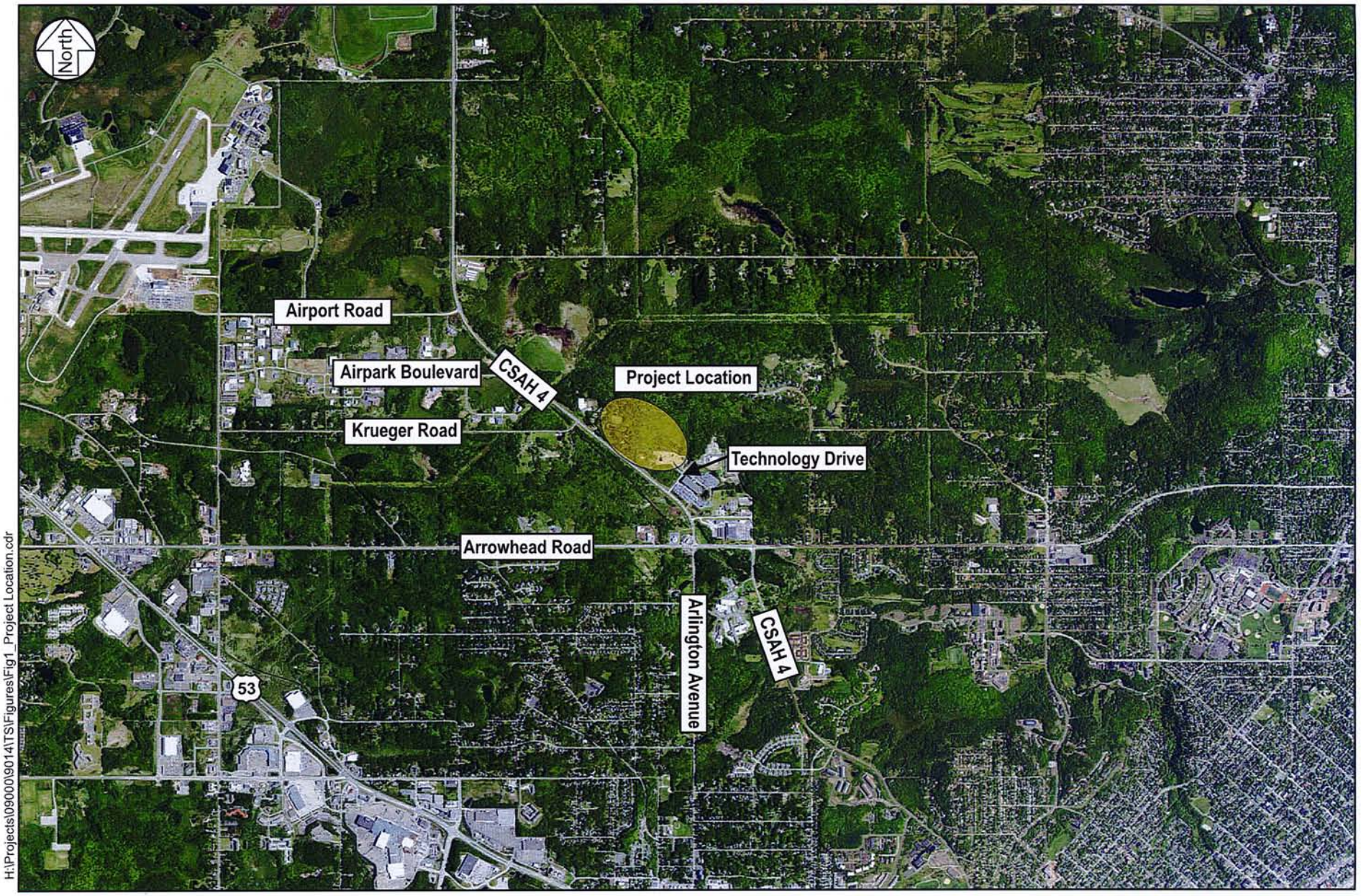
Data Collection

Peak period turning movement and pedestrian counts were collected by SRF during the week of October 5, 2015 at the following study intersections:

- CSAH 4 and Airport Road
- CSAH 4 and Airpark Boulevard
- CSAH 4 and Krueger Road
- CSAH 4 and Technology Drive
- CSAH 4 and Arlington Avenue/Arrowhead Road
- CSAH 4 and Sawyer Avenue/Arrowhead Road

In addition to the intersection turning movement counts, short-term pulse (i.e. 15-minute) counts were collected at driveways within the study area and at Persons Street in order to establish travel patterns. The traffic data focused on the a.m. (7:30 a.m. to 8:30 a.m.) and school afternoon/p.m. (4:00 p.m. to 5:00 p.m.) peak hours. It should be noted that the afternoon school and p.m. peak hour occurred at the same time, due to the current Northstar Academy Chart School hours (8:30 a.m. to 4:00 p.m.). Historical annual average daily traffic (AADT) volumes within the study area, provided by the Minnesota Department of Transportation (MnDOT), were also reviewed.

F-47



H:\Projects\09000\9014\TS\Figures\Fig1_Project Location.cdr

SRF Consulting Group, Inc.

0159014
December 2015

Project Location

Duluth Edison Charter School Expansion Traffic Study
City of Duluth, MN

F-48

Figure 1

Proposed Development

The proposed Edison Charter High School and apartment complex development is located along CSAH 4, west of the existing Northstar Academy Charter School (see Figure 4 – Site Plan) in the City of Duluth. Once fully completed and occupied, the proposed development is expected to consist of an 800 student charter high school and 400 apartment units. It should be noted that upon initial construction, opening is planned for the year 2017. However, full occupancy of the high school is not planned until approximately year 2020.

Access to the proposed development is planned along CSAH 4 approximately 250 feet south of Krueger Road. However, if the proposed development is approved, Krueger Road would be realigned opposite of the development access, creating a four-legged intersection. Access to the site is also planned via the new Sawyer Avenue extension from Arrowhead Road to Krueger Road.

Year 2020 Build Conditions

To help determine impacts associated with the proposed development, traffic forecasts were developed for year 2020 build conditions. Year 2020 build conditions take into account the year 2020 no build condition and traffic generated by the proposed development. The evaluation of year 2020 build conditions includes a trip generation estimate for the proposed development and an intersection capacity analysis.

Trip Generation

To account for traffic impacts associated with the proposed development, a trip generation estimate for the proposed land use was developed for the a.m. and p.m. peak hours as well as a daily basis. These estimates, shown in Table 6, were developed using the *ITE Trip Generation Manual, Ninth Edition.*

Table 6. Trip Generation Estimates

Land Use Type *(ITE Code)*	Size	A.M. Peak Hour Trips		P.M. Peak Hour Trips		Daily Trips
		In	Out	In	Out	
Proposed Land Use						
Apartments *(220)*	400 Dwelling Units	41	163	161	87	2,660
High School *(530)*	800 Students	234	110	77	155	1,368
	New System Trips	275	273	238	242	4,028

F-49

The proposed development is expected to generate approximately 548 a.m. peak hour, 480 p.m. peak hour and 4,028 daily trips. These trips were distributed throughout the area based on the directional distribution shown in Figure 5, which was developed based on existing area travel patterns and engineering judgment. It should be noted that an internal multi-use reduction was not applied for trips between the proposed apartments and high school. Since the proposed high school is expected to be a charter school, students living in the apartments are not likely to be destined to attend the school unless families enroll accordingly. Therefore to provide a conservative analysis, no multi-use internal reductions were applied. The resultant year 2020 conditions are shown in Figure 6.

Intersection Capacity Analysis

To determine how the planned roadway network will accommodate year 2020 build conditions, an intersection capacity analysis was completed using Synchro/SimTraffic software. In addition to the existing intersections, the proposed development driveway was reviewed to determine if any queuing or delay issues are expected under year 2020 build conditions. Once again, the analysis was completed for both the 15- and 60-minute time periods. The CSAH 4 and Sawyer Avenue/Arrowhead Road intersection was assumed to continue to have split phasing for the north/south approaches.

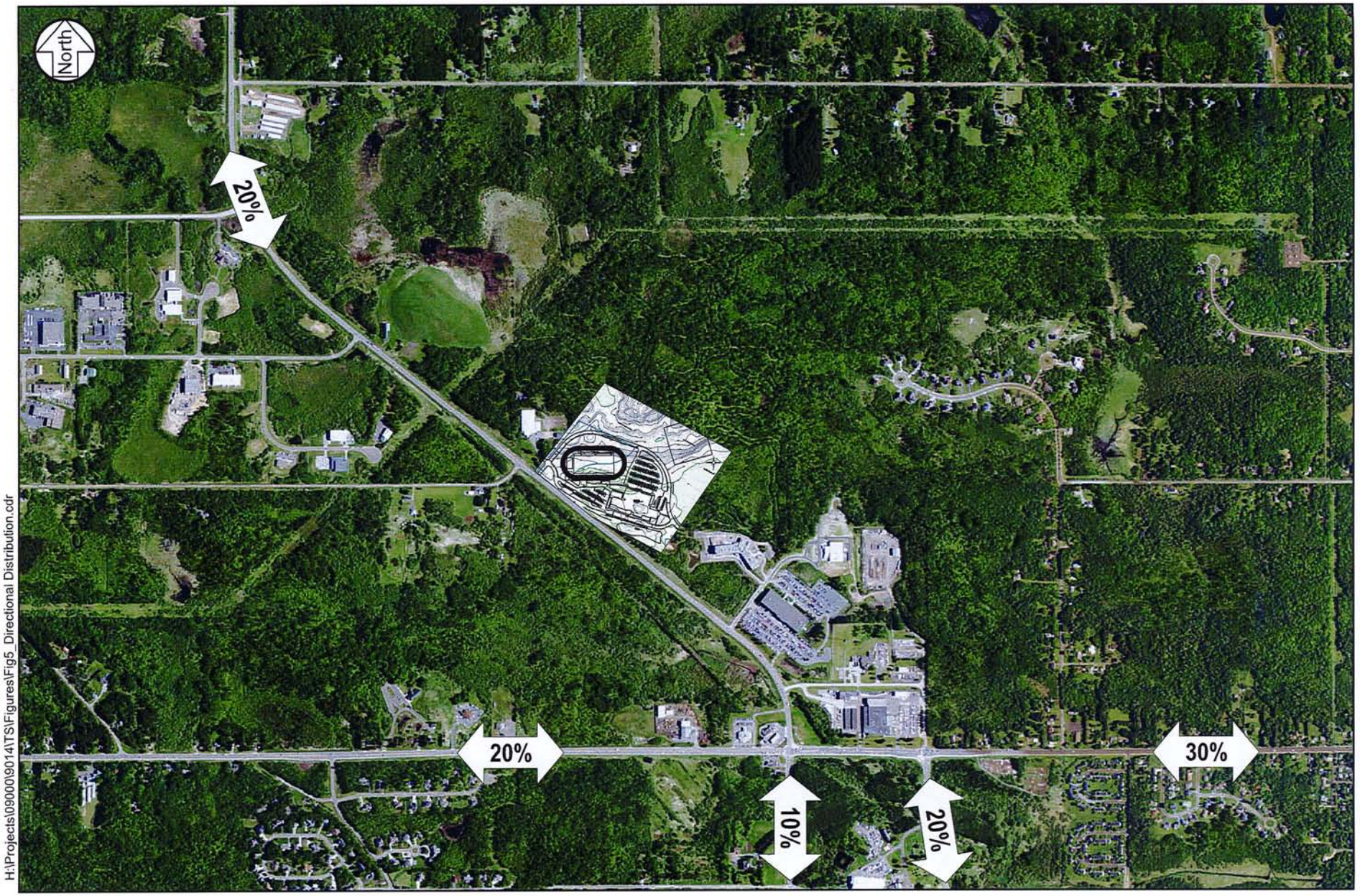
Results of the year 2020 build intersection capacity analysis shown in Table 7 indicate that the CSAH 4 and Krueger Road/High School Access intersection is expected to operate at an overall LOS D during the p.m. peak 15-minute periods. During the p.m. peak 15-minute period, significant queuing and delays at the development access are expected. Side-street/driveway access is also expected to continue to be difficult at the CSAH 4/Airpark Boulevard intersection during the p.m. peak 15-minute period. Additionally, the CSAH 4 and Arlington Avenue/Arrowhead Road intersection is expected to operate at a LOS D during the a.m. peak hour.

Table 7. Year 2020 Build Intersection Capacity Analysis – 15 Minute Interval

Intersection	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay	LOS	Delay
CSAH 4 and Airport Road	A	8 sec.	B	12 sec.
CSAH 4 and Airpark Boulevard(1)	A/C	22 sec.	B/F	**76 sec.**
CSAH 4 and Krueger Road/High School Access(1)	A/D	**30 sec.**	D/F	**150 sec.**
CSAH 4 and Technology Drive	B	10 sec.	C	18 sec.
CSAH 4 and Arlington Avenue/Arrowhead Road	**D**	**38 sec.**	C	31 sec.
CSAH 4 and Sawyer Avenue/Arrowhead Road	C	25 sec.	C	34 sec.

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.

F-50



H:\Projects\09000\9014\TS\Figures\Fig5_Directional Distribution.cdr

SRF Consulting Group, Inc.

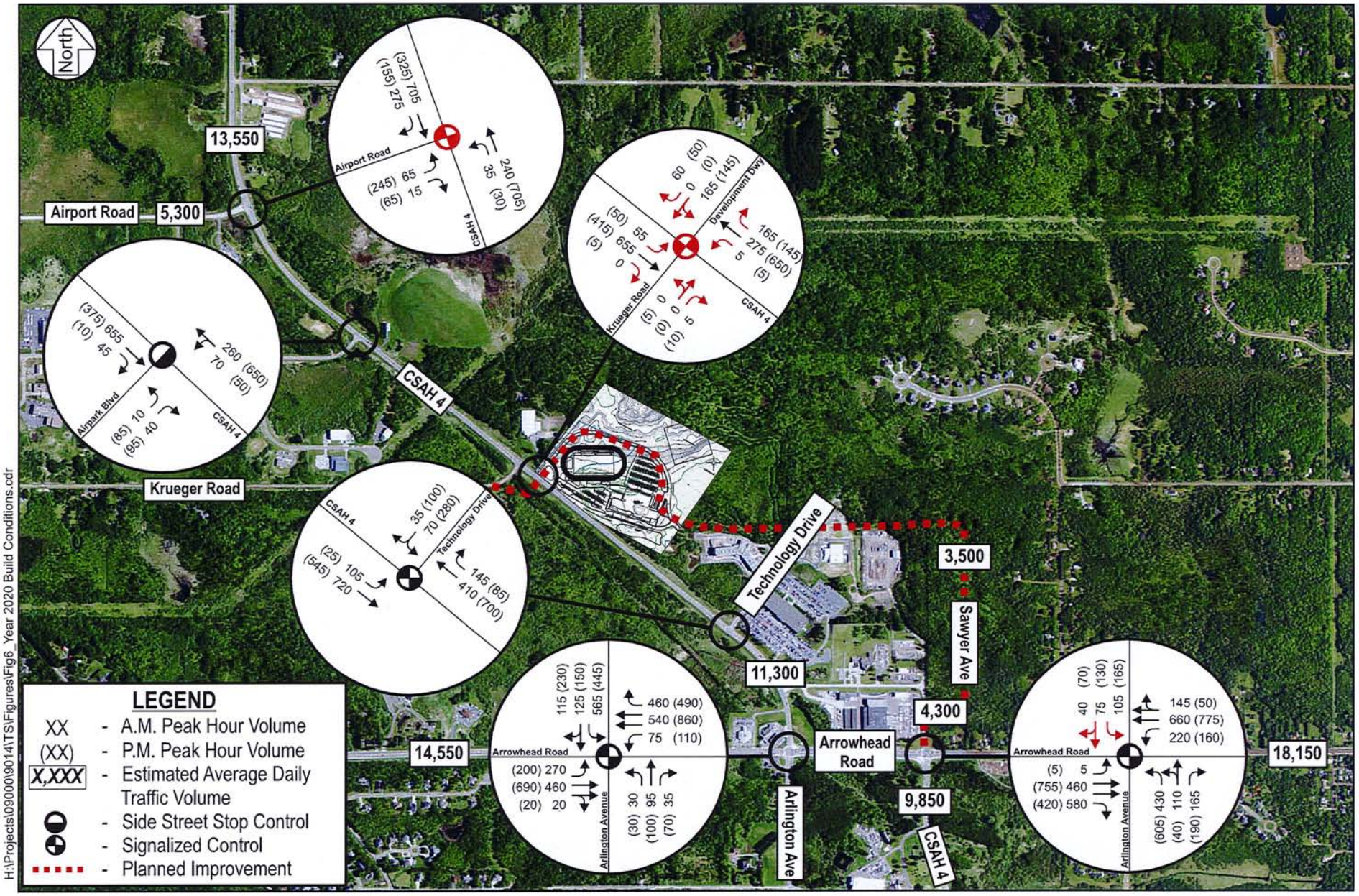
0159014
December 2015

Directional Distribution

Duluth Edison Charter School Expansion Traffic Study
City of Duluth, MN

F-51

Figure 5



H:\Projects\09000\9014\TS\Figures\Fig6_Year 2020 Build Conditions.cdr

SRF Consulting Group, Inc.

Year 2020 Build Conditions

Duluth Edison Charter School Expansion Traffic Study
City of Duluth, MN

0159014
April 2016

F-52

Figure 6

Site Plan/Access Review

A review of the proposed site plans was completed to identify any issues and recommend potential improvements with regard to site access, traffic control, and circulation. Based on this review, the following issues were identified that should be discussed further and/or incorporated:

1) Internal traffic controls were not identified. However, traffic controls, signing, and striping should be incorporated based on the Manual on Uniform Traffic Control Devices (MUTCD). In particular, it is important to identify traffic controls at intersections between internal roadways/driveways to minimize vehicular conflicts and driver confusion.

It should be noted that several site plan improvements were already incorporated into the site plan as part of the development process.

Summary and Conclusions

The following study conclusions and recommendations are offered for your consideration:

1. Results of the existing intersection capacity analysis for the peak 15-minute interval indicates that the CSAH 4/Airport Road intersection operates at LOS D during the p.m. peak 15-minute period.
   a) Side-street left-turns were observed to be difficult from both Airport Road and Airpark Boulevard onto CSAH 4 during the p.m. peak 15-minute period. Southbound left-turns at the CSAH 4 and Arlington Avenue/Arrowhead Road intersection are difficult during both the a.m. and p.m. peak hours.
   b) Internal queuing was present for the Northstar Academy Charter School and Optum/United Health Group driveways along Technology Drive during the school start and end times. These operations occur primarily during the peak 15-minute period before and after school.
2. Results of the existing intersection capacity analysis for the 60-minute peak period indicates that all study intersections currently operate at an acceptable overall LOS C or better during the a.m. and p.m. peak hours.
   a) The significant side-street left-turning delay for motorists on Airport Road turning left onto CSAH 4 continues throughout the entire peak hour. A traffic signal is planned to be installed at this intersection to address this issue.
3. The following improvements are planned to be constructed by the year 2020.
   a) New traffic signal at CSAH 4 and Airport Road
   b) Extension of Sawyer Avenue to Krueger Road
   c) Realignment of Krueger Road to the south to align with the proposed development access.
      - Contingent upon construction of the proposed development.

F-53

4. Existing traffic volumes were modified to reflect year 2020 no build conditions, including an annual growth rate of one percent, which is consistent with area planning documents.
5. With the extension of Sawyer Avenue, approximately 2,300 to 3,100 vehicles per day are expected to use Sawyer Avenue under year 2020 no build conditions.
6. Results of the year 2020 no build intersection capacity analysis for the peak 15-minute interval indicates that all intersections are expected to operate at an acceptable overall LOS C or better during the a.m. and p.m. peak 15-minute periods.
   a) Side-street delay at Airpark Boulevard is expected to be approximately 55 seconds (LOS F) during the p.m. peak 15-minute period.
   b) The queuing issues along Technology Drive and CSAH 4 are expected to improve due to the extension of Sawyer Avenue as motorists will have an alternative route to consider.
7. Results of the year 2020 no build intersection capacity analysis for the 60-minute peak period indicates that all study intersections currently operate at an acceptable overall LOS C or better during the a.m. and p.m. peak hours. This includes the current north/south split phasing at the CSAH 4 and Sawyer Avenue/Arrowhead Road intersection.
   a) If split phasing were to be removed, the overall operations are improved in the p.m. peak hour and maintained during the a.m. peak hour. However, the south approach would need to be re-striped to include dual left-turn lanes and share thru/right-turn lane.
8. The proposed development is expected to consist of an 800 student charter high school and 400 apartment units. This will generate approximately 548 a.m. peak hour, 480 p.m. peak hour and 4,028 daily trips.
9. Results of the year 2020 build intersection capacity analysis indicate that the CSAH 4 and Krueger Road/High School Access intersection is expected to operate at an overall LOS D during the p.m. peak 15-minute period.
   a) Significant side-street queuing and delays over two and a half minutes are expected at the Krueger Road/High School Access.
10. Results of the year 2020 build condition intersection capacity analysis for the 60-minute peak period indicate that all study intersections currently operate at an acceptable overall LOS C or better during the a.m. and p.m. peak hours.
    a) The average side-street delay at the proposed development driveway is expected to extend over 30 seconds during the p.m. peak hour.
11. Results of the signal warrant sensitivity tests indicate that there are multiple scenarios in which a traffic signal warrant is expected to be met. The exact timeframe in which a signal warrant will be met is dependent upon when construction is completed, market conditions, and the scale of the adjacent apartment complex.

12. To address the operational issues identified, the following improvements are offered for consideration.

    a) CSAH 4 and Krueger Road/High School Access

    - Add southbound and northbound left- and right- turn lanes on CSAH 4.
    - Widen the Krueger Road/High School Driveway access to include a right- and shared thru/left-turn lanes.
    - Coordinate with County staff and other stakeholders to determine the traffic signal installation timeframe. At a minimum, if/when the Krueger Road/High School access intersection is constructed, the underground traffic signal infrastructure (conduit and hand holes) should be installed.

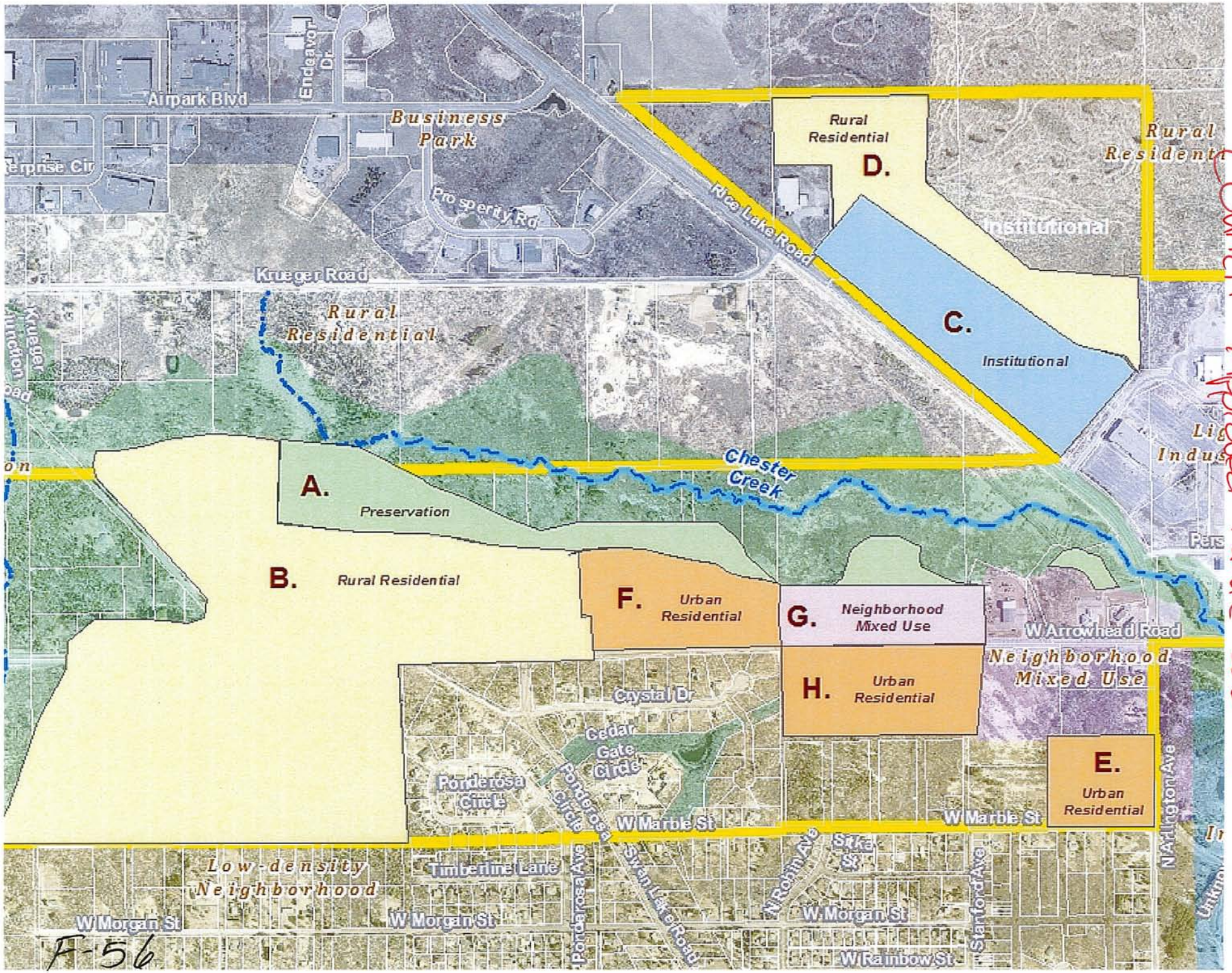
    b) CSAH 4 and Arlington Avenue/Arrowhead Road

    - *Optional* - Restripe to include an additional southbound left-turn.

    c) CSAH 4 and Sawyer Avenue/Arrowhead Road

    - Construct a southbound left-turn lane.
    - *Optional* - Remove the split timing at the north and south approaches of the intersection and replace with protected-only or flashing yellow arrow left-turn phasing.
        - Requires the restriping of the south approach to include dual left-turn lanes and a shared thru/right-turn lane.
    - *Optional* - Construct a westbound right-turn lane.

    d) Incorporate traffic controls, signing, and striping based on the Manual on Uniform Traffic Control Devices (MUTCD).


Airpark Blvd
Endeavor Dr
Business Park
Prosperity Rd
Rice Lake Road
Rural Residential
D.
Rural Residenti
Institutional
C.
Institutional
Krueger Road
Rural Residential
Chester Creek
A.
Preservation
B.
Rural Residential
F.
Urban Residential
G.
Neighborhood Mixed Use
W Arrowhead Road
Neighborhood Mixed Use
H.
Urban Residential
Crystal Dr
Cedar Gate Circle
Ponderosa Circle
E.
Urban Residential
W Marble St
Low-density Neighborhood
Timberline Lane
Ponderosa Ave
Sylvan Lake Road
N Robin Ave
Stike St
Stanford Ave
N Arlington Ave
W Morgan St
W Rainbow St
Council Approved Future Land Use
F-56

RECEIVED
MAY 9 2016
By

MEMORANDUM

To: Members of the Planning Commission

From: The Development Team for the Duluth Public Schools Academy High School Project

Re: Pending Applications for SUP and Variances

Upon review of the Staff Reports and in preparation for the hearings scheduled for May 10, 2016, the following information is respectfully submitted for consideration by the Commissioners. We discuss the Special Use Permit ("SUP") application first, and then the three variance requests.

I SPECIAL USE PERMIT APPLICATION

As a preface, we note that the Staff report relating to the SUP expresses a sole recommendation: that the matter be tabled to the June meeting, with this hearing seemingly to be used to absorb the Staff Report, allow for traffic and wetlands issues to be worked through and to consider what staff seemingly anticipates to be a considerable amount of public comment.

With all due respect, we believe that the four pending applications are ripe for decision at this meeting, and that the record taken as a whole supports issuance of the requested permit and variances. Experience throughout Duluth Public Schools Academy's ("DPSA's") existence teaches that its dealings before public bodies in Duluth- seemingly no matter the body or its charge- reliably devolve into debates over the broader question of charter schools themselves. Recent experience is that some within in the community certainly view this project through the lens of their own opinions regarding whether a new charter high school should be created in Duluth. With due respect, the State Legislature has long settled the question of whether, or how, charter schools should operate in Minnesota. The only questions before this body are the land use questions under the UDC regarding the appending of a high school to the current DPSA Northstar Academy campus on Rice Lake Rd.

With that introduction, our goal in this communication is to address the discussion of substantive planning questions within the SUP staff report on an issue-by-issue basis.

It should be noted at the outset that this very use of this very property figured prominently in the Comprehensive Plan amendments recommended by this Commission and adopted by the City Council just weeks ago. Planning's staff report to the Council in support of those amendments included the following: "While Edison can develop a high school with the existing RR-1 zoning, the Comprehensive Plan can better recognize the school use with a land designation of Institutional. " A copy of the resolution and staff report supporting it are attached.

Against that backdrop, the seeming reluctance to move forward with this SUP application is puzzling. As the Staff Report regarding the SUP acknowledges, the specifics of this project do not call for an EAW, and there was no citizen petition for one.

Staff's bases for its recommendation to table include:

Allowing time for the Council to consider UDC changes relative to parking. Parking is one of the pending variance requests. Acknowledgment that zoning will likely change in our favor in a manner parallel to the recent Comprehensive Plan is a reason to grant the requested variance, not to deny or table that requests and the SUP application.

Allowing for completion of the TEP review process with respect to wetlands. The current state of the TEP reporting and review process is provided with this submission, and does not require or support delaying the consideration of the pending SUP application.

Allowing time for completion of an agreement with the County relative to access for the back of the subject property. Discussions are ongoing regarding backage road access for the project and how it fits in with the County's considerations regarding this area (which includes the current school and the substantial UHC and Minnesota Power campuses). However, full and final completion of that process should not be a condition of the SUP approval by this body. That discussion can and will occur with the County, with the ultimate approval of City engineering and building safety staff as those discussions are completed such that an SUP requirement of backage access will be met.

The narrative portion of the Staff report then discusses the lack of an EAW requirement (discussed above); the status of stormwater planning review (which is identified as a building permit issue, and so not one that should delay consideration of the SUP or variances), the wetlands replacement plan (discussed above); the traffic study (discussed above); and the future land use and rezoning (discussed above) before getting into the additional analysis that is to guide an SUP issuance decisions.

As Staff notes and Commission is aware, an SUP is to be granted where:

1) The application is consistent with the Comprehensive Plan. As noted above, this very use was one of the bases for the very recent amendment of the Comprehensive Plan. That goes beyond mere consistency, and is clearly a basis to grant this SUP.

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. The "Discussion" section of the Staff Report enumerates a number of applicable code provisions, without noting any areas of noncompliance other than parking (discussed above as in line with a pending Code amendment, and for which there is a variance request pending).

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.

Staff addresses this point by reference to the UDC's guiding principles noting Principles 2, 7 and 11 as favoring this application, and Principles 1, 5 and 12 as mitigating against it.

Principle 1: Reuse Previously Developed Land: The applicants have made extensive efforts to find a site that would result in the adaptive reuse of an existing facility. On two occasions, ISD 709 was approached about selling the Duluth Central School site to be used as the DPSA 8-12 high school site. In both cases, the ISD 709 school board rejected the motion to discuss the sale of the Duluth Central School site to Tischer Creek Duluth Building Company, which is DPSA's affiliated building company. All other sites, including the armory, were not suitable for adaptive re-use, due to size, lack of adjacent parking and programmable green space and/or cost prohibitive environmental remediation concerns. Our first choice was not to construct the facility on a green field site, but there were no other viable options available.

Principle 5: Strengthen Neighborhoods. The proposed high school is not physically in a traditional residential neighborhood, but it supports existing children and their families across the City. The construction of the high school constitutes a unique opportunity to create a K-12 campus, with large amounts of green space and a close relationship with a heritage site, which is Snowflake Nordic. There are many opportunities for enhanced outdoor recreation, education and synergy with more families if housing is realized on the site. The proximity to Arrowhead Tennis presents another opportunity for sharing athletic experiences and facilities. We believe this project strengthens and reinforces what its proximate area already is.

Principle 12: Creates Efficiencies in Delivery of Public Services. The proposed development utilizes existing infrastructure and consolidates elementary, middle and high schools on one campus. We do not see how this factor argues against this application.

While we agree that Principles 2 (Valuing Undeveloped Areas), 7 (Connectivity) and 11 (Consideration of Education Systems in Planning Actions) argue in favor of this application, we also believe that the following bear in our favor:

Principal 3: Support the Traditional Economic Base. The proposed development will created hundreds of construction jobs and permanent positions at the high school. It will also ensure the long term viability of Snowflake Nordic.

Principal 4: Support Emerging Economic Growth Sectors. DPSA 8-12 supports a broad and diverse student population. Their system currently serves over 1200 K-8 students. The construction of the high school will provide another quality education choice for these students.

Principal 6: Reinforce the Place Specific The proposed high school will be located next to an existing elementary school in the DPSA system and its use will integrate the Snowflake property.

Principal 8: Encourage a Mix of Uses and Densities. The addition of the high school would truly present a mixed use opportunity to the area, with existing education at North Star Academy, athletics at Arrowhead Tennis and Snowflake Nordic, business with United Health Care, Minnesota Power and Involta. The addition of multifamily housing would further diversity the mix of uses.

Principal 9: Support Private Actions that Contribute to the Public Realm. Once again, the construction of the high school ensures the long term viability of Snowflake Nordic, and will enrich the array of choices in public school education.

Principal 10: Encourage Sustainability. Preservation of 100 acres of land inherently reduces impacts to existing environmental resources.

In summary, application of the UDC to this application, especially in light of the recent Comprehensive Plan amendment that specifically envisioned this development, requires issuance now of the requested SUP.

II. VARIANCE REQUESTS

A. VARIANCE TO NUMBER OF PARKING STALLS

We discussed this topic at the April planning commission meeting. At that time, the presentation was for 6 cars per classroom. We contend that the formula for parking at the school should be 6 per classroom x 38 classrooms x 1.5 = 342 stalls. As noted in the staff report, the parking at North Star Academy is grossly inadequate. The current proposed parking has been deemed to be satisfactory, yet is still less than most comparable facilities in the State of Minnesota. The seeming recognition of the current Code's inadequacy with respect to school parking inherent in the Code amendment that's in process argues in favor of granting the variance, not making us wait until you fix the Code.

B. VARIANCE TO POSITION OF PARKING IN THE FRONT SETBACK

It is extremely important to have temporary pick up and drop off parking in the "front" of the building, that is, within the principal front setback between the front façade and Rice Lake Road. The front façade of the building is our main entrance. It is where new visitors, vendors, law enforcement, guests, etc. first enter the building. To not have any parking in the principal front setback may be an appropriate use for an enterprise in a high density urban setting where there is access to public transportation. The proposed project does not share those characteristics, and therefore, providing parking in the manner requested, for the type of facility being proposed, is a demonstrable hardship and a safety concern under the current zoning. The school use is clearly contemplated by the Comprehensive Plan as it now exists. This variance is sensible and consistent with that use.

C. VARIANCE TO BUILDING HEIGHT

A school typically has what is referred to a "tall wall". That generally includes gymnasiums, cafeterias, auditoriums, etc. This school has a cafeteria and gymnasium. These rooms are large and have high ceilings. They are constructed in this manner across the United States and Canada. The request to extend the building height 3' past the 30' maximum for this zone district considering the proposed Special Use is absolutely necessary. Again, the clarity with which the school use is contemplated in the Comprehensive Plan mitigates in favor of a variance of this scope and nature that's so inherent in that use.

III. CONCLUSION

City Staff, the Planning Commission and our development team have dedicated much time and effort during the past few months – separately as well as in collaboration with each other – to ensure that all aspects of this project have been carefully studied. The information contained in this memo reinforces the thoroughness of everyone's work and confirms that everything the Planning Commission is considering is ready for approval on May 10.

Should you have questions prior to Tuesday's meeting, please feel free to contact us ahead of time. Members of our team who are well versed in all aspects of this project will also be in attendance at your Commission meeting, in case you have questions at that time.

Thank you.

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

Addendum

SRF No. 0159014

To: David Bolf, PE
Northland Consulting Engineers

From: Matt Pacyna, PE, Senior Associate
Tom Sachi, EIT, Engineer

Date: May 6, 2016

Subject: Addendum to the Duluth Edison High School Traffic Study

Introduction

Since completion of the *Duluth Edison High School Traffic Study* dated April 6, 2016, discussions with the project team indicate a desire to reduce the number of proposed apartment units. This stems from a combination of factors, including financial considerations, preserving ski trails, and other environmental considerations within the project area. Therefore, this addendum was developed to determine how the change in land use impacts the previous traffic study recommendations. The following sections provide the assumptions, analysis, and addendum conclusions.

Proposed Development Changes

The number of proposed apartment units is expected to decrease from 400 (previously assumed) to 100 apartment units. The high school enrollment, construction timeframe, and site access assumptions continue to be consistent with the previous traffic study. Other study changes include:

Trip Generation

To account for traffic impacts associated with the proposed development change, a trip generation estimate was developed for the a.m. and p.m. peak hours, as well as a daily basis. These estimates, shown in Table 1, were developed using the *ITE Trip Generation Manual, Ninth Edition.*

Table 1. Trip Generation Estimates

Land Use Type *(ITE Code)*	Size	A.M. Peak Hour Trips		P.M. Peak Hour Trips		Daily Trips
		In	Out	In	Out	
Proposed Land Use						
Apartments *(220)*	100 Dwelling Units	10	41	40	22	665
High School *(530)*	800 Students	234	110	77	155	1,368
	New System Trips	**244**	**151**	**117**	**177**	**2,033**

The change from 400 to 100 apartment units represents a decrease of 153 a.m. peak hour, 186 p.m. peak hour, and 1,995 daily trips from the previously proposed development. The total site (high school and 100 apartments) is expected to generate 395 a.m. peak hour, 294 p.m. peak hour, and 2,033 daily trips once fully occupied.

Intersection Capacity Analysis

Given the expected decrease in the proposed development trip generation from the previous traffic study, the study area intersections are expected to operate at the same level of service or better under year 2020 peak hour conditions when compared to the previous traffic study. However, the reduction in the proposed development trip generation does not change the previously identified geometric and traffic control recommendations.

Signal Warrant Analysis

A review of the previous traffic signal warrant analysis indicates that even with the reduction in the number of apartment units (400 to 100), a traffic signal would still be warranted at the CSAH 4 and Krueger Road/High School Access intersection between year 2019 and year 2020. This timeframe assumes 100 apartment units are occupied and high school enrollment between 600 and 800 students.

Conclusions

Although the change from 400 to 100 apartment units is expected to reduce the overall trip generation for the proposed development, the previously recommended geometric and traffic control improvements remain valid.

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

Preliminary Drainage Report Summary – Duluth Public Schools Academy (DPSA) 8-12

Amended (5/5/16)

DPSA is in the process of completing a design for a new high school on newly acquired property along Rice Lake Road. The existing property was home to Snowflake Nordic Ski Center with an extensive trail system, a chalet and a few storage buildings. Almost the entire site is wooded minus the areas used for skiing. The proposed location of the high school will be in the south west corner of the property east of the Arrowhead Tennis Center.

Existing Site Drainage Conditions

The proposed site layout sits on multiple lots. The future property line to accommodate the new school will be approximately 16.92 acres. This will act as our project area when comparing existing to proposed. On the existing site there is only 26,455 SF of impervious or 0.61 acres. As stated above, a vast majority of the site is wooded aside from the areas that have been cleared of trees for the cross country ski activities. All runoff from the site flows south towards Rice Lake Road. Topography across the site varies from steep hillsides to flat areas including wetlands. On the site there are multiple wetlands that collect runoff and allow storage. All flow from the wetlands continues south to the ditch along Rice Lake Road. Once it crosses Rice Lake road through various culverts, it reaches a tributary of Chester Creek and is carried to Lake Superior.

Post-Construction Site Drainage Conditions

The post-construction site will consist of new school building, various parking lots, track/field surface and (2) smaller structures to service the field venue. The topography of the site will change leaving the parking and building on a level area constructed into the hillside. The post construction site will have approximately 8.19 acres of impervious, which adds 7.58 acres of impervious area. It should be noted that the runoff from the county road surrounding the site has not be accounted for in this design. It is the responsibility of the county to design the storm water collection and treatment system.

Site Area Breakdown

	Pre-Development		Post-Development	
	Area (SF)	% of Total Site	Area (SF)	% of Total Site
Total Site Area	736,941	100%	736,941	100%
Impervious Area	26,445	4%	356,769	48%
-Bit./Conc.	5,000	1%	222,143	30%
-Gravel	17,515	2%	0	0%
-Roof	3,930	1%	69,260	9%
-Track Surface	0	0%	65,366	9%

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

Pervious Area	710,496	96%	380,172	52%
-Grass	0	0%	293,309	40%
-Athletic Turf	0	0%	86,863	12%
-Woods	710,496	96%	0	0%
Disturbed Area	0	0%	736,941	100%

The site and storm water design has been designed to meet the requirements of the City of Duluth UDC and Engineering Guidelines. Prior to the issuance if building permits, an MS4 Statement of Compliance will be issued when the storm water management plan is approved. The system will include discharge, sediment reduction, temperature and volume controls. The storm water conveyance and treatment system will be owned and operated privately. The Certificate of Occupancy will be issued after the record drawings for the storm water management BMPs has been delivered to the City. The owner will be required to inspect and maintain the system to ensure it is functioning properly and correct all deficiencies should there be any. A storm water BMP operations and maintenance manual will be included in the final storm water report. This will direct the owner of the property on how and when to inspect and clean the systems on site.

The site runoff will need to be attenuated and treated extensively, because of the nature of the existing site. With much of the existing site being wooded and wetlands, the addition of 7.5+ impervious acres will produce a significant increase on the amount of site runoff. The UDC states that for sites above the "Bluff Line" that post-construction flows are reduced to 90% of the existing flow for the 2 year storm and 75% of the existing flows for the 10 and 100 year storms. Substantial reductions in the time of concentrations are anticipated and will be accounted for in the design. The site runoff, especially from the parking lots and buildings, will be collected by various inlets across the site and piped to underground storage systems. Any runoff that flows toward the track will be collected in a perimeter drain. Rainfall directly on the track and field surface will be collected and attenuated in a sand/underdrain section beneath the turf surface. All the underdrains will then flow to a header pipe and be discharged into the hillside.

Preliminary Site Discharge Peak Flow Rates

Storm Event	Existing Runoff Rate (cfs)	Proposed Runoff Rate (cfs)	Reduction in Runoff Rate (cfs)	Reduction in Runoff Rate (%)
WQ Storm	0.02	0.98	+0.96	-
2-yr	5.63	5.07	0.56	10%
10-yr	15.12	10.75	4.37	29%
100-yr	42.70	27.58	15.12	35%

As shown on the attached exhibits, there will be two main treatment areas based on the grading of the site. The systems will be comprised of large diameter perforated CMP pipes with storage capacity on the porous bedding. The preliminary design has the south storage system designed with 96" diameter pipe

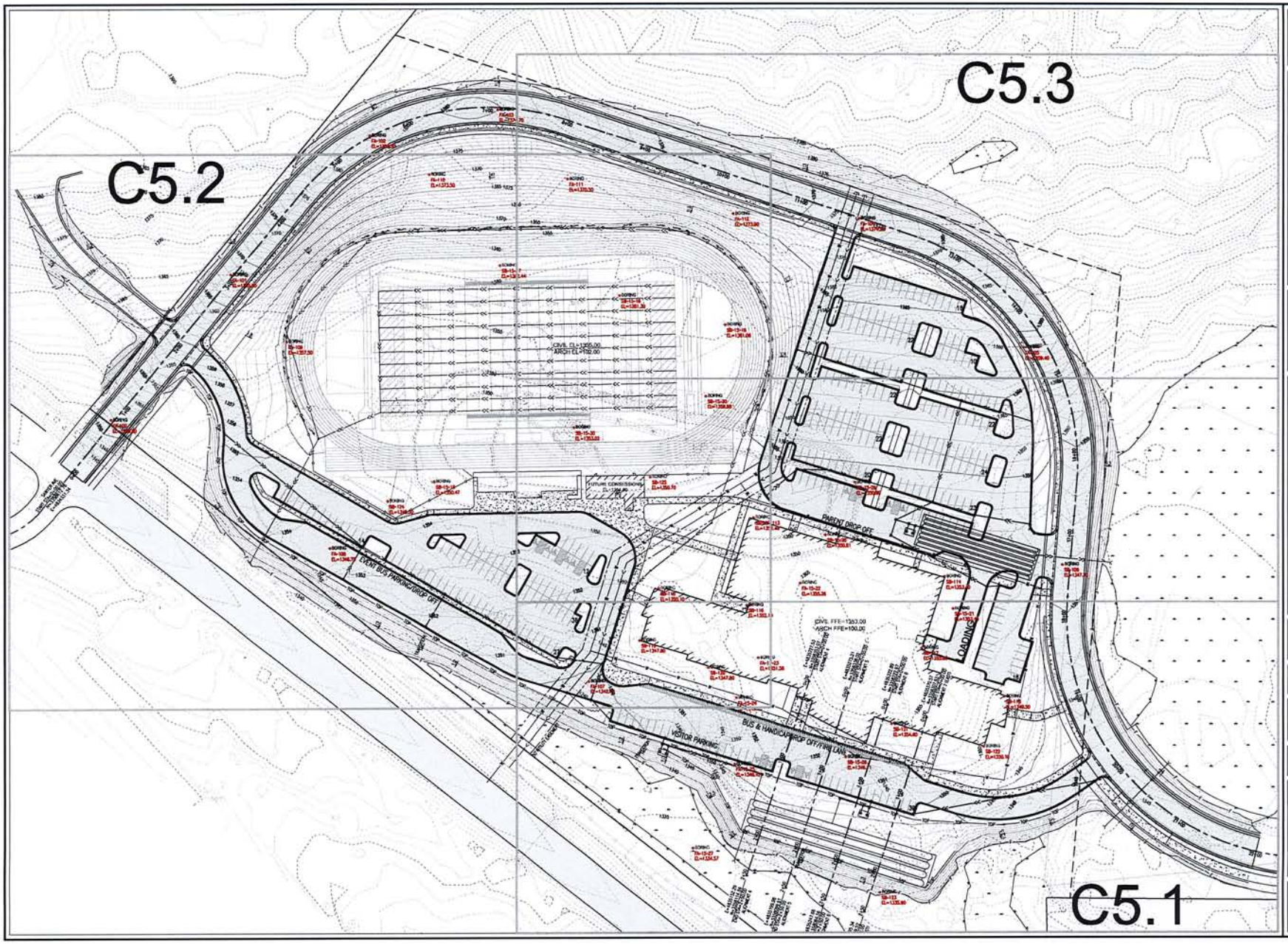
Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

and the north system designed with 48" diameter pipe. All of the bituminous runoff will be conveyed through sediment treatment chambers to remove Total Suspended Solids (TSS) before entering the underground storage. The underground storage will allow the storm water to be attenuated and released at the reduced rates required by the City of Duluth's UDC.

The developer reserves the right to explore other possible treatment and storage solutions that meet the requirements of the City of Duluth, MPCA, and the MNDNR.

Discharging to wetlands and sensitive trout stream environments, such as tributaries of Chester Creek, require additional consideration for temperature controls. By treating and attenuating the site runoff underground, it will have a chance to cool before being released downstream.

All runoff from the post construction site will continue to flow into the same Chester Creek tributary on the south side of Rice Lake Rd. The runoff rates will be reduced and the sediment will be removed to the levels required within the UDC. Once in Chester Creek it will flow downstream and discharge into Lake Superior.



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTS STUDIO

EAPC ARCHITECTS ENGINEERS
TEL 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.348.0855
WITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.

I HEREBY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: PRELIMINARY NOT FOR CONSTRUCTION

DAVID BOEF, PE

DATE: 00/00/00 LICENSE No. 40926

PROPOSED BUILDING FOR:
DECS 8-12 SCHOOL
430xx RICE LAKE ROAD
DULUTH, MINNESOTA 55811

OWNER: PROJECT OWNER

REVISIONS

ISSUED DATE
05/06/2016

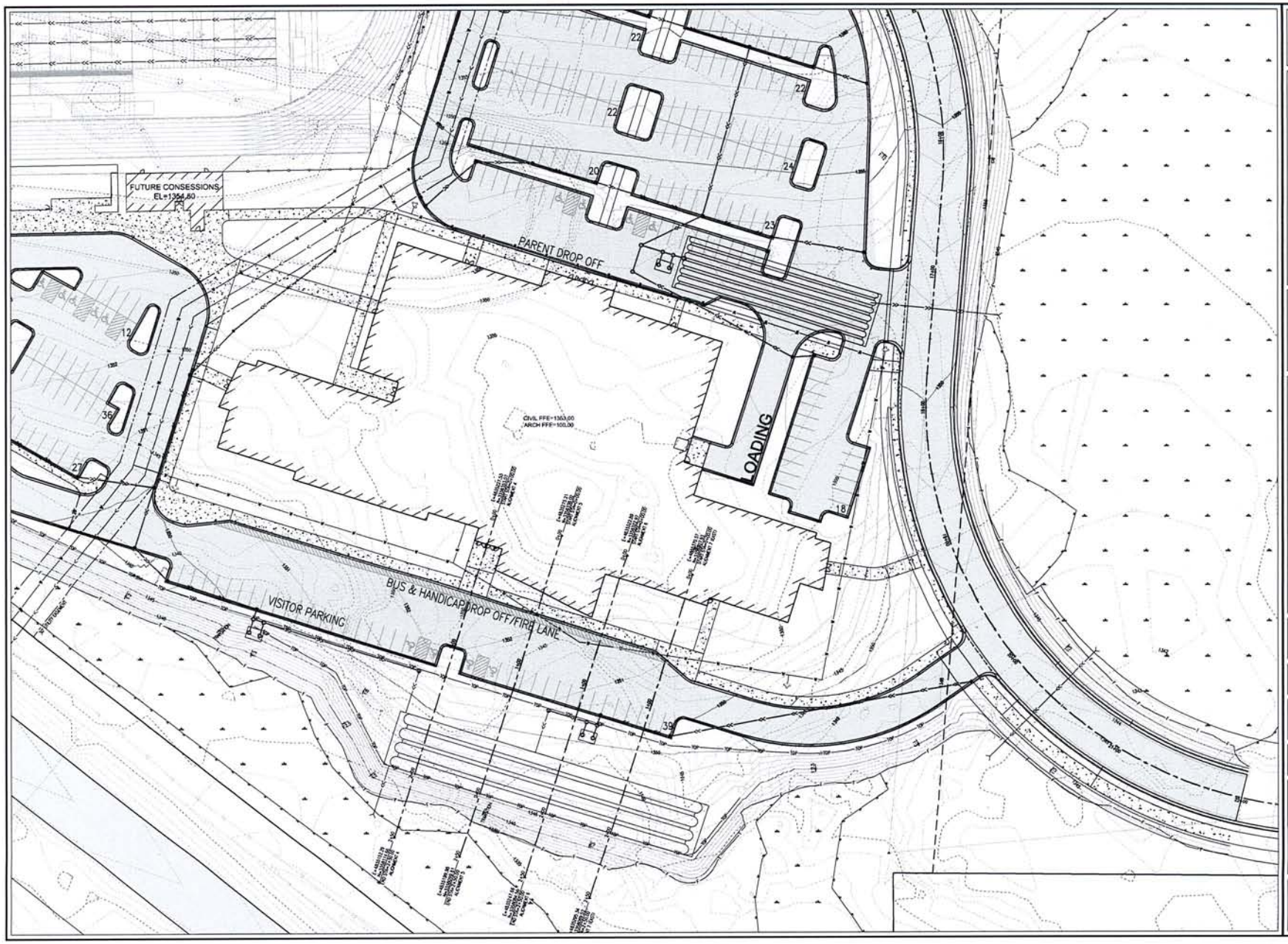
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

OVERALL GRADING PLAN

SHEET NO.
C5.0



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO INC

EAPC ARCHITECTS ENGINEERS
TEL# 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300 Fargo ND 58102

JILL ISOLA JOHNSON
CONTRACTOR LIAISON
PHONE: 218.348.0855
WITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.

I HEREBY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE
DAVID SCAT, PE

DATE 00/00/00 LICENSE No. 40926

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

OWNER:
DECS CLAIMER

REVISIONS

ISSUED DATE
05/06/2016

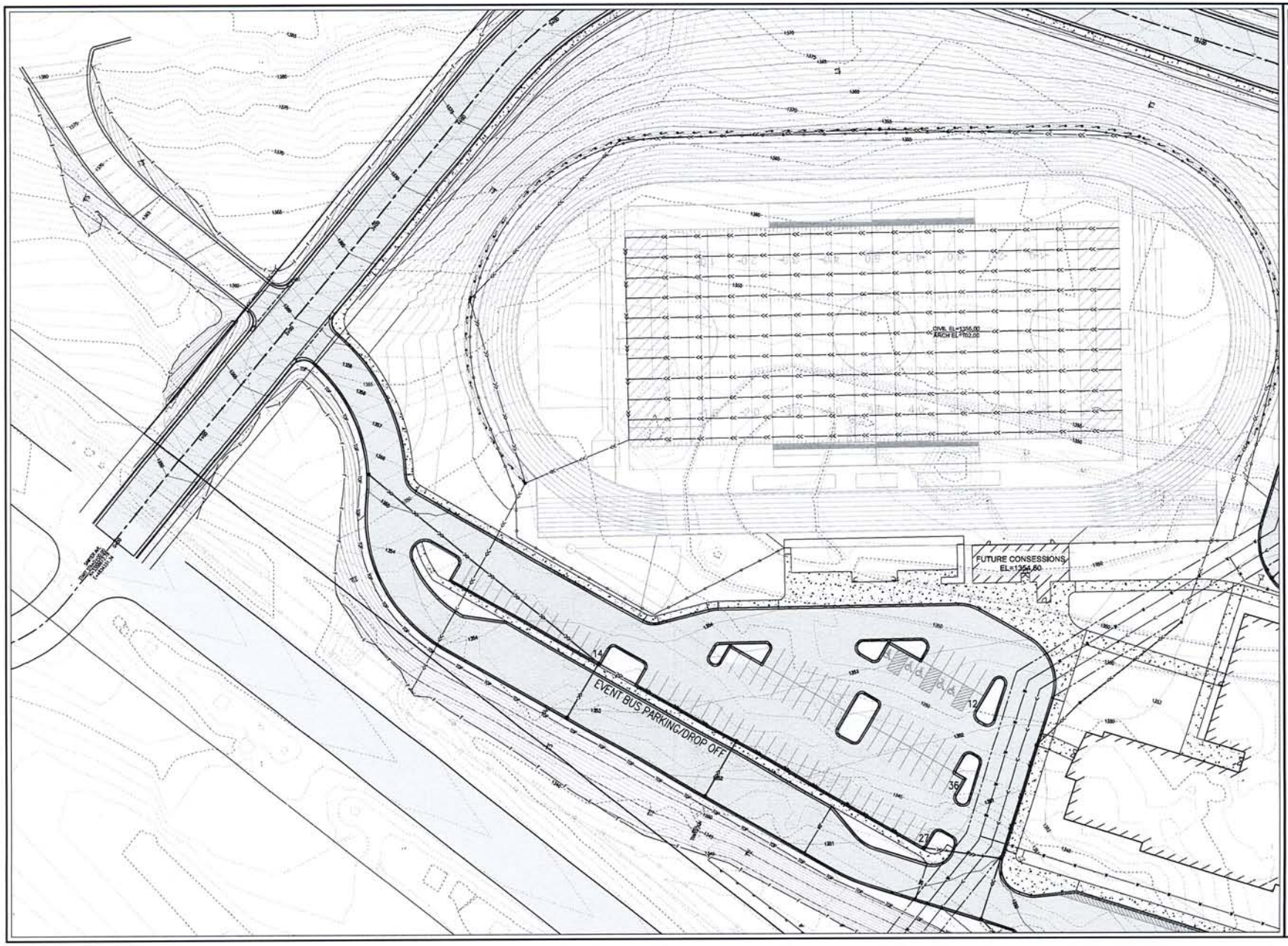
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

GRADING PLAN

SHEET NO.
C5.1



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIOS LTD

EAPC ARCHITECTS ENGINEERS
tel 701.461.7222 fax 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL SOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.348.0655
WITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Northland Consulting Engineers
102 South 21st Ave. West, Duluth, MN 55806
(218)727-5895, (218)727-1779

I HEREBY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE
DAVID BOLF, PE

DATE 00/00/00 LICENSE No. 40926

PROPOSED BUILDING FOR:
DECS 8-12 SCHOOL
430x RICE LAKE ROAD
DULUTH, MINNESOTA 55811

OWNER:
PROJECT OWNER

REVISIONS

ISSUED DATE
05/06/2016

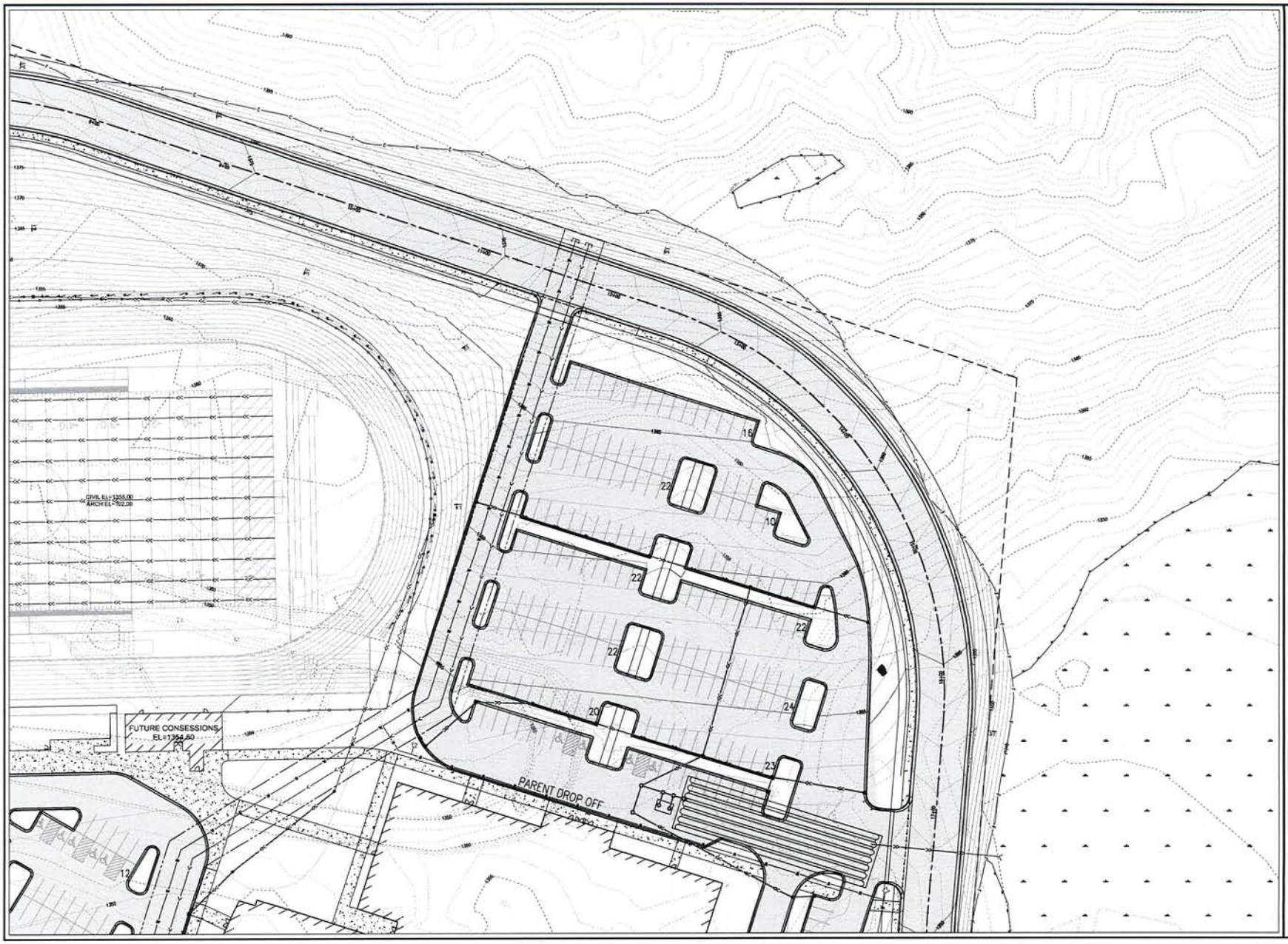
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

SCALE = 2" AT FULL SCALE

KEY

GRADING PLAN

SHEET NO.
C5.2



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO LLC

EAPC ARCHITECTS ENGINEERS
Tel: 701.461.7222 Fax: 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL SOLA JOHNSON
CERTIFIED INTERIOR DESIGNER
PHONE: 218.348.0855
MITH BUILDING
13 WEST SUPERIOR ST. #201
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural Civil and Mechanical Engineering
102 South 21st Ave. West, Duluth, MN 55806
(218)-721-1555, (218)-721-1579

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE: DAVID NOLF, PE

DATE: XX/XX/XX LICENSE No. 40926

PROPOSED BUILDING FOR:
DECS 8-12 SCHOOL
40xx RICE LAKE ROAD
DULUTH, MINNESOTA 55811

OWNER:
PROJECT OWNER

REVISIONS

ISSUED DATE
05/06/2016

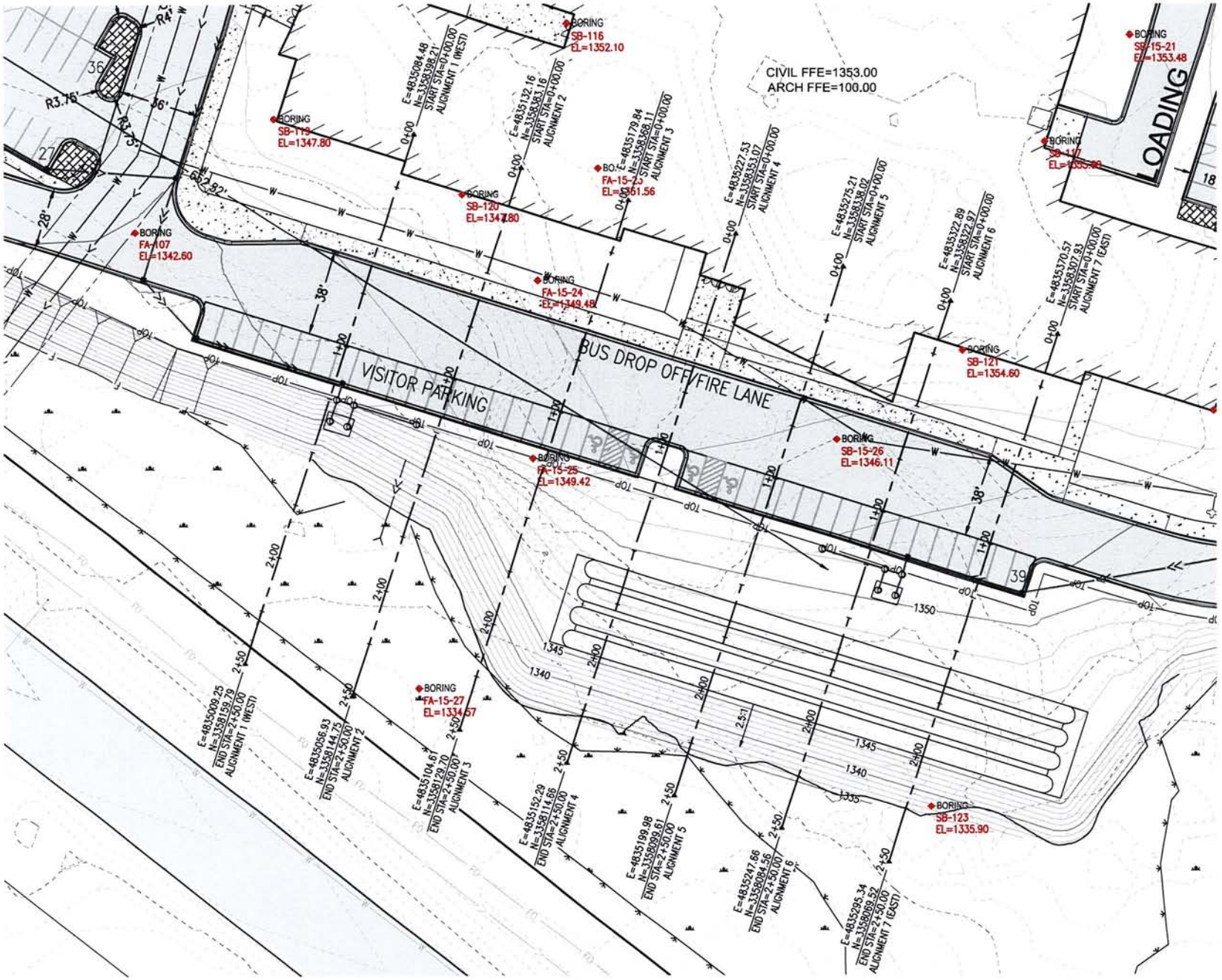
PROJECT NO.	15-504-C
DRAWN BY	JDO
APPROVED BY	ARZ

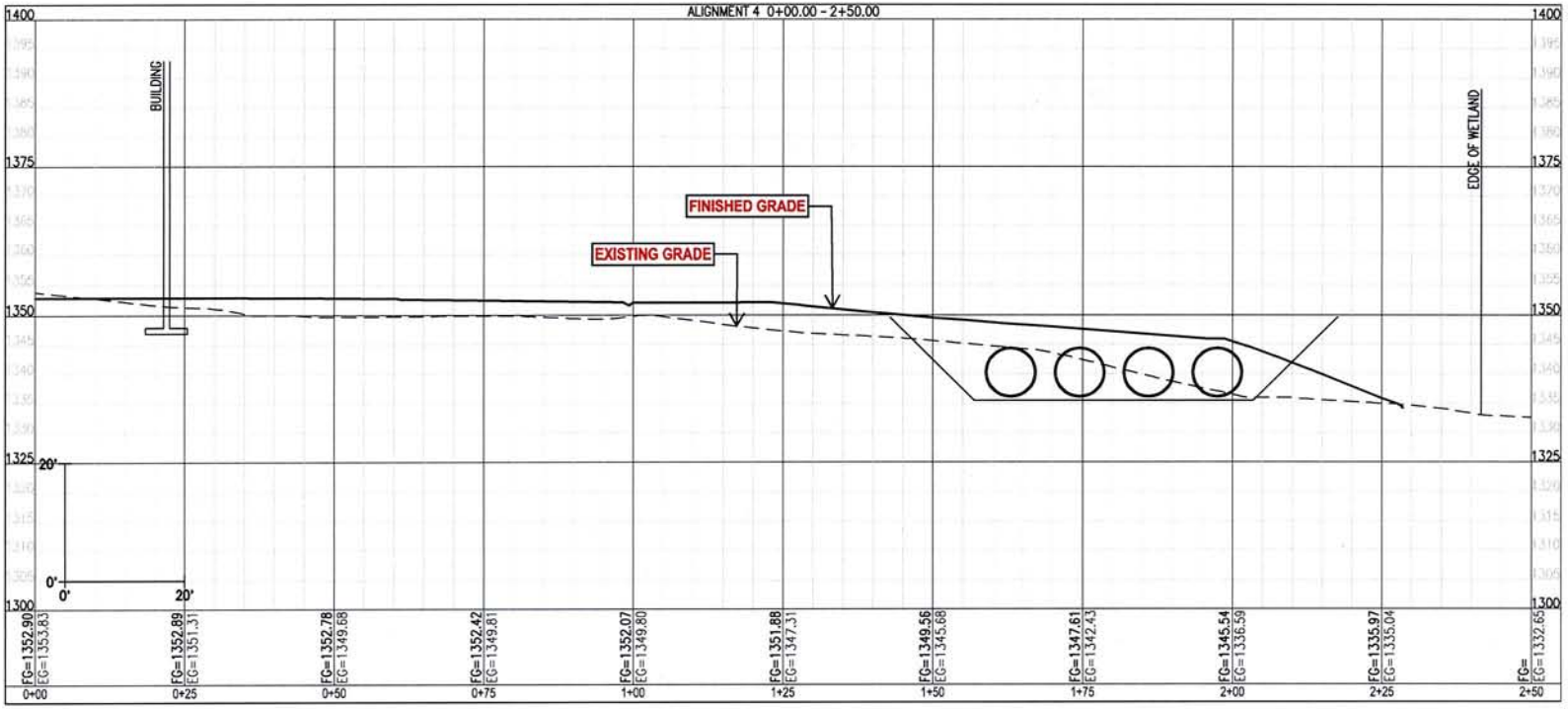
SCALE = 2" AT FULL SCALE

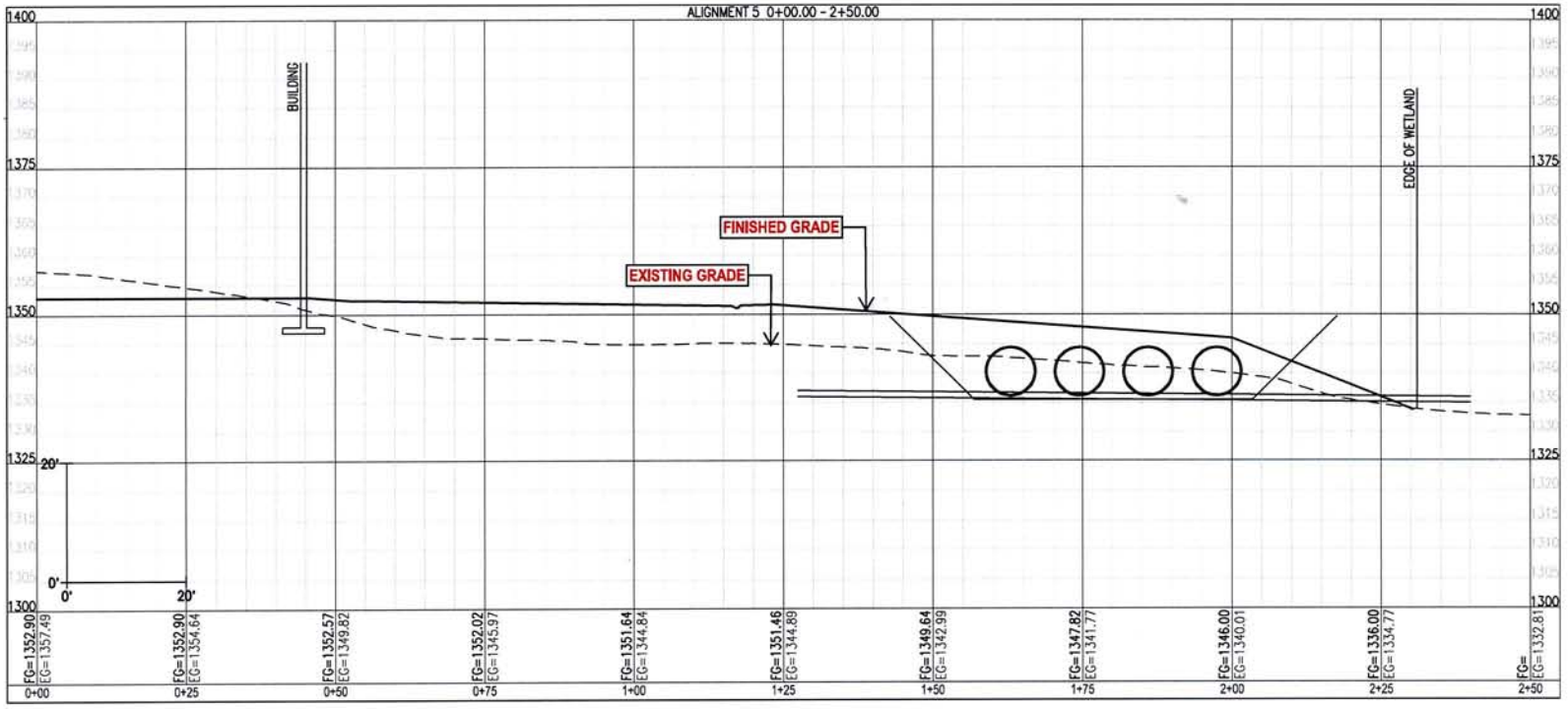
KEY

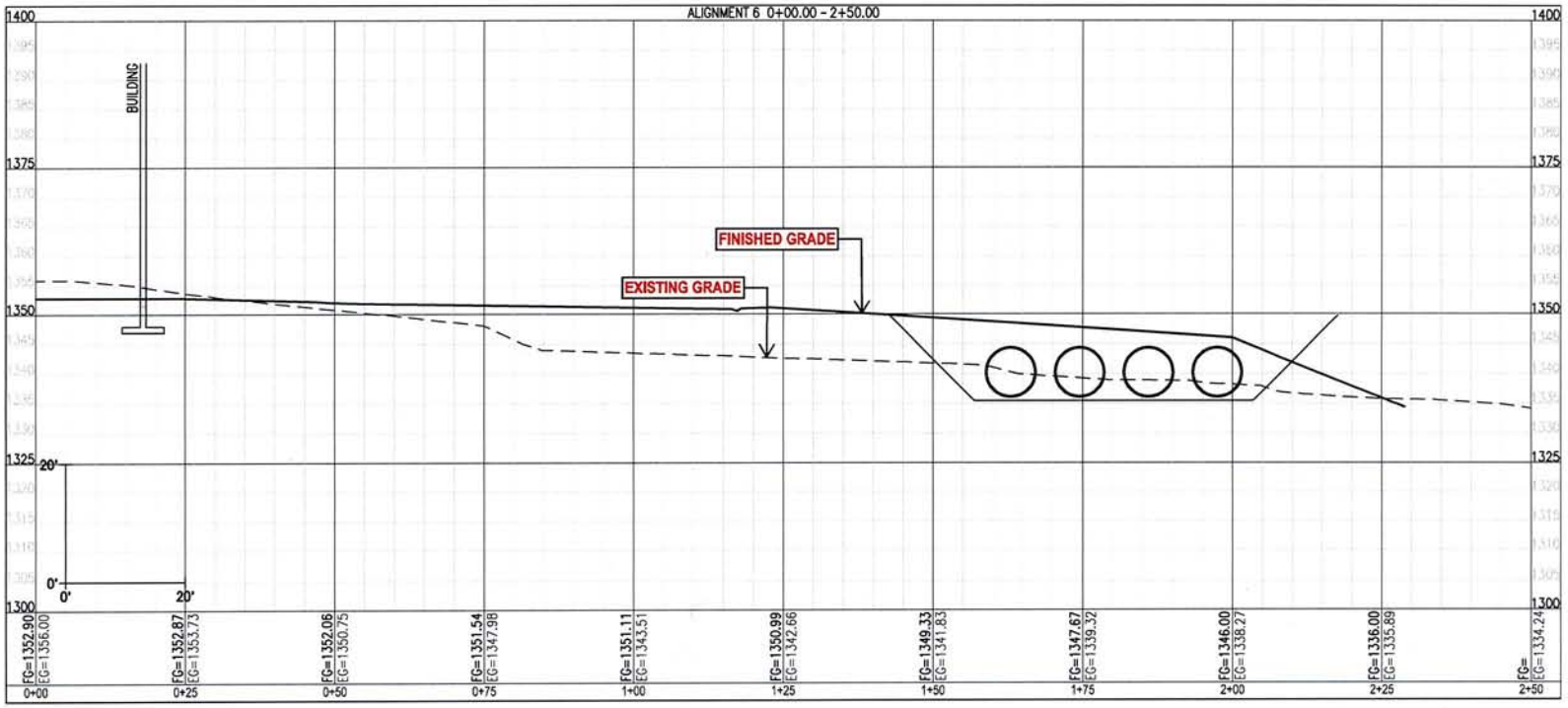
GRADING PLAN

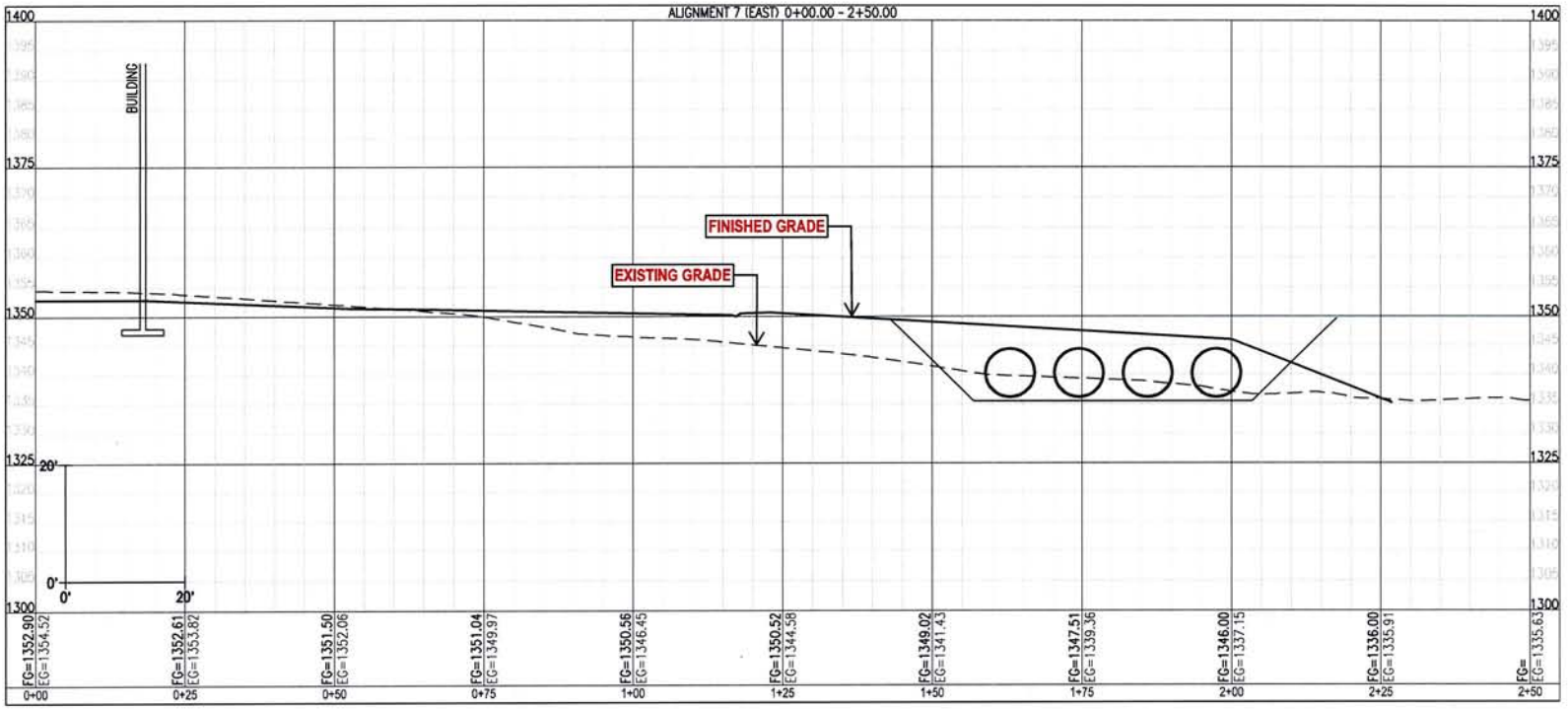
SHEET NO.
C5.3


CIVIL FFE=1353.00
ARCH FFE=100.00
LOADING
VISITOR PARKING
BUS DROP OFF/FIRE LANE
BORING SB-116 EL=1352.10
BORING SB-119 EL=1347.80
BORING SB-120 EL=1347.80
BORING FA-107 EL=1342.60
BORING FA-15-24 EL=1349.48
BORING FA-15-25 EL=1349.42
BORING FA-15-27 EL=1334.57
BORING SB-15-21 EL=1353.48
BORING SB-121 EL=1354.60
BORING SB-15-26 EL=1346.11
BORING SB-123 EL=1335.90
E=4835084.48 N=3358398.21 START STA=0+00.00 ALIGNMENT 1 (WEST)
E=4835132.16 N=3358383.16 START STA=0+00.00 ALIGNMENT 2
E=4835179.84 N=3358368.11 START STA=0+00.00 ALIGNMENT 3
E=4835227.53 N=3358353.07 START STA=0+00.00 ALIGNMENT 4
E=4835275.21 N=3358338.02 START STA=0+00.00 ALIGNMENT 5
E=4835322.89 N=3358322.97 START STA=0+00.00 ALIGNMENT 6
E=4835370.57 N=3358307.93 START STA=0+00.00 ALIGNMENT 7 (EAST)
E=4835009.25 N=3358159.79 END STA=2+50.00 ALIGNMENT 1 (WEST)
E=4835056.93 N=3358144.75 END STA=2+50.00 ALIGNMENT 2
E=4835104.61 N=3358129.70 END STA=2+50.00 ALIGNMENT 3
E=4835152.29 N=3358114.66 END STA=2+50.00 ALIGNMENT 4
E=4835199.98 N=3358099.61 END STA=2+50.00 ALIGNMENT 5
E=4835247.66 N=3358084.56 END STA=2+50.00 ALIGNMENT 6
E=4835295.34 N=3358069.52 END STA=2+50.00 ALIGNMENT 7 (EAST)
1350
1345
1340
1335


ALIGNMENT 4 0+00.00 - 2+50.00
1400
1375
1350
1325
1300
BUILDING
EDGE OF WETLAND
FINISHED GRADE
EXISTING GRADE
20'
0'
0'
20'
FG=1352.90 EG=1353.83 0+00
FG=1352.89 EG=1351.31 0+25
FG=1352.78 EG=1349.68 0+50
FG=1352.42 EG=1349.81 0+75
FG=1352.07 EG=1349.80 1+00
FG=1351.88 EG=1347.31 1+25
FG=1349.56 EG=1345.68 1+50
FG=1347.61 EG=1342.43 1+75
FG=1345.54 EG=1336.59 2+00
FG=1335.97 EG=1335.04 2+25
FG= EG=1332.65 2+50


ALIGNMENT 5 0+00.00 - 2+50.00
1400
1375
1350
1325
1300
BUILDING
EDGE OF WETLAND
FINISHED GRADE
EXISTING GRADE
20'
0'
0'
20'
FG=1352.90 EG=1357.49
FG=1352.90 EG=1354.64
FG=1352.57 EG=1349.82
FG=1352.02 EG=1345.97
FG=1351.64 EG=1344.84
FG=1351.46 EG=1344.89
FG=1349.64 EG=1342.99
FG=1347.82 EG=1341.77
FG=1346.00 EG=1340.01
FG=1336.00 EG=1334.77
FG= EG=1332.81
0+00
0+25
0+50
0+75
1+00
1+25
1+50
1+75
2+00
2+25
2+50


ALIGNMENT 6 0+00.00 - 2+50.00
1400
1375
1350
1325
1300
BUILDING
FINISHED GRADE
EXISTING GRADE
20'
0'
0'
20'
FG=1352.90 EG=1356.00 0+00
FG=1352.87 EG=1353.73 0+25
FG=1352.06 EG=1350.75 0+50
FG=1351.54 EG=1347.98 0+75
FG=1351.11 EG=1343.51 1+00
FG=1350.99 EG=1342.66 1+25
FG=1349.33 EG=1341.83 1+50
FG=1347.67 EG=1339.32 1+75
FG=1346.00 EG=1338.27 2+00
FG=1336.00 EG=1335.89 2+25
FG= EG=1334.24 2+50


ALIGNMENT 7 (EAST) 0+00.00 - 2+50.00
1400
1375
1350
1325
1300
BUILDING
FINISHED GRADE
EXISTING GRADE
20'
0'
0'
20'
FG=1352.90 EG=1354.52
FG=1352.61 EG=1353.82
FG=1351.50 EG=1352.06
FG=1351.04 EG=1349.97
FG=1350.56 EG=1346.45
FG=1350.52 EG=1344.58
FG=1349.02 EG=1341.43
FG=1347.51 EG=1339.36
FG=1346.00 EG=1337.15
FG=1336.00 EG=1335.91
FG= EG=1335.63
0+00
0+25
0+50
0+75
1+00
1+25
1+50
1+75
2+00
2+25
2+50

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

Prepared 3/14/16

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 has 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. SRF based their estimates on the Institute of Traffic Engineer's formula, for a school of this size, found the peak parking demand of 285 spaces. One thing to note, this estimate has many factors used to estimate peak parking demand. Two of which this site does not have, having access to public transportation and the ability to walk to school. The lack of these transportation types increases the peak parking demand. The new high school will have about 85 staff and 825 students across 5 grades (165 students per grade). NCE has estimates the parking demand as follows, 1 stall for each staff (85), 75% of seniors drive 0.75*165 = (123), 50% of juniors drive 0.50*165 = (82) and 25% of sophomores drive 0.25*165 = (40) for a total of 330 parking spots.

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**

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

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
NCE Site Plan (dated 2/4/16):	330	825	0.40

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. The adjacent North Star Academy has 117 striped parking stalls. There is an additional 114 cars that park on the lawn, on Technology Drive and leased spaces from Arrowhead Tennis Center and Involta. The staff parking in leased spaces, are 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. It also should be noted that year 1 will have 8th and 9th graders and year 4 the school will be full 8-12. The first 3 years the new lot can be used for overflow parking by Northstar Academy.

Planning staff asked the question about on-street parking. At this time the new Sawyer Avenue, is planned to be 36' wide with (2) 12' driving lanes and (2) 6' shoulders with curb and gutter. This section currently does not support on-street parking. As the Sawyer Avenue project progresses, St. Louis County and the City will need to come to an agreement if on-street parking will be permitted. Therefore, we have proceeded as if on-street parking is not available at this time.

In summary, the UDC maximum allowable parking is only half the amount of parking that this project demands. Duluth East and Denfeld parking ratios of stalls/students are 0.28 and 0.35 respectively, which are both above the UDC allowable ratio of 0.20. Both of these schools have inadequate off-street parking, with overflow parking into the neighborhoods. We not only have an opportunity but an obligation to accommodate the traffic and parking demands of this new facility. Most importantly this project needs to create a safe traffic and pedestrian environment. Therefore we are requesting a variance to accommodate 330 new parking spaces.

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

Prepared 3/14/16

Variance Request for Front Yard Parking:

In reference to UDC Section 50-24.6B, Parking Location within the site, it is requested that the City of Duluth consider allowing a variance to allow parking in the front yard. The parking in the front yard will consist of visitor parking. This will separate the student parking and the visitor parking keeping the midday traffic mainly in the front of the building. Safe and controlled accesses to schools are a top priority on this nation. Edison will be providing a secure check point during school hours at the front of the building. It is for this reason the visitor parking needs to be located as shown, adjacent to the secure entrance point in the front of the building.

In discussions with planning staff, they stated it would be helpful to show previous parking configurations. Attached are snapshots of earlier site plans, in all there have been about 15 options to where we are today. As can been seen in the earlier versions, front yard parking has been reduced and internal circulation has been improved. Early discussions with planning staff determined that shifting all student/staff parking to side and rear yards would be a more desirable alternative, which we have achieved.

Northland
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering
102 South 21st Ave. West, Duluth, MN 55806
(V)218-727-5995, (F)218-727-7779

Prepared 5/5/16

County Road Alignment and Site Layout Coordination:

The question was asked why not move the road to the south side of the school, one of the design/user requirements was to create a free flowing roadway from Arrowhead to Rice Lake Road. If the roadway moves to the south side, this would create a "three-way" stop condition causing an additional spot for congestion to occur. It also directs traffic flow near the front door of the school. Both conditions are undesirable citing future safety and congestion concerns.

The road surrounding the high school campus will be designed to Municipal State Aid Standards (MSA). The horizontal curve and vertical curve geometry is designed to meet a 30 mile per hour roadway design. At 36 feet wide, the road will include (2) 12 foot driving lanes and (2) 6 foot shoulders. The configuration shown on the plans is minimized to satisfy the MSA design requirements while maintaining a logical and efficient design for the school campus. The road alignment also minimizes additional wetland impacts by crossing at shortest routes across the wetlands.

When considering the site layout, Edison officials indicated a protected campus was a requirement. Moving either the track or parking areas to the north side of the roadway breaks up the campus and poses a safety risk. Everyday a high amount of students and pedestrians will have to cross Sawyer Avenue. The high amount of traffic in the area will be partially distributed through this corridor. The whole reason for the road is to alleviate the safety concerns and congestion along Rice Lake Road. By requiring school users to cross Sawyer Avenue, the risk only becomes higher.

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-723-3559 • www.duluthmn.gov

An Equal Opportunity Employer

TO: Planning Commission

FROM: Jenn Reed Moses, Planner II

DATE: April 4, 2016

RE: Arrowhead Road Land Use Study, PL 16-030

Background

After several recent development inquiries and applications drew attention to the Arrowhead Road area, the Community Planning Division initiated a land use study to determine whether any recommendations to change the Comprehensive Plan were warranted. The development activities seen by staff included:

- Edison school purchasing the Snowflake property, and subsequent applications to build a new high school on the property.
- Eastridge Church plans to expand, and Duluth Gospel Tabernacle plans to build a new church in the area.
- A wildlife rehabilitation clinic ("veterinary clinic or animal hospital" per the UDC) relocating to the area.

The area was previously studied in the Duluth Northwest Corner Area Study (2000), with future land uses further amended in the Comprehensive Plan (2006). These plans had envisioned much of the area as Low-Density Neighborhood, Rural Residential, and Preservation, with commercial/light industrial concentrated mainly at the intersection of Rice Lake Road and Arrowhead Road. These land use designations, however, do not necessarily reflect the character of existing development on the corridor. The existing land uses are a mixture of residential and undeveloped properties, with church campuses and businesses such as the oral surgery clinic interspersed, and at least one commercial site ready for development that would not be supported by the existing comprehensive plan. In addition, the type of suburban single-family development suggested for the northern side of Arrowhead Road may not be supported given the relatively narrow space available between the busy roadway corridor and Chester Creek. All of these questions and considerations led staff to initiate this land use study.

Process

Staff began doing research on the study area in December. A public meeting was held on February 23, 2016, with over 100 attendees. This was an open house where staff shared information and asked for input from attendees; 46 comments were received at the meeting, with additional comments received via email in the weeks that followed. A second public meeting was held on March 29, 2016, with 53 people who signed in. After a presentation with three land use scenarios, attendees were asked to submit feedback on potential land uses for the area. A summary of comments from these meetings is including in the Findings below.

Findings

Existing Land Use

As noted above, the existing land uses are a mixture of residential, church campuses, commercial, industrial, and undeveloped properties (see attached *Existing Land Use* map). Developed properties are located on large lots creating an overall low-density, sprawling development pattern. The exception to this is the Crystal Village and Ponderosa Groves neighborhoods, which were platted on smaller lots with a greenway system to connect to potential future development.

Many of the existing uses do not correlate with the future land use designations in the Comprehensive Plan. This can be seen in the attached *Comprehensive Plan* map. Some of these are long-standing uses (such as Cummings greenhouse) and others are newer (such as Wildwoods Rehabilitation). If in the future the existing zone districts changed to align with the Comprehensive Plan, these uses would become nonconforming uses. They would be allowed to legally continue with grandfathering rights, although they wouldn't be allowed to expand.

Transportation

The two main thoroughfares in the area are Arrowhead Road and Rice Lake Road; both are County roads. Rice Lake Road is a managed access road; the County's policy limits access to this road, and the County is actively seeking solutions such as frontage and backage roads for existing and new development. Arrowhead Road is characterized by frequent, often wide access points, resulting in heavy turning movements and potential conflict points. To manage this, the County is willing to investigate adding a center turn lane on Arrowhead in part of the study area if any future development is proposed prior to final designs for reconstruction of the roadway (approximately 2018). Drivers on both of these roads experience congestion at peak traffic times.

Other roads in the area are local city streets, mainly residential in nature. Duluth Transit does not provide service in the area, but has a route just east of the study area.

Natural Resources

The streams and wetlands in the study area are the defining natural feature, and are critically important to the hydrology in the city (see *Natural Resources* map). A tributary of Miller Creek and its associated floodplain run north-south along the western boundary of the study area. Miller Creek is a coldwater (trout) stream that is impaired, and which caused severe flood damage in the 2012 flood, particularly in the mall area. The headwaters of Chester Creek begin just north of the study area, and then flow east-west through the study area. Chester Creek is also a coldwater (trout) stream that caused severe flood damage in the 2012 flood, particularly in the East Hillside. Large wetland complexes exist in conjunction with the two streams, and other wetlands lie throughout the remainder of the study area.

Research has shown that wetlands and stream headwaters are crucial areas of water retention and infiltration. As annual precipitation continues to increase, and periods of extreme rainfall become more frequent, communities will need to identify ways to minimize future flood damage. One way to do this is by preserving areas such as mature forests, intermittent stream channels, and depressions to promote infiltration in upstream areas.

Utilities

Existing water, gas, and sanitary sewer (including sanitary sewer basins) were mapped and are shown on the *Utilities* map. City Engineering has indicated that most of the area is served by utilities, and that those utilities could be expanded or upgraded as needed for any future development. The notable exception is the area from the western boundary of the study area to just east of Swan Lake Road, which has no sewer. The City has no plans to upgrade sewer in this area.

Community Input

Comments received at the two public meetings and via email demonstrate support for commercial development along the eastern portion of Arrowhead Road. Recognizing the high traffic volumes of the road, people feel that uses such as gas stations, apartments, coffee shops, small restaurants, churches, daycare, hair salons, and community centers are appropriate for the area immediately adjacent to the road – but in many instances, comments also indicated this development should not extend all the way to surrounding single-family neighborhoods. Some commenters indicated that apartments would "ruin the neighborhood feel." Many of the attendees at both meetings were members of Eastridge Church and Duluth Gospel Tabernacle, so a large number of comments supported those churches' developments; Eastridge would like to incorporate a fitness center, and Duluth Gospel Tabernacle would like to build a new church and potentially sell parts of the property for other development. Other entities that have indicated an interest to expand/build are McCarthy Manor, Northern Oral and Maxillofacial Surgeons, and Wildwoods Rehabilitation. There were no comments focusing exclusively on the area along Rice Lake Road.

A few comments recognized that the high traffic volumes on Arrowhead support additional development, but also cautioned that any new development should not worsen congestion. Instead, new development should "serve existing travelers."

On the western portion of Arrowhead Road, the comments received supported maintenance of the large-lot residential character. Additional comments focused on the protection of natural resources and need for green space, desire for bike routes and sidewalks, and a desire to avoid big box retail, car dealerships, and any more industrial uses.

Land Use Scenarios

Based on the findings and comments, Staff developed three land use scenarios to share at the second public meeting (all three are attached). All three scenarios included a recommendation of Institutional land use in the area around Edison, with the remainder of that property being Rural Residential. All three scenarios also supported Urban Residential as a land use for McCarthy Manor.

- **Scenario 1:** This scenario focused on the area as being the headwaters of Chester Creek and home to numerous natural resources. The recommendations in this scenario reinforced the existing development pattern of large-lot residential along the western portion, north of Arrowhead Road, while maintaining the current Future Land Use of Low-Density neighborhood south of Arrowhead Road. It recommended "Urban Residential" over the area with existing churches and clinic, reflecting the mix of uses already in that area.
- **Scenario 2:** This provided a very different land use pattern than Scenario 1, focusing instead on the nature of heavily traveled Arrowhead Road being capable of supporting further development. It supports a larger area for potential suburban-style neighborhood development, as well as commercial and mixed use development along larger parcels along the east side of Arrowhead Road.
- **Scenario 3:** This "hybrid" recommends higher intensity commercial and mixed use development than Scenario 1, but focused mainly on areas immediately adjacent to Arrowhead Road. It also recommends large-lot residential on the north side of Arrowhead Road to maintain the existing character and provide increased infiltration areas near the streams and wetlands in the area.

Recommendations

After researching the area, looking at existing land uses, and taking into account the comments received throughout the study, Staff has developed several Land Use Recommendations. Recommendations for the area:

- Recognize and support existing businesses and institutions and, where possible, look at a Future Land Use category that allows them to continue and to expand when necessary.
- Protect the character of existing single-family neighborhoods by placing close attention to buffers and transitions between land uses.
- Support land uses that protect natural resources while still allowing reasonable development on privately owned property.

All of the below are recommendations to change the Comprehensive Plan – Future Land Use Map as shown in the attached map, *Recommendations*.

A. **Increase areas of Preservation as a Future Land Use along Chester Creek.** The current Future Land Use Map reflects Preservation over a smaller area. It should be noted that the entire shoreland (300' on either side of the stream) has regulatory protection via the Natural Resources Overlay district; this recommendation adds the goal of shoreland protection into the guiding land uses of the Comprehensive Plan.

B. **Change the Future Land Use from Low-Density Neighborhood to Rural Residential along Arrowhead Road in the western portion of the study area.** This area is currently characterized by large-lot residential uses. Many of these residents attending the public meetings expressed a desire for this area to remain residential. As this area is bordered by major roads to the west and south, and Chester Creek on the north, and given the large wetlands and individual property ownership, it is unlikely that this area would develop into a suburban-style single-family neighborhood. The change to Rural Residential suggests a lower density for this area than what is currently shown in the Comprehensive Plan. ***This change matches the current RR-1 zoning of this area.***

C. **Change the Future Land Use to Institutional around Edison schools.** This includes a change from Urban Residential to Institutional for the existing North Star Academy, and a change from Business Park to Institutional in the location of Edison's proposed high school. While Edison can develop a high school with the existing RR-1 zoning, the Comprehensive Plan can better recognize the school use with a land use designation of Institutional.

D. **Change the Future Land Use to Rural Residential for the remainder of the Edison property.** Edison purchased the entire Snowflake property, which currently is developed with ski trails. Since the remainder of this property is not needed for a school use, it is appropriate to change the land use to Rural Residential to match the adjacent land use category to the north and east.

E. **Change the Future Land Use From Neighborhood Mixed Use to Urban Residential for McCarthy Manor.** Urban Residential is still supportive of assisted living in this area, but is a lower intensity than Neighborhood Mixed Use, which is more appropriate for this parcel as it is adjacent to Low-Density Neighborhood on the west and south sides.

F. **Change the Future Land Use from Low-Density Neighborhood to Urban Residential.** This area currently contains Eastridge Church, St. John's Church, and the oral surgery clinic. Since the land use category of Urban Residential supports not only residential but also institutions and businesses that serve the surrounding area, this is an appropriate land use. It also provides a transition between the Rural Residential to the west and the Neighborhood Mixed Use to the east. The City of Duluth encourages potential developments in area F to pursue Mixed Use-Planned zoning (Planned Unit Development) for flexible development options that also provides a greater level of public benefit than would be required under the existing zone district.

G. **Change the Future Land Use from Low-Density Neighborhood to Neighborhood Mixed Use.** This parcel contains a graded and ready-to-build commercial site. Adjacent to Nortrax on the east and Arrowhead Road on the south, this is not an appropriate location for a single-family house. It is separated from St. John's Church to

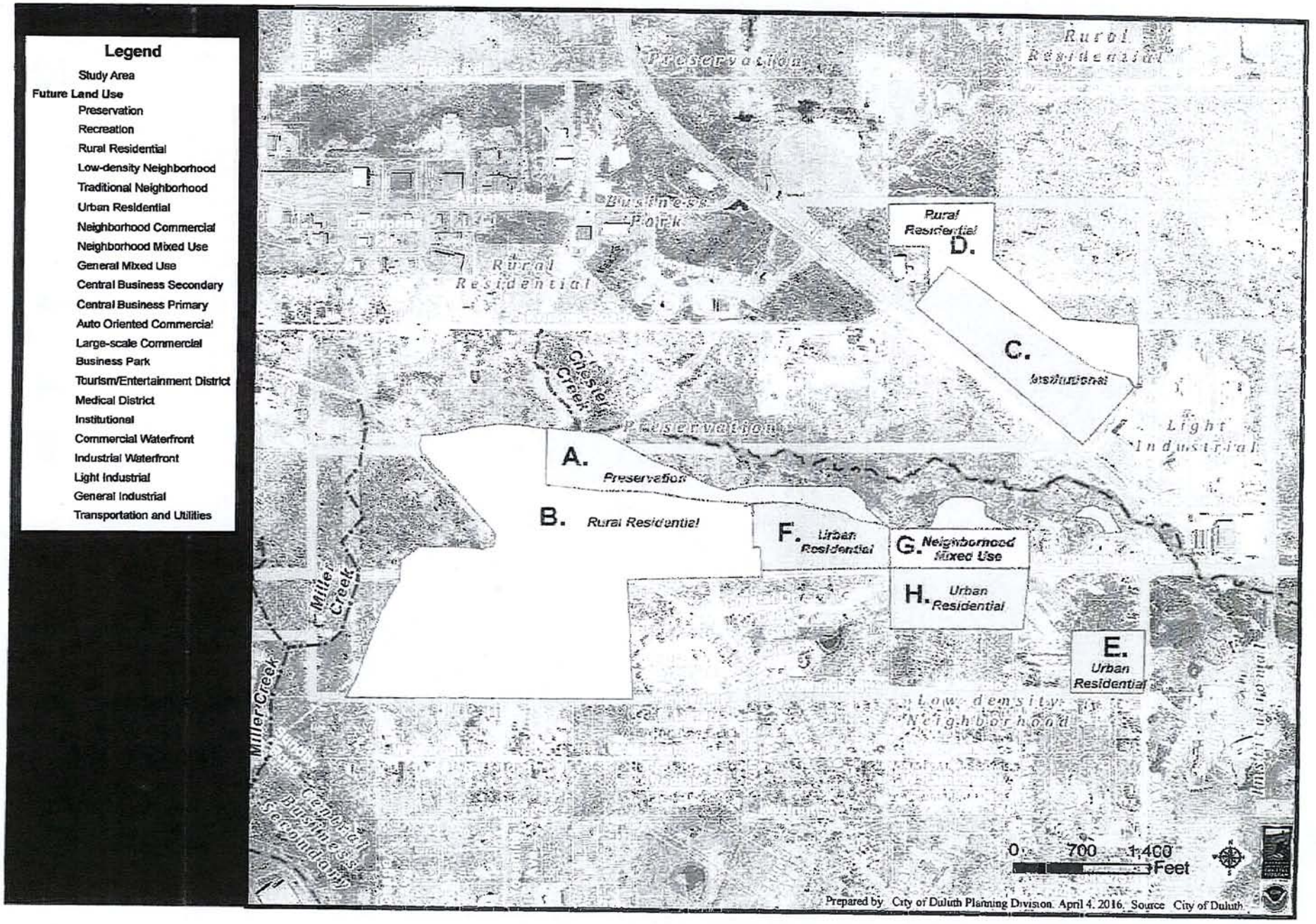
the west by a wetland area, which will provide a likely buffer between the more commercial uses to the east and the church/clinic campuses to the west.

H. **Change the Future Land Use from Low-Density Neighborhood to Urban Residential.** This reflects the general public support for increased development immediately adjacent to Arrowhead Road, and provides a transition between the Low-Density Neighborhood to the west and the Neighborhood Mixed Use to the East. The City of Duluth encourages potential developments in area H to pursue Mixed Use-Planned zoning (Planned Unit Development) for flexible development options that also provides a greater level of public benefit than would be required under the existing zone district. In addition, future development should pay attention to how it interacts with surrounding neighborhoods, including site design that supports the single-family neighborhood feel along Marble Street and continues the greenway and pedestrian trail system located to the west.

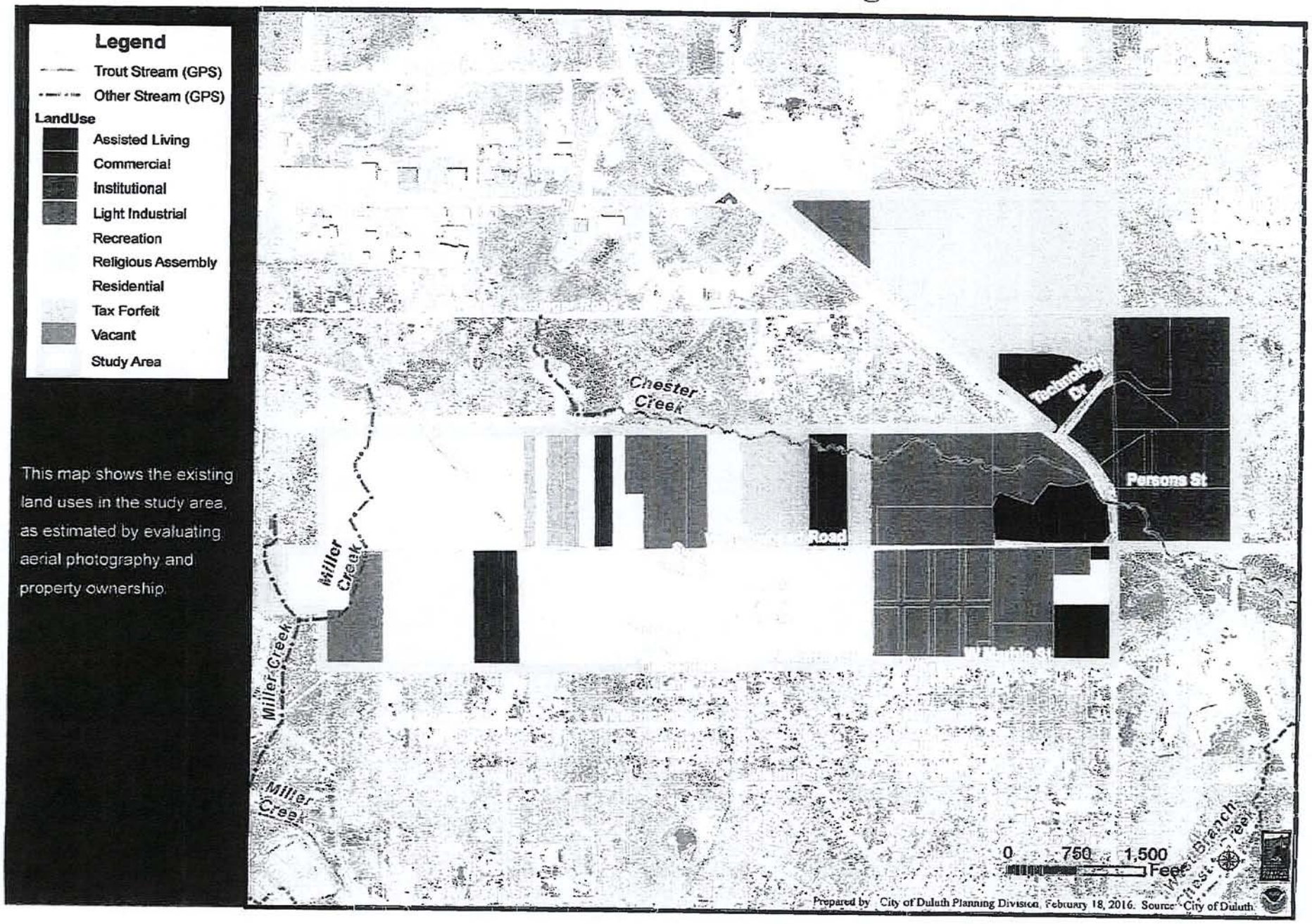
Next Steps

Planning staff is asking Planning Commission to recommend approval of these Comprehensive Plan Future Land Use Changes to City Council. It is anticipated that a resolution would appear on the City Council agenda for its regular meeting on April 25, 2016. Council must adopt Comprehensive Plan amendments with a two-thirds vote. Future steps prior to development in the area would be rezoning of these areas to implement the Comprehensive Plan.

Recommendations



Arrowhead Road Area - Existing Land Use



This map shows the existing land uses in the study area, as estimated by evaluating aerial photography and property ownership.

RECEIVED
MAY 9 2016
BY

Saint Louis County

Public Works Department • Richard H. Hansen Transportation and Public Works Complex
4787 Midway Road, Duluth, MN 55811 • Phone: (218) 625-3830 • www.stlouiscountymn.gov

James T. Foldesi, P.E.
Public Works Director/
Highway Engineer

May 9, 2016

Duluth Planning Commission
City Hall, Room 208
411 West First Street
Duluth, MN 55802

Re: St. Louis County's Review of the City of Duluth Planning Department Staff Report for the Proposed Edison High School

Dear Members of the Duluth Planning Commission,

Thank you for the opportunity to provide you with a summary of the work that has taken place to date regarding the proposed Sawyer Avenue project and how this project interfaces with the proposed Edison High School project. I would like to provide you with a recent history and a list of items I believe are critical to a successful outcome to serve our local residents' transportation needs.

Over the recent years, St. Louis County has been closely monitoring the steadily building traffic congestion on Rice Lake Road (County State Aid Highway No. 4) and West Arrowhead Road (County State Aid Highway No. 32). A significant portion of this traffic is generated from sites like United Health Care and Edison Elementary School. This issue is exacerbated by the fact that this traffic has only one entry and exit point on Technology Drive. When St. Louis County was first made aware of the proposed project to build Edison High School and a multi-unit housing development on Rice Lake Road, St. Louis County reached out to key stakeholders in this area to consider the option to develop a new "backage" road concept by extending Sawyer Avenue from West Arrowhead Road to Rice Lake Road. The additional traffic estimated to be generated by the high school and housing development is expected to significantly increase traffic congestion that is already in this area. The goal of the proposed Sawyer Avenue project is to improve traffic safety and relieve traffic congestion on Rice Lake Road and West Arrowhead Road by providing two routes, instead of the existing one route, to access the existing and proposed major traffic generators along Rice Lake Road and Technology Drive.

Over the past year, St. Louis County has worked closely with Minnesota Power and Involta on developing the Sawyer Avenue backage road concept and alignment. Because this road would cross Minnesota Power and Involta property, additional security concerns, along with

requirements from the Department of Homeland Security, had to be taken into account for the development of the preferred alignment. In addition, St. Louis County has worked with the Edison High School developer's engineering consultant on alignment options to connect the existing Edison Elementary School with the proposed high school. Through this process, multiple alignment options were considered, therefore any deviation from the preferred alignment would require substantial justification along with approval by the key stakeholders. A copy of the preferred Sawyer Avenue alignment is enclosed.

When planning for a new road, there are a variety of factors that need to be incorporated into the ultimate design. The following discussion is a list of items that St. Louis County believes is critically important to achieve a successful outcome to this project.

- First, it is St. Louis County's understanding that the "backage road" (proposed Sawyer Avenue) requirement in the Duluth Planning Department staff report will extend from Technology Drive to Rice Lake Road. In order for the proposed Sawyer Avenue to function as planned, it is critical for the preferred alignment of Sawyer Avenue to intersect Technology Drive as shown in the enclosed exhibit. Under this design, Technology Drive will be the stem of the "T".

- Second, the geometry of the proposed Sawyer Avenue will need to meet Minnesota State Aid Standards because it will serve as a public street. These standards impact items such as the minimum design speed, minimum radius of horizontal curves, and widths of travel lanes and parking lanes. Through the planning process to date, St. Louis County has identified the following components that will be necessary for this road. They include a ten (10) foot wide trail, boulevard between the trail and the road, an urban cross-section with curb and gutter, and a utility corridor. St. Louis County believes a right-of-way width of 80 feet is necessary to construct this roadway.

- Third, St. Louis County concurs with the Edison High School developer's engineering consultant that the proposed Sawyer Avenue, from Technology Drive to Rice Lake Road, be a minimum width of 36 feet from curb face to curb face. However, based upon the parking study report by the developer's engineering consultant, this segment of the road may need to be widened to 40 feet, which would provide parking on both sides of the road, to cure the existing parking deficiencies at the existing Edison Elementary School and provide for overflow parking at the proposed Edison High School for special events.

- Fourth, St. Louis County fully supports the parking projections of the Edison High School developer's engineering consultant and the proposed parking variance. Although the parking stall projections currently exceed the Duluth Unified Development Code, St. Louis County believes the most frequent mode of transportation to and from the school will be with personal vehicles. It is important to note that St. Louis County will not accept any overflow parking onto Rice Lake Road in the future, as is currently occurring at the existing Edison Elementary school. If necessary, St. Louis County will

post Rice Lake Road as a no-parking zone. Simply stated, Rice Lake Road is not an option for overflow parking.

- Fifth, St. Louis County has a project scheduled for 2016 to construct a ten (10) foot wide super-sidewalk along the west side of Rice Lake Road from Central Entrance to West Arrowhead Road. The current plan for the proposed Sawyer Avenue is to grade a platform for a ten (10) foot wide trail along the west or south side of the road which would connect the proposed high school to West Arrowhead Road and the super-sidewalk along Rice Lake Road. St. Louis County is willing to work with the City of Duluth to obtain funding through the Safe Routes to School Program or other funding source to complete this trail in the future.

- Sixth, to clarify the traffic study section of the Duluth Planning Department staff report, St. Louis County will require a full complement of turn lanes on Rice Lake Road (dedicated left-turn lanes, dedicated through lanes and dedicated right-turn lanes) along with a fully operational traffic signal at the time of the opening of the proposed Edison High School.

- Seventh, St. Louis County does not concur with the layout of the proposed Edison High School parking lot access and traffic flow. St. Louis County understands the developer proposes to route school buses around the school campus on the proposed Sawyer Avenue, pick up students at the main front entrance (facing Rice Lake Road), and then exit the school campus on the entrance directly across from the tennis center. It is our belief that this type of flow will cause unneeded congestion during the end-of-the-day release of students because traffic queues will back up on Sawyer Avenue from Rice Lake Road preventing buses from exiting left onto Sawyer Avenue. Instead, St. Louis County suggests that the bus flow be reversed, with the bus drop-off/pick-up location located at the back main entrance of the school, and have the buses exit the school campus on the furthest entrance from Rice Lake Road. In addition, St. Louis County suggests eliminating the entrance to the school campus located directly across from the tennis center, or if necessary, make this entrance a right-in, right-out only operation. These suggestions stem from St. Louis County's observations of the current traffic congestion on Technology Road due to the configuration of the entrances for Edison Elementary School and the associated traffic flow.

- Eighth, St. Louis County understands the right-of-way necessary to construct the proposed Sawyer Avenue between Technology Drive and Rice Lake Road will be conveyed in the form of fee ownership to the road project at no cost. In addition, St. Louis County also understands Minnesota Power and Involta will also provide the right-of-way necessary to construct the proposed Sawyer Avenue between West Arrowhead and Technology Drive in the form of fee ownership to the road project at no cost.

St. Louis County is currently in the process of negotiating the cost shares for these transportation improvements with the Edison High School developer and the City of Duluth, which we believe are necessary to safely accommodate the new and existing land uses. Please

know that St. Louis County fully understands the concern of the Duluth Planning Commission that a cost share agreement for these items be in place prior to the Commission's decision regarding this project. Under the existing anticipated timeline for this project to be considered by the Commission, it is unlikely that St. Louis County will have a cost share agreement in place with the developer or the City of Duluth before a decision is made by the Commission. In an effort to ensure a timely schedule, St. Louis County suggests that the Commission consider delaying the cost share agreement until after a decision to approve the project by the Commission. Under this option, the Commission would place a condition on the approval for the project where the developer would be required to have entered into a fully executed cost sharing agreement with St. Louis County prior to the issuance of any City of Duluth building permits for this project. This would allow the Commission to focus their decision on the merits of the project.

Thank you again for considering St. Louis County's input to the Duluth Planning Commission's consideration of this project. St. Louis County believes that by working cooperatively with all stakeholders, this project has the real potential to benefit the public in substantial ways in terms of traffic safety and traffic operations.

Please do not hesitate to contact me with any questions.

Sincerely,

James T. Foldesi, PE
Public Works Director/Highway Engineer

Enclosure

Cc:
Kevin Gray, St. Louis County Administrator
Brian Boder, St. Louis County Assistant County Engineer
Victor Lund, St. Louis County Traffic Engineer
Keith Hamre, City of Duluth Director of Planning and Construction Services
Steven Robertson, City of Duluth Senior Planner
David Chmielewski, Blackhoof Development
David Bolf, Northland Consulting Engineers

RINKE NOONAN
attorneys at law

RECEIVED
MAY 16 2016
By

May 16, 2016

Direct Dial: 320-656-3518
Gleistico@RinkeNoonan.com

Keith Hamre, Director of Planning and Development
Duluth Planning Commission
Duluth City Hall
411 W 1st Street, #402
Duluth, MN 55802

SENT BY US MAIL AND EMAIL: khamre@duluthmn.gov

Re: Duluth Edison High School - Pacific Education Partners
Our File No. 26535-0001

Dear Mr. Hamre:

I represent the developer, Pacific Education Partners, with respect to the SUP and Variances submitted by Pacific Education and currently before the City of Duluth Planning Commission for Public Hearing on May 24, 2016. This letter is sent to clarify the position of Pacific Education as to certain conditions of the SUP, the issuance of the variances, and the timing of the approval determination by the Commission.

The current staff recommendation is to have the SUP conditioned on "work with the County to establish a development agreement for construction and cost sharing of the new road." We understand this to be the proposed "backage road". Such a condition would be inappropriate. It is agreed that the proposed High School have adequate and safe access to public roads. Such a condition is appropriate under Chapter 50 of the City of Duluth Legislative Code (UDC). However, the proposed "backage road" is currently just proposed, and ultimately, just one option for adequate and safe access. If the backage road is ultimately not completed, for one of many potential reason beyond the control of Pacific Education, the School could still be connected safely to a public roads. This is supported by current limitations on SUPs: where a zoning ordinance authorizes a use by special permit, the denial of such a permit, or any condition of the permit, must be based on reasons of public health, safety, and general welfare or because of express language in the county's land use plan. *Hubbard Broadcasting, Inc. v. City of Afton,* 323 N.W.2d 757, 763 (Minn.1982). There is no specific requirement for the High School to be accessed only by the backage road, and therefore any such condition would be inappropriate. The UDC only identifies three (3) use specific standards applicable to schools, and these do not include a separate road to be constructed. It is the complete intent of Pacific Education to work with Saint Louis County to complete the backage road, but it would be improper to condition the SUP on such a requirement, and we ask that no such condition be required. Saint Louis County

Suite 300 US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
320.251.6700

www.rinkenoonan.com

Public Works/Highway Department has made this same request pursuant to the May 9, 2016, letter that requests the backage road should not be a condition of the SUP.

Pacific Education also requests that the variance requests identified by file numbers PL 16-014, PL 16-015, and PL 16-029 be recommended for approval. While it is understood that the City Staff Reports indicate that a rezoning of the property will resolve the need for two of the variances, the rezoning process will be lengthy and the planning and preconstruction process cannot fully occur without assurance that the full parking and height requirements are allowed. Any delay in the planning and construction will severely impair the completion of the project. The submitted variance meet the criteria for granting the variances, and Saint Louis County has stated that they fully support the parking projections and the proposed parking variances. Both parking variances are needed to fully utilize the available parking areas on the site.

The City Staff originally recommended that the Planning Commission table this matter until the June hearing date to allow additional time for the Planning Commission to review the matter, however, due to the unforeseen events of the May 10, 2016 hearing, an additional two weeks will have passed for the Planning Commission's review. Therefore, we hope and believe the Planning Commission has had adequate time to make a decision on May 24, 2016. Additionally, DPSA has been granted $400,000.00 from the Department of Education that is premised on Edison High School being opened by the Fall of 2017. If this matter is continued, it will put in peril this grant money.

We look forward to working with the City and the City Council on this matter and will provide any information needed and answer any questions that may arise.

Sincerely,

Gary R. Leistico
GRL/dvf

CC: Steven Robertson, City of Duluth (By Email only)
Mark Pilon (By Email only)
Dave Chmielewski (By Email only)

Steven Robertson

From: David Chmielewski <dave@blackhoof.com>
Sent: Monday, May 16, 2016 4:30 PM
To: Keith Hamre; Steven Robertson
Cc: Gary Leistico (gleistico@rinkenoonan.com); Greg Strom
Subject: 051616 SNOWFLAKE DPSA
Attachments: 051616 ADDITIONAL PC SUBMITTAL.pdf

Keith / Steven:

See attached revised site plan illustrating the accommodations for the reversed bus traffic flow. We will continue to work on our construction documents based on this layout.

I re-attached the landscape plan and tree preservation plan that I sent back in February, then again on March 8th of 2016. Burr Oak was used as the principal parking lot canopy tree because it has the largest canopy, has good durability in this application and has great character. It is a slower growing tree, but we will be prescribing soil and oxygen amendments to maximize growth rate. This detailing will occur in the construction documents. The canopy size selection was made from the City approved tree tables. All of the calculations for parking lot canopy coverages are on the attached drawing. If you have any questions about this, please be specific and I will do my best to answer your questions.

The area to be preserved as a Nordic Ski area and outdoor educational area has been identified, and a 100 unit apartment schematic has been attached that would utilize underground parking. Snow storage areas have been called out on the attached exhibit.

Our attorney, Gary Leistico, has also drafted a document relative to the variances and the SUP conditions.

Sincerely,

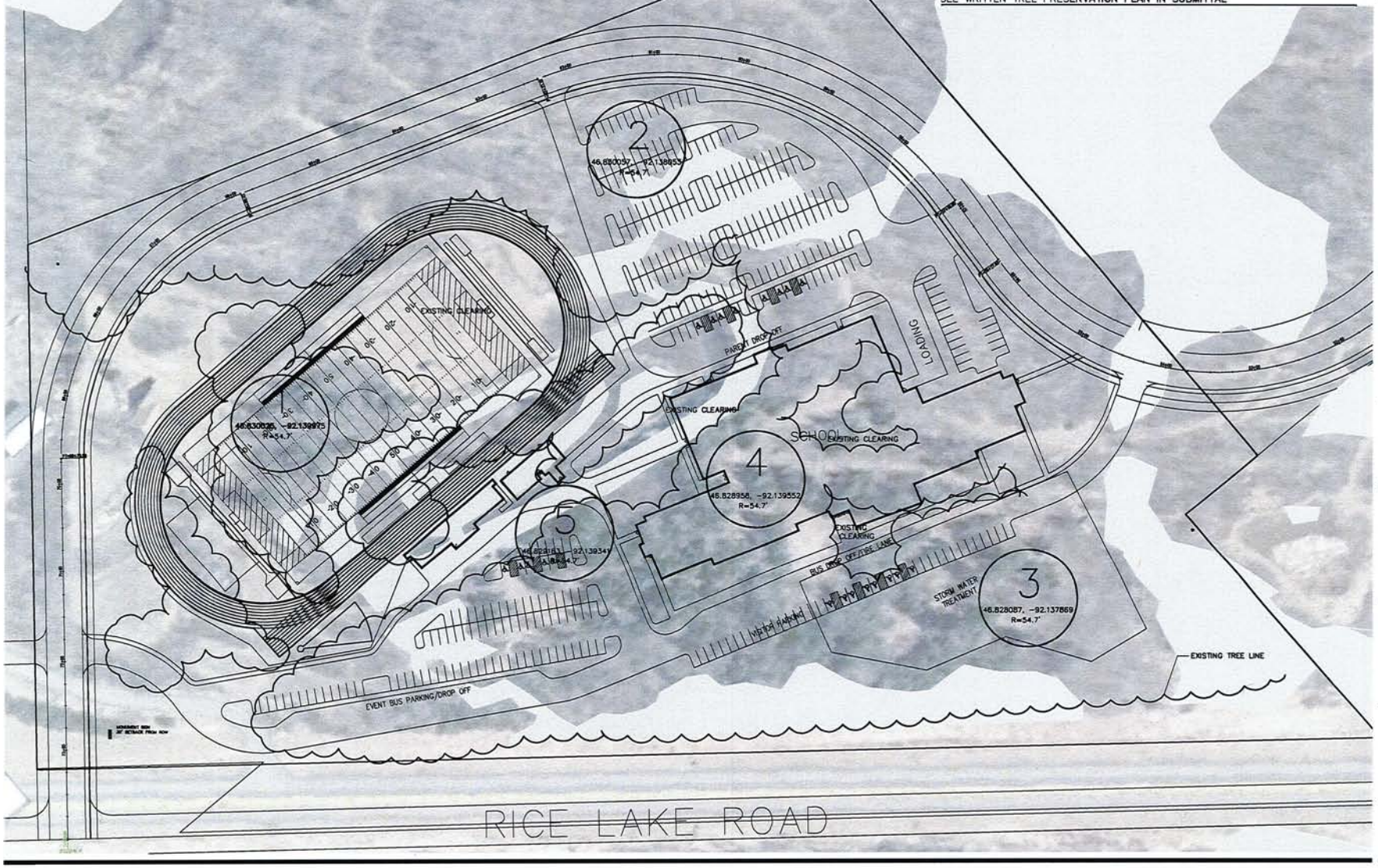
David M. Chmielewski
Blackhoof Development
2020 14th Street
Cloquet, MN 55720
O: 218-384-9727
C: 218-310-9229
F: 218-499-8067

TREE PRESERVATION PLAN

22.27 ACRES
5.43 NOT INCLUDED IN DPSA 8-12
6.04 ACRES CURRENTLY OPEN

10.8 ACRES CURRENT FORESTED AREA
X 10%

SAMPLE PLOTS 1.08A (5 @ 0.216 ACRES EACH)
AREAS 1-5
SEE WRITTEN TREE PRESERVATION PLAN IN SUBMITTAL



BLACKHOOF

CLIENT:

PACIFIC EDUCATION PARTNERS

NO	DATE	REVISION
1	02-08-16	CITY UDC SUBMITTAL

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: _____

Typed or Printed Name: DAVID M. CHAMBERLAIN

Date 02-08-16 Reg. No. 46630

PROJECT NAME:

DPSA 8-12

DRAWING TITLE:

TREE PRESERVATION PLAN

FILE:
DRAWN BY:
CHECKED BY:
PROJ. NO: -
DRAWING NO:

D1

GENERAL TURF
ALL AREAS NOT BUILDING, PARKING, DRIVEWAYS, TRACK AND FIELD OR RIP RAP SLOPE, EDGE EMBANKMENT OR STORM WATER POND WILL BE SEEDED WITH TURF GRASS AND HYDROMULCHED

STORMWATER FACILITIES
BWSR 36-361 STORM WATER NE
7 LBS/ACRE ON GRASS MIX PORTION
1.5 LBS/ACRE ON FORBS
50 LBS/ACRE ON SEED OATS (SPRING) OR WINTER WHEAT (FALL). ALL AREAS TO BE SEEDED MUST BE SPRAYED WITH ROUNDUP TWO WEEKS PRIOR TO SEEDING. USE EXISTING SOIL. COVER WITH DOUBLE NET **STRAW BLANKET. SECURE WITH 6" STAPLE AT 1 PER SY**

EMBANKMENTS GREATER THAN 2:1
ON SITE BLAST ROCK 2-30"
GEOTEXTILE SEPARATOR FABRIC
APPLY ENOUGH RIP-RAP TO COVER THE SEP**ARATOR FABRIC IMPORT**
MATCHING MATERIAL IF REQUIRED

SLOPES OFF EMBANKMENTS TO EXISTING FORESTED AREAS
BWSR 36-311 WOODLAND EDGE NORTHEAST
7 LBS/ACRE ON GRASS MIX PORTION
1.5 LBS/ACRE ON FORBS
50 LBS/ACRE ON SEED OATS (SPRING) OR WINTER WHEAT (FALL). ALL AREAS TO BE SEEDED MUST BE SPRAYED WITH ROUNDUP TWO WEEKS PRIOR TO SEEDING. USE EXISTING SOIL. COVER WITH DOUBLE NET STRAW BLANKET. SECURE WITH 6" STAPLE AT 1 PER SY

SPECIAL AND SIGNIFICANT REPLACEMENT TREES
2.5" CALIPER BB SPECIAL TREE REPLACEMENT
55 TOTAL TREES: 18 SUGAR MAPLE, 18 BUR OAK, 19 LINDEN
SEE TABLE TR.1 FOR REPLA**CEMENT CALCULATIONS**

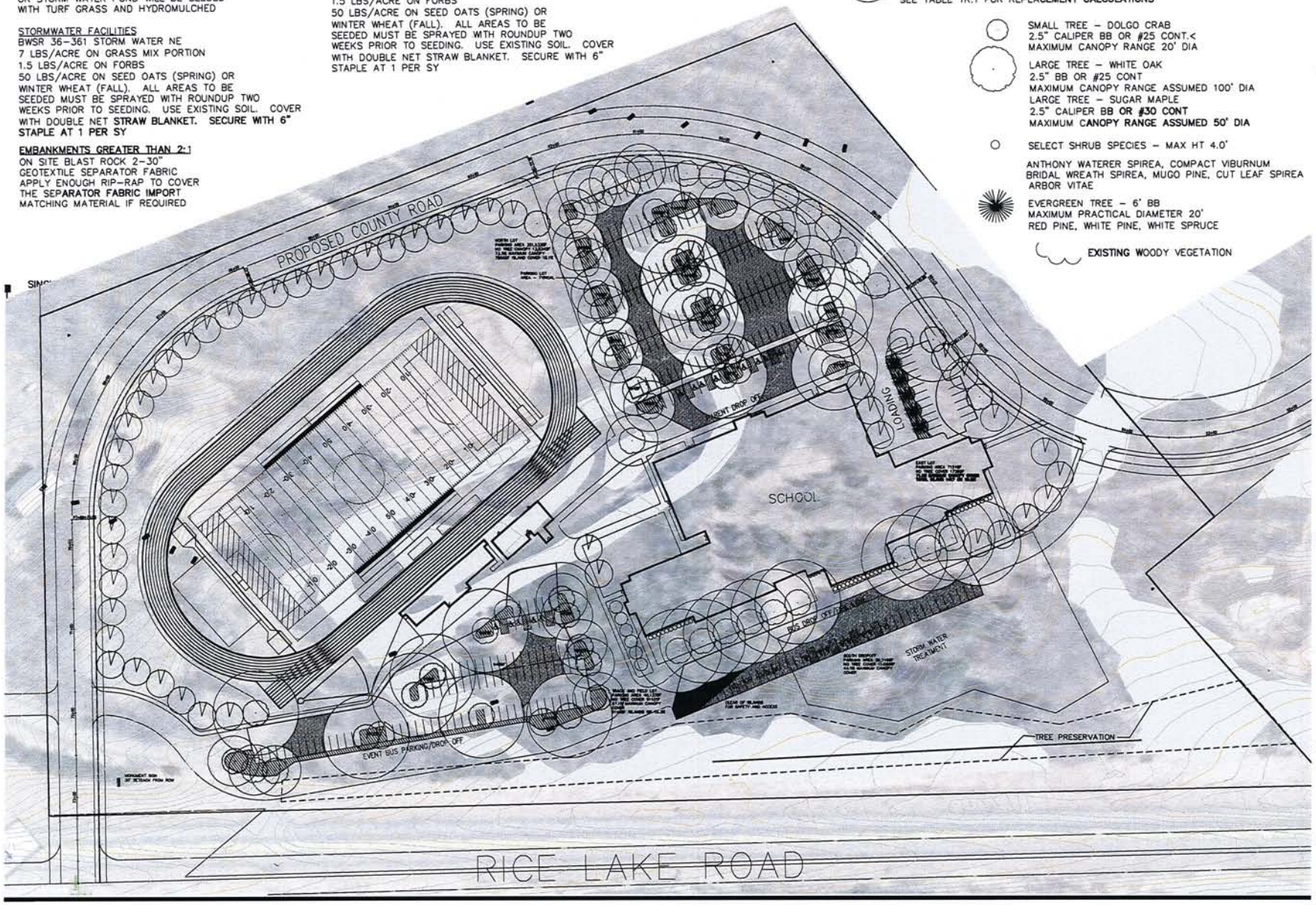
SMALL TREE - DOLGO CRAB
2.5" CALIPER BB OR #25 CONT.<
MAXIMUM CANOPY RANGE 20' DIA

LARGE TREE - WHITE OAK
2.5" BB OR #25 CONT
MAXIMUM CANOPY RANGE ASSUMED 100' DIA
LARGE TREE - SUGAR MAPLE
2.5" CALIPER BB **OR #30 CONT**
MAXIMUM **CANOPY RANGE ASSUMED 50' DIA**

SELECT SHRUB SPECIES - MAX HT 4.0'
ANTHONY WATERER SPIREA, COMPACT VIBURNUM
BRIDAL WREATH SPIREA, MUGO PINE, CUT LEAF SPIREA
ARBOR VITAE

EVERGREEN TREE - 6' BB
MAXIMUM PRACTICAL DIAMETER 20'
RED PINE, WHITE PINE, WHITE SPRUCE

EXISTING WOODY VEGETATION



BLACKHOOF

CLIENT:
PACIFIC EDUCATION PARTNERS

NO	DATE	REVISION
1	02-08-16	CITY UDC SUBMITTAL
2	03-08-16	CITY UDC SUBMITTAL

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the state of Minnesota.

Signature: _____

Typed or Printed Name: DAVID M. CHAMBLEWSKI

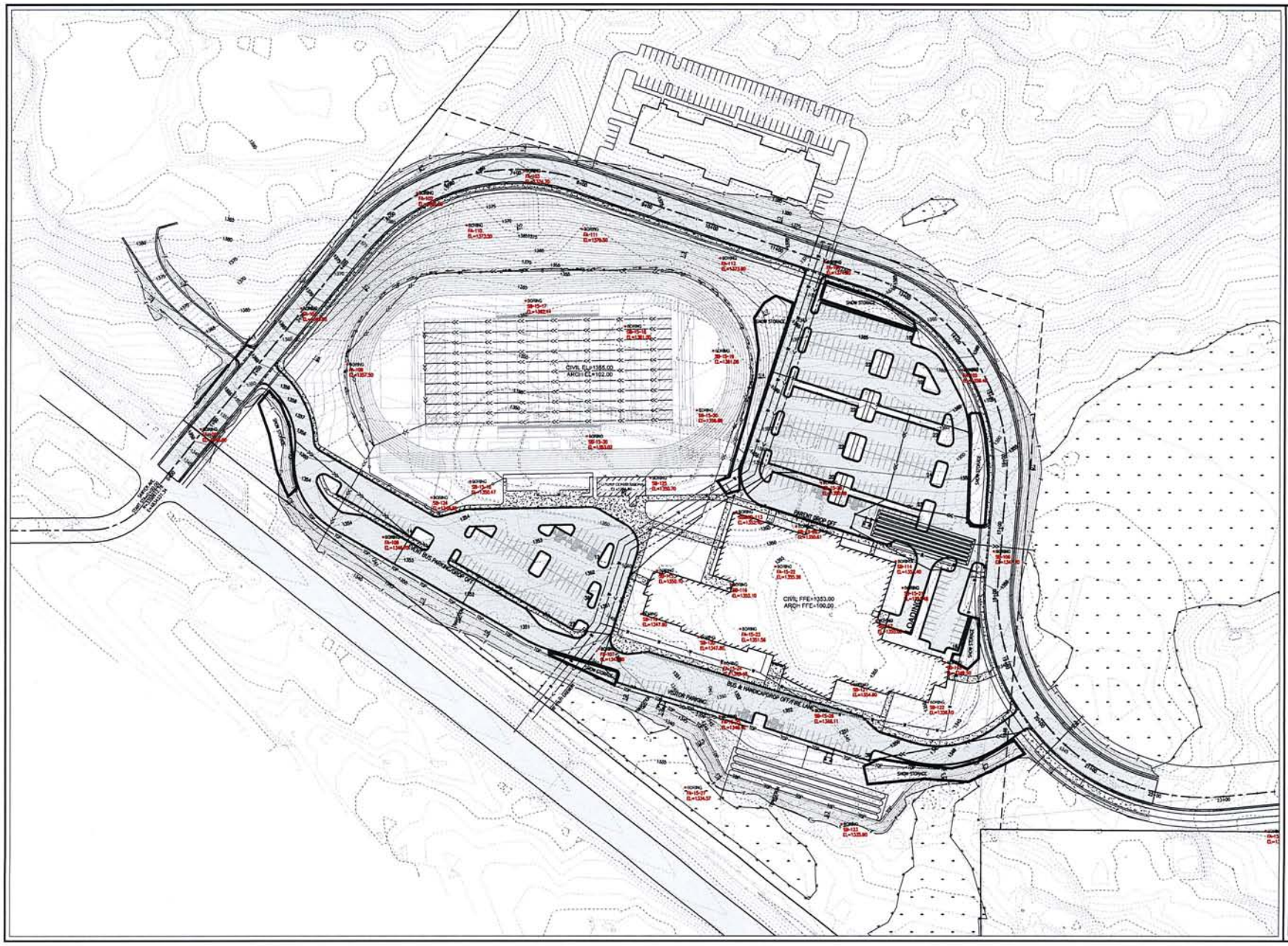
Date 02-08-16 Reg. No. 40630

PROJECT NAME:
GENERAL LANDSCAPE PLAN

DRAWING TITLE:
DPSA 8-12

FILE:
DRAWN BY:
CHECKED BY:
PROJ. NO: -
DRAWING NO:

D1



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURAL STUDIO LLC

EAPC ARCHITECTS ENGINEERS
TEL 701.461.7222 FAX 701.461.7223
112 No. Roberts Street, Suite 300, Fargo ND 58102

JILL ISOLA-JOHNSON
PHONE: 218.340.0605
WITH BUILDING
13 WEST SUPERIOR ST. #200
DULUTH, MN 55802

Northland Consulting Engineers L.L.P.
Structural, Civil and Forensic

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
NOT FOR CONSTRUCTION

SIGNATURE
DAVID BOLT, 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
05/06/2016

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

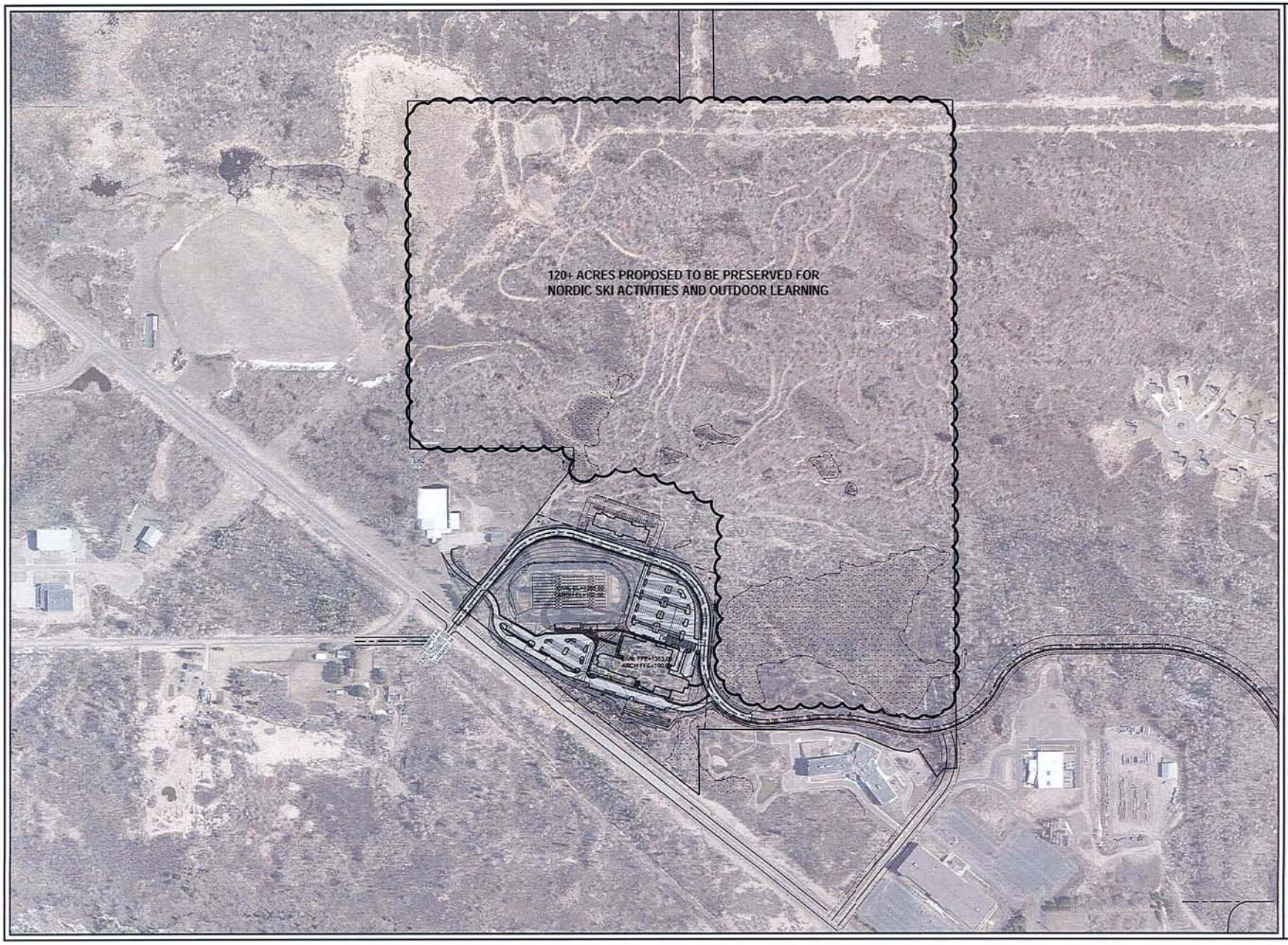
SCALE = 2" AT FULL SCALE

KEY
N
W E
S

0' 30' 60' 120'

OVERALL GRADING PLAN

SHEET NO.
CX.0



FOUNDATIONS ARCHITECTURE

CONSULTANTS

AROLA ARCHITECTURE STUDIO, LLC

EAPC ARCHITECTS ENGINEERS

Northland Consulting Engineers L.L.P.

I HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE

DAVID BOLK, PE

DATE XX/XX/XX LICENSE No. 40928

PROPOSED BUILDING FOR:

DECS 8-12 SCHOOL

43xx RICE LAKE ROAD

DULUTH, MINNESOTA 55811

OWNER PROJECT OWNER

REVISIONS

ISSUED DATE

05/06/2016

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

SCALE = 2" AT FULL SCALE

KEY

N W E S

0' 100' 200' 400'

OVERALL GRADING PLAN

SHEET NO.

CX.1

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MINNESOTA 55101-1678

RECEIVED
MAY 16 2016
By_____

May 16, 2016

REPLY TO
ATTENTION OF
Operations
Regulatory (2014-03734-DWW)

Mr. Caleb Roope
Pacific Education Partners, President
430 East State Street, Suite 100
Eagle, Idaho 83616

Dear Mr. Roope:

We are enclosing for your information correspondence we received as a result of our public notice that described your proposed Edison Charter High School project in the City of Duluth.

It is our policy to give you the opportunity to give us your proposed resolution or rebuttal of these comments. Any response should be sent to this office so that potential resolutions or rebuttals can be considered in our final evaluation. If we receive no response within fifteen (15) days of this letter, we will presume that no response is intended.

In the interim, we will continue to evaluate your application. If you have any questions, contact Daryl W. Wierzbinski in our Duluth office at (218) 720-5291 Ext 35401. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Benjamin R. Cox
Chief, Northwest Section

Enclosure(s):
Bois Forte comment dated May 3, 2016
EPA comment dated May 9, 2016

Copy furnished:
Dave Chmielewski, Blackhoof, Cloquet, MN
Steve Robertson, City of Duluth, MN
R.C. Boheim, South St. Louis SWCD, Duluth, MN
Lynda Peterson, BWSR, Duluth, MN

Printed on Recycled Paper

Bois Forte

TRIBAL GOVERNMENT

May 3, 2016

Daryl W. Wierzbinski
Regulatory Branch
St. Paul District
Corps of Engineers
600 South Lake Avenue, Suite 211
Duluth, Minnesota 55802

RE: 2014-03734-DWW St. Louis County, Minnesota
S 8, T 50N, R 14W

Dear Daryl;

The Bois Forte Tribal Historic Preservation Office (THPO) has reviewed the above project. The sponsor is proposing to discharge dredged and fill materials into 2.5 acres of wetlands that are adjacent to Chester Creek, a tributary to Lake Superior.

THPO staff reviewed our files and did not find references to cultural or religious places within the Area of Potential Effect (APE). However, should another Band or Tribe indicate the project may impact historic or traditional properties/resources; Bois Forte reserves the right to continue consultation.

Thank you for the opportunity to comment on this project. Should you have any questions, please do not hesitate to contact me at 218-753-6017 or blatady@boisforte-nsn.gov.

Sincerely,

Bill Latady

Bill Latady
Tribal Historic Preservation Officer

5344 Lakeshore Drive | Box 16 | Nett Lake, MN 55772 | 218-757-3261 | 800-221-8129 | FAX 218-757-3312

Kevin Leecy, Chairman | David C. Morrison, Sr., Secretary/Treasurer | Karlene Chosa, District I Representative | Brandon Benner, District I Representative | Ray Toutloff, District II Representative

Wierzbinski, Daryl W MVP

From: Finocchiaro, Marco <Finocchiaro.Marco@epa.gov>
Sent: Monday, May 09, 2016 3:25 PM
To: Wierzbinski, Daryl W MVP
Subject: [EXTERNAL] MVP 2014-03734 - Pacific Education Partners charter high school

Good afternoon Daryl,

As per our phone conversation, upon review of the public notice for the proposed charter high school at the Snowflake Nordic Ski Center in Duluth, MN (MVP 2014-03734) EPA offers the following comments.

As outlined by the sequencing requirements of the 404(b)(1) guidelines, an applicant is required to take all appropriate and practicable steps to avoid and minimize impacts to Waters of the U.S. before a permit can be issued. In this case, we believe the permit application to be incomplete due to lack of avoidance. One on-site design alternative has been offered to develop approximately 22 ac of an approximately 180 ac site. We recommend the applicant, Pacific Education Partners, provide additional information regarding the avoidance of aquatic resources on-site. This information may include but is not limited to property boundary maps, delineation of all wetland boundaries within the property lines, alternative design plans and building/parking configurations, etc.

We recommend denial of the permit for this project as proposed.

Thank you for the opportunity to comment. If you have any questions please let me know.

Marco

Marco Finocchiaro, Biologist

U.S. Environmental Protection Agency, Region 5

Water Division, Watersheds and Wetlands Branch
77 W. Jackson Boulevard (WW-16J)
Chicago, IL 60604
312-886-7566

Finocchiaro.Marco@epa.gov

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL MINNESOTA 55101-1678

February 29, 2016

REPLY TO
ATTENTION OF

Operations
Regulatory (2014-03734-DWW)

Mr. Caleb Roope
Pacific Education Partners, President
430 East State Street, Suite 100
Eagle, Idaho 83616

Dear Mr. Roope:

This letter concerns your request for Department of the Army (DA) authorization to discharge dredged and fill materials into wetlands adjacent to a tributary to Chester Creek for the purpose of constructing the Edison Charter High School and amenities in the City of Duluth. The project site is in NW ¼, SE ¼, Sec. 8, T. 50N., R. 14W., St. Louis County, Minnesota.

We received your application from the City of Duluth's website on February 24, 2016, and determined that the application for the proposed project is incomplete for processing of DA permits (33 CFR 325.1(d)(1)(2)). The application must include a complete description of the proposed activity including necessary drawings, sketches, or plans sufficient for a public notice; the location, purpose and need for the proposed activity; scheduling of the activity; the names and addresses of adjoining property owners; the location and dimensions of adjacent structures; and a list of authorizations required by other federal, interstate, state, or local agencies for the work, including all approvals received or denials already made. All activities which the applicant plans to undertake which are reasonably related to the same project, and for which a DA permit would be required, should be included in the same permit application; this would include the segments of roadway that would provide access for the school.

We also determined that the overall application did not adequately describe the project's sequencing of alternatives for Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230). Information is lacking with respect to information about upland alternatives (off-site and on-site).

As part of our analysis of this project, we must determine whether it complies with the guidelines of Section 404(b)(1) of the Clean Water Act (CWA). These guidelines require that when a project is not "water dependent," that is, it does not need to be located in or near wetlands to serve its basic purpose, it is presumed that there are alternative upland sites available and that the use of the upland sites would be less environmentally-damaging than would be the proposed alteration of the wetland.

Your project does not require access to, or proximity to, or siting within a wetland to fulfill its purpose. Therefore, it is incumbent upon you to clearly rebut the presumption that upland sites are available and would be less environmentally-damaging than your proposal. The fact

Printed on Recycled Paper

that you may not own the upland site is not, by itself, sufficient to rebut this presumption as long as upland property is available at a reasonable cost.

In evaluating this project, it appears that there may be upland sites in the area that are suitable for development. Please provide us more specific information, such as a site cost comparison or real estate market analysis, as to why you are unable to construct your proposed project on an upland site.

The factors that would contribute to the identification of the alternative that is least environmentally damaging practicable alternative (LEDPA) should be used in the analysis, comparison, and selection of an alternative. An agreement of a selected alternative as the LEDPA and any subsequent Corps' permit evaluation would include a determination whether it is contrary to the public interest (33 CFR § 320.4). We would complete an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest.

Each proposal is judged on its own merits. Permits are issued only when projects comply with the guidelines of the CWA, and would provide public or private benefits that equal or outweigh project detriments. Our regulations require us to deny all other applications in order to protect the public interest in maintaining the integrity of the waters of the United States.

If you are interested in the proposal to construct the Edison Charter High School in the City of Duluth, we highly recommend you or your authorized agent contact our office directly so that we may explain the application process specific to your needs. We would be able to describe the necessary information and documentation requirements for an application. We would be able to also describe the environmental review requirements and standards for a project that may propose significant impacts to the environment.

You are advised not to perform any work that requires Department of the Army authorization without obtaining that authorization.

If you have any questions, contact Daryl W. Wierzbinski in our Duluth office at (218) 720-5291 Ext 35401. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Benjamin Cox
Northwest Chief, Regulatory Branch

Copy furnished:
Dave Chmielewski, Blackhoof, Cloquet, MN
Steve Robertson, City of Duluth, MN
R.C. Boheim, South St. Louis SWCD, Duluth, MN
Lynda Peterson, BWSR, Duluth, MN

Minnesota Wetland Conservation Act
Notice of Decision

Local Government Unit (LGU)	Address
City of Duluth	**Planning Division, 208 City Hall** **Duluth, MN 55802**

1. PROJECT INFORMATION

Applicant Name	Project Name	Date of Application	Application Number
Duluth Public Schools Academy (Landowner: Pacific Education Partners)	**DPSA High School**	**April 8, 2016**	**PL 16-018**

☐ Attach site locator map. Application attached.

Type of Decision:

☐ Wetland Boundary or Type ☐ No-Loss ☐ Exemption ☐ Sequencing
☒ Replacement Plan ☐ Banking Plan

Technical Evaluation Panel Findings and Recommendation (if any):

☐ Approve ☐ Approve with conditions ☒ Deny

Summary (or attach): Information reviewed for TEP recommendation: amended Wetland Replacement Plan (Received April 8, 2016), Response to TEP Questions on May 2, 2016 (Received May 9, 2016), USACE Correspondence, Bois Forte Tribal Government and US EPA Region 5 (Received May 16, 2016).

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: May 18, 2016

☐ Approved ☐ Approved with conditions (include below) ☒ Denied

The Wetland Replacement Plan is Denied based on 8420.0520 SEQUENCING. Subpart 1. *Requirement. The local government unit must not approve a wetland replacement plan unless the local government unit finds that the applicant has demonstrated that the activity impacting a wetland complies with all of the following principles in descending order or priority:*
A. avoids direct or indirect impacts that may destroy or diminish the wetland
B. minimizes impacts by limiting the degree or magnitude of the wetland activity

8420.0520 Subp. 3. Impact avoidance (2) The local government unit must determine whether any proposed feasible and prudent alternatives are available that would avoid impacts to wetlands.

The Wetland Replacement Plan did not adequately provide off- site alternatives or alternate project configurations. Off- site alternatives provided in the plan were not seriously considered as alternatives and rejected out of hand according to the application (sites 1 and 2, Armory and County Jail), or project elements were not designed to fit around the wetlands identified (sites 3 and 4, Arlington Road or Arrowhead Road). The applicant did not demonstrate to the LGU's

satisfaction that there were not any other sites in the general area that could accommodate a project of this magnitude.

Subp. 4. Impact minimization. *The applicant shall demonstrate to the local government unit's satisfaction that the activity will minimize impacts to wetlands.*
The applicant has not, to the LGU's satisfaction, attempted to minimize or relocate project elements that were suggested by application reviewers. The plan did not minimize the size or scope of the project in order to minimize impacts (using parking structures instead of parking lots, reduce the number of student parking spaces, using a smaller or no athletic field).

Upland areas on the applicant's property north of the proposed school site potentially could have been used for portions of the project, but these areas were excluded from the current school site building plan. However, various potential future housing plans have been shown in these areas.

The Wetland Replacement Plan discusses several limitations to the site that require a wetland impact of 2.5 acres of wetland, including but not limited to: an agreement to maintain ski trails, steep slopes, additional wetlands in the interior area of the site. These conditions should have been known by the applicant prior to purchase of the property. The Minnesota Wetland Conservation Act requires the local government unit must consider the general suitability of the project site. Based on the information provided to the City and our review of the application, this site is not suitable to a project of this scope.

LGU Findings and Conclusions (attach additional sheets as necessary):

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).

☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.

☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name **Keith Hamre**	Title **Director of Planning and Construction Services, City of Duluth**	
Signature	Date **May 18, 2016**	Phone Number and E-mail **218.730.5297** **khmare@duluthmn.gov**

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

☒ Appeal of an LGU staff decision. Send petition and $350 fee (if applicable) to: **Planning Commission** **208 City Hall, 411 West First Street** **Duluth, MN 55802** **Contact: Steven Robertson 218.730.5580**	☐ Appeal of LGU governing body decision. Send petition and $500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155

4. LIST OF ADDRESSEES

☒ SWCD TEP member: **R.C. Boheim**
☒ BWSR TEP member: **Lynda Peterson**
☒ LGU TEP member (if different than LGU Contact): **Steven Robertson**
☒ DNR TEP member:
☒ DNR Regional Office (if different than DNR TEP member)
☐ WD or WMO (if applicable):
☒ Applicant and Landowner (if different)
☐ Members of the public who requested notice:
NA

☒ Corps of Engineers Project Manager
☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

➢ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➢ For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

➢ Department of Natural Resources Regional Offices:

NW Region:	NE Region:	Central Region:	Southern Region:
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➢ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687 or send to:

US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

➢ For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

☐
☐
☐
☐
☐