CITY OF DULUTH
Community Planning Division

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

File Number	PL 16-083		**Contact**	Steven Robertson, 218-730-5295	
Type	Rezone, from RR-1 to MU-B		**Planning Commission Date**		July 26, 2016
Deadline for Action	**Application Date**		N/A, City Action	**60 Days**	
	Date Extension Letter Mailed			**120 Days**	
Location of Subject	4541 Rice Lake Road				
Applicant	City of Duluth, Community Planning		**Contact**		
Agent	N/A		**Contact**		
Legal Description	010-2710-0130, -01290, -01310				
Site Visit Date	July 19, 2016		**Sign Notice Date**		July 12, 2016
Neighbor Letter Date	July 15, 2016		**Number of Letters Sent**		11

Proposal

The City is proposing to rezone this property from the current zoning districts of Rural-Residential1(RR-1) to Park and Mixed Use Business Park (MU-B).

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

Summary of Code Requirements

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.

- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application:

1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

- The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or else be considered arbitrary and capricious.

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

Principle #1 – Reuse previously developed lands.

The Planning Commission voted to approve changes to the UDC to allow mini-storage facilities in areas that are zoned RR-1 AND are in Airport Overlay Zone B (Ordinance 10329, approved October 16, 2014).

Past City Action: Res 95-0843 (Planning File 95-116) original Special Use Permit. Res 96-0921 (Planning File 96-139) allowed to sell one car at a time (to expire after 1 year); denied request for rental car operations and truck rental. Res 97-0869 (Planning File 97-129) allow additional storage structure. Res 01-0740 (Planning File 01-127) allow additional storage structure. Most recently, on September 23, 2014, the Planning Commission approved (PL14-134) a Special Use Permit to construct an approximately 21,000 square foot additional mini storage facility, with conditions (landscaping, survey to verify setbacks of existing structures, etc).

Other City Action. The city rezoned 160 acres of property approximately 1,000 feet north of the subject parcel last year (PL 15-064), from RR-1 to MU-B, that also had the "General Mixed Use" future land use designation.

Review and Discussion Items

1) The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area.

2) The property is currently zoned RR-1, and the City is proposing to rezone to MU-B. The RR-1 district is established to accommodate large-lot, single-family detached residential uses, typically surrounded by significant open space, on lots of at least 5 acres each. The district encourages distinctive neighbor-hoods with a semi-rural character. Complimentary uses such as limited agriculture, small-scale institutional uses, parks, minor utilities and certain temporary uses are allowed. The MU-B district is intended to accommodate modern light industrial and technology-based developments of attractive integrated design and function. The development standards for this district are intended to ensure that projects minimize adverse impacts on surrounding uses and neighborhoods, reduce impacts on the natural environment, enhance the visual quality of development and ensure the provision of adequate and cost-efficient public facilities. Intended uses include wholesaling, industrial services, research laboratories, and light manufacturing needed to support the community and region at large.

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

4) Based on the future land use designation, the current land use of the property, and the purpose statements of the RR-1 and MU-B zone districts, rezoning to MU-B is appropriate for this subject area.

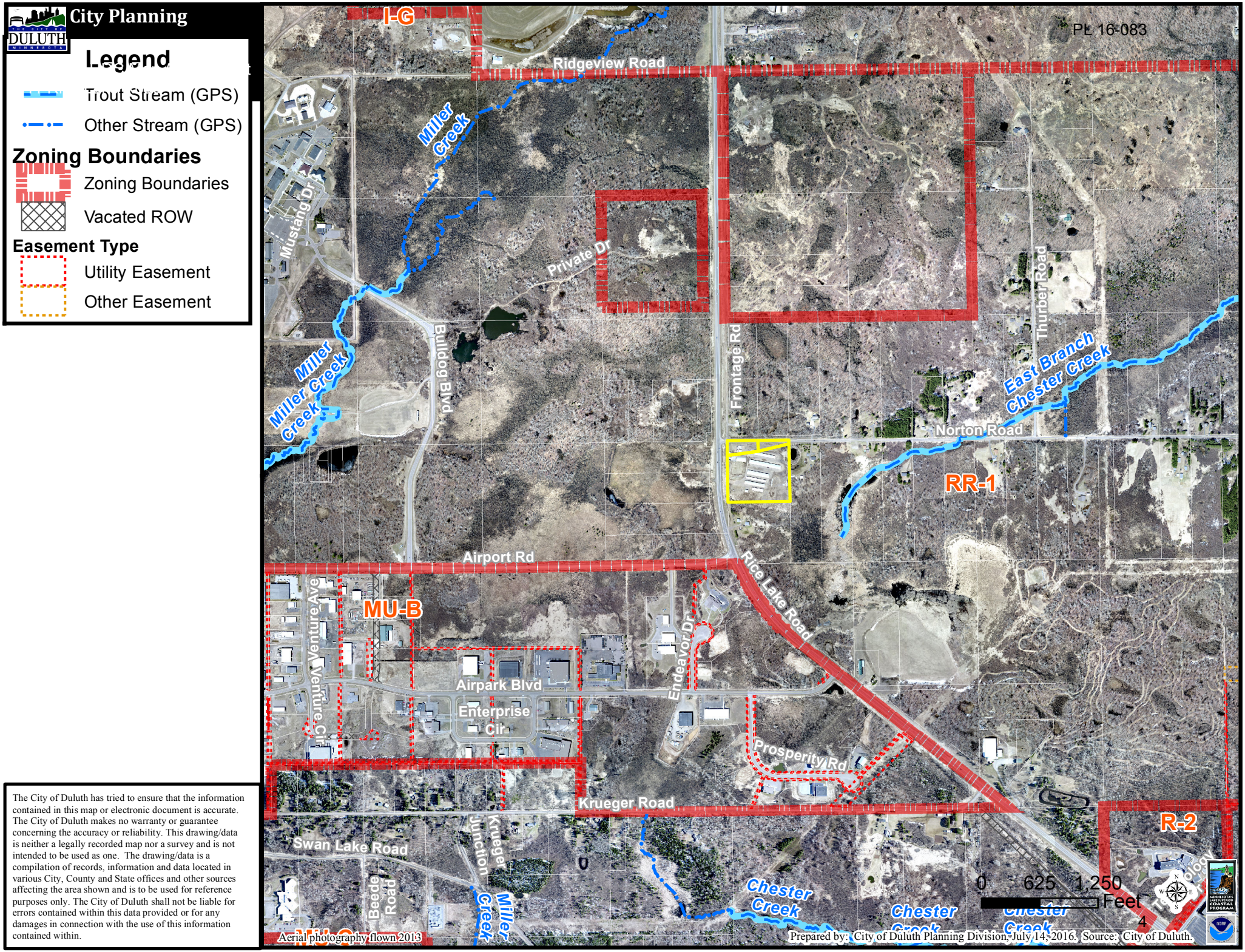
5) The site is in Airport Safety Zones B and is subject to the general land use restrictions concerning interfering with aircraft operation and navigation. Restrictions on uses in Zone B will affect the density and development of the site, particularly with development that may moderately or greatly increase the number of visitors to the site. The rezoning to MU-B will not impact nor change the current standards and limitations imposed upon the Airport Safety Overlay Zone.

6) A proposed rezoning from any residential district to any mixed use district has a higher standard for Council approval than other rezoning. Because the rezoning application was initiated by the City without a petition with the written consent of 2/3 of the property owners within 100 feet of the property to be rezoned, this will require a super majority vote of the City Council to approve it (as opposed to the standard requirement of a simple majority vote).

7) The city received a comment from St. Louis Public Works: any new entrances or modifications to existing entrances onto Rice Lake Road must be permitted by the St. Louis County Public Works Department.

Staff Recommendation

Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning from Residential-Rural 1 (RR-1) and Industrial-General (I-G) to Park and Open Space (P-1) is the zone most reasonably able to implement the objectives of the Comprehensive Plan related to the proposed land use for this area.
2) The rezoning is consistent with the Comprehensive-Plan Future Land Use Map.
3) Material adverse impacts on nearby properties are not anticipated.


City Planning
Legend
Trout Stream (GPS)
Other Stream (GPS)
Zoning Boundaries
Zoning Boundaries
Vacated ROW
Easement Type
Utility Easement
Other Easement
PL 16-083
I-G
Ridgeview Road
Miller Creek
Mustang Dr
Private Dr
Thurber Road
Frontage Rd
Building Blvd
Miller Creek
Miller Creek
East Branch Chester Creek
Norton Road
RR-1
Airport Rd
Rice Lake Road
MU-B
Aerial Avenue
Venture Cir
Endeavor Dr
Airpark Blvd
Enterprise Cir
Prosperity Rd
Krueger Road
R-2
Swan Lake Road
Beede Road
Krueger Junction
Miller Creek
Chester Creek
Chester Creek
Chester Creek
0 625 1,250 Feet
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.
Aerial photography flown 2013
Prepared by: City of Duluth Planning Division, July 14, 2016. Source: City of Duluth.
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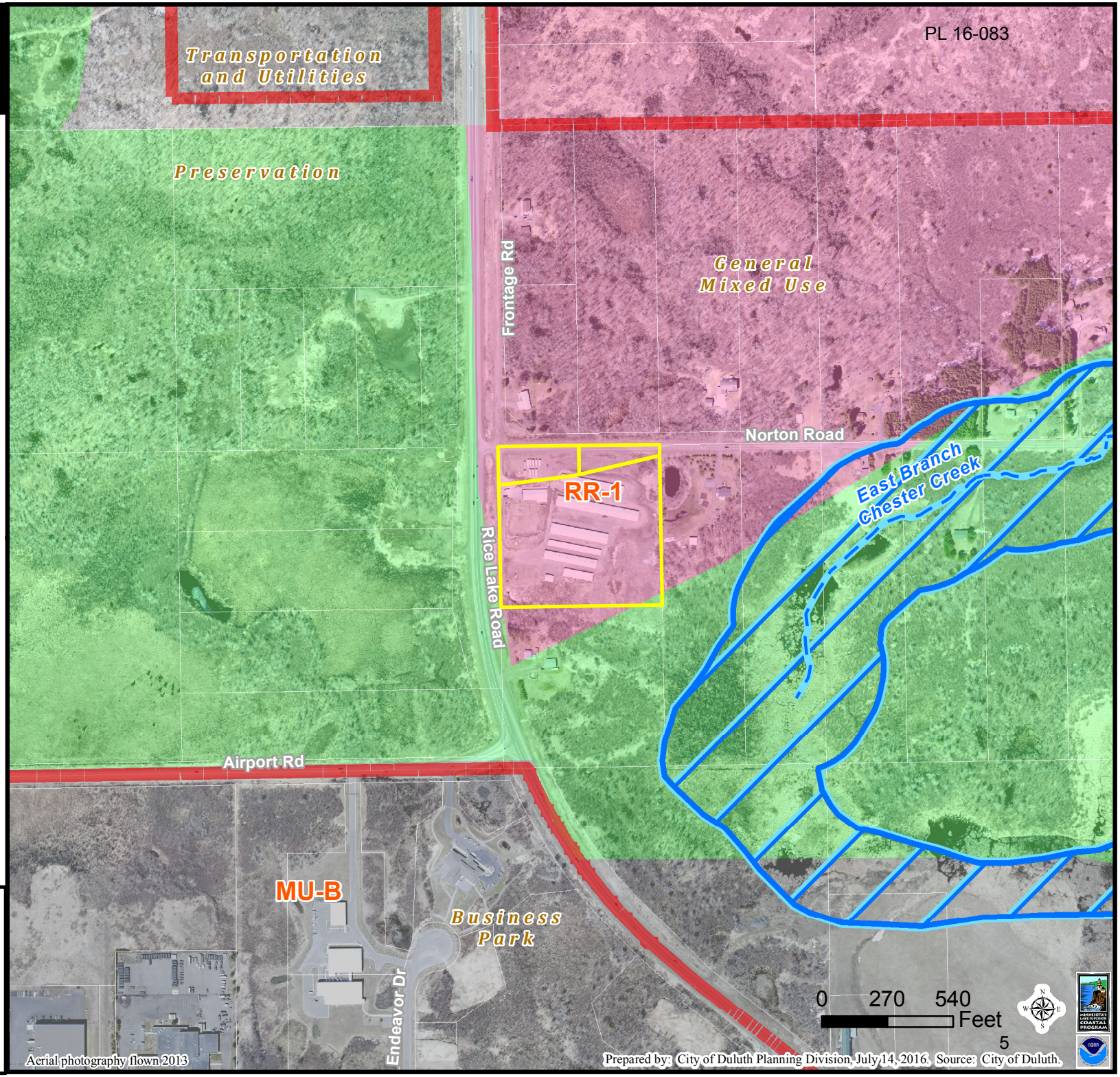
City Planning

PL 16-083: UDC Map Amendment
4541 Rice Lake Road



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

Shoreland (UDC)

Shoreland Overlay Zone

- Cold Water
- Natural Environment
- General Development

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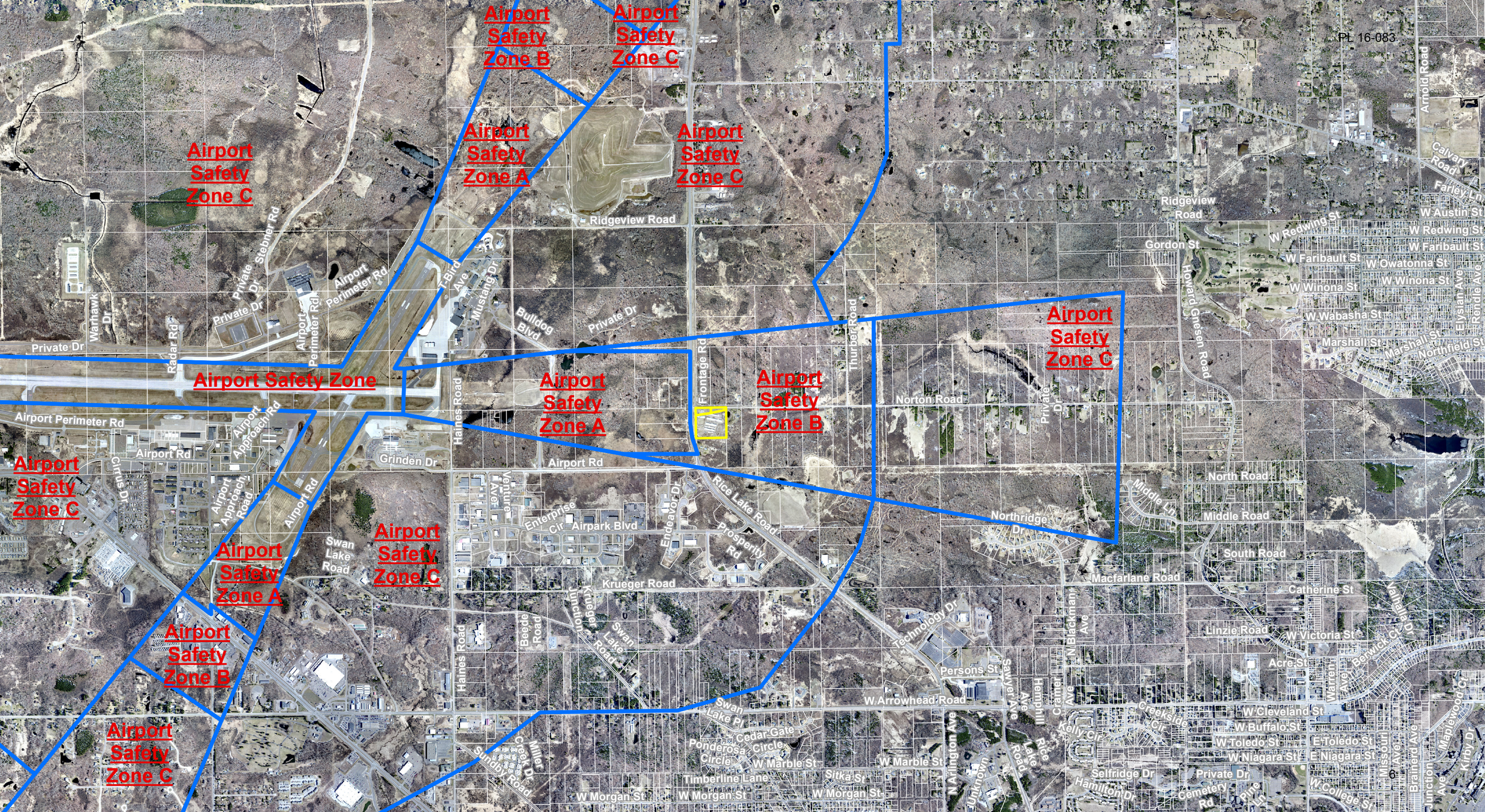
PL 16-083
Airport Safety Zone B
Airport Safety Zone C
Airport Safety Zone C
Airport Safety Zone A
Airport Safety Zone C
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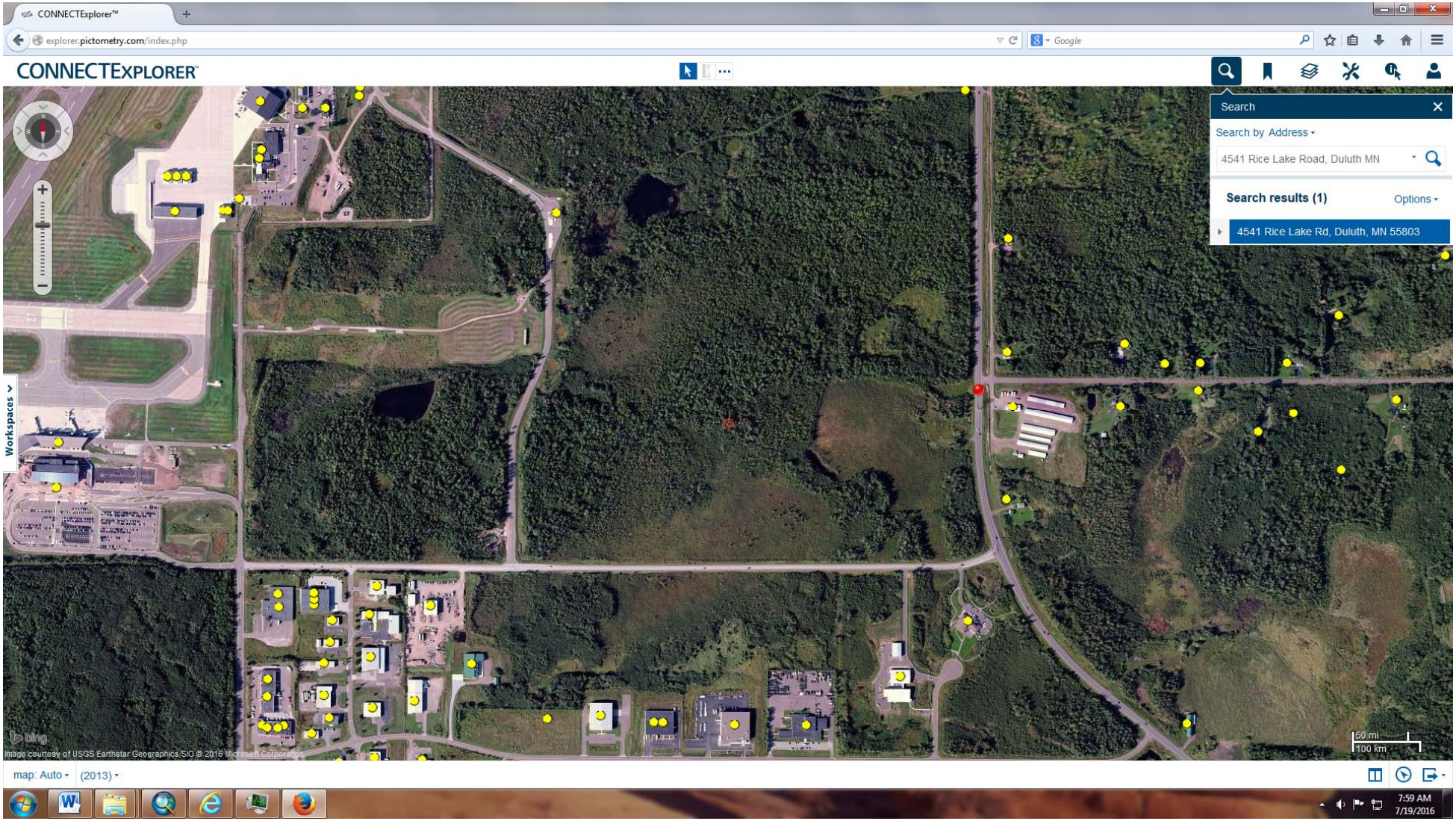
Airport Safety Zone A
Airport Safety Zone B
Airport Safety Zone C
Airport Safety Zone C
Airport Safety Zone A
Airport Safety Zone C
Airport Safety Zone B
Airport Safety Zone C
Ridgeview Road
Private Dr
Airport Perimeter Rd
Airport Rd
Airport Approach Rd
Airport Approach Road
Grinden Dr
Haines Road
Frontage Rd
Thurber Road
Norton Road
Northridge Dr
Rice Lake Road
Airpark Blvd
Enterprise Cir
Prosperity Rd
Krueger Road
Swan Lake Road
Technology Dr
Macfarlane Road
Linzie Road
Persons St
W Arrowhead Road
W Marble St
W Morgan St
Timberline Lane
Selfridge Dr
Gordon St
Howard Gnesen Road
North Road
Middle Road
South Road
Catherine St
W Victoria St
Acre St
W Cleveland St
W Buffalo St
W Toledo St
E Toledo St
W Niagara St
E Niagara St
W Austin St
W Redwing St
W Faribault St
W Owatonna St
W Winona St
W Wabasha St
Marshall St
Northfield St
Arnold Road
Calvary Road
Farley Ln
Elysian Ave
Rendle Ave
Valhalla Dr
Berwick Ct
Maplewood Ct
Kirby Dr
Braintree Ave
Junction Ave
Missouri Ave
Warren Ave
Creek Dr
Miller
Sundby Road
Beede Road
Krueger Junction
Ponderosa Circle
Cedar Gate Circle
Swan Lake Pl
Sitka St
Endeavor Dr
Venture Ave
Bulldog Blvd
Mustang Dr
T-Bird Ave
Stebner Rd
Radar Rd
Warhawk Dr
Cirrus Dr
Private Dr
Cemetery Rd
Hamilton Dr
Kelly Cir
Greenside Cir
Hemphill Ave
Cramer Ave
Sawyer Ave
N Blackman Ave
Middle Ln
Unknown
N Arlington Ave


CONNECTExplorer™
explorer.pictometry.com/index.php
CONNECTEXPLORER
Search
Search by Address
4541 Rice Lake Road, Duluth MN
Search results (1)
Options
4541 Rice Lake Rd, Duluth, MN 55803
Workspaces
Image courtesy of USGS Earthstar Geographics SIO © 2016 Microsoft Corporation
50 mi
100 km
map: Auto
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7/19/2016

PL 16-083
1400
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2001 Site Plan

RL 16-083

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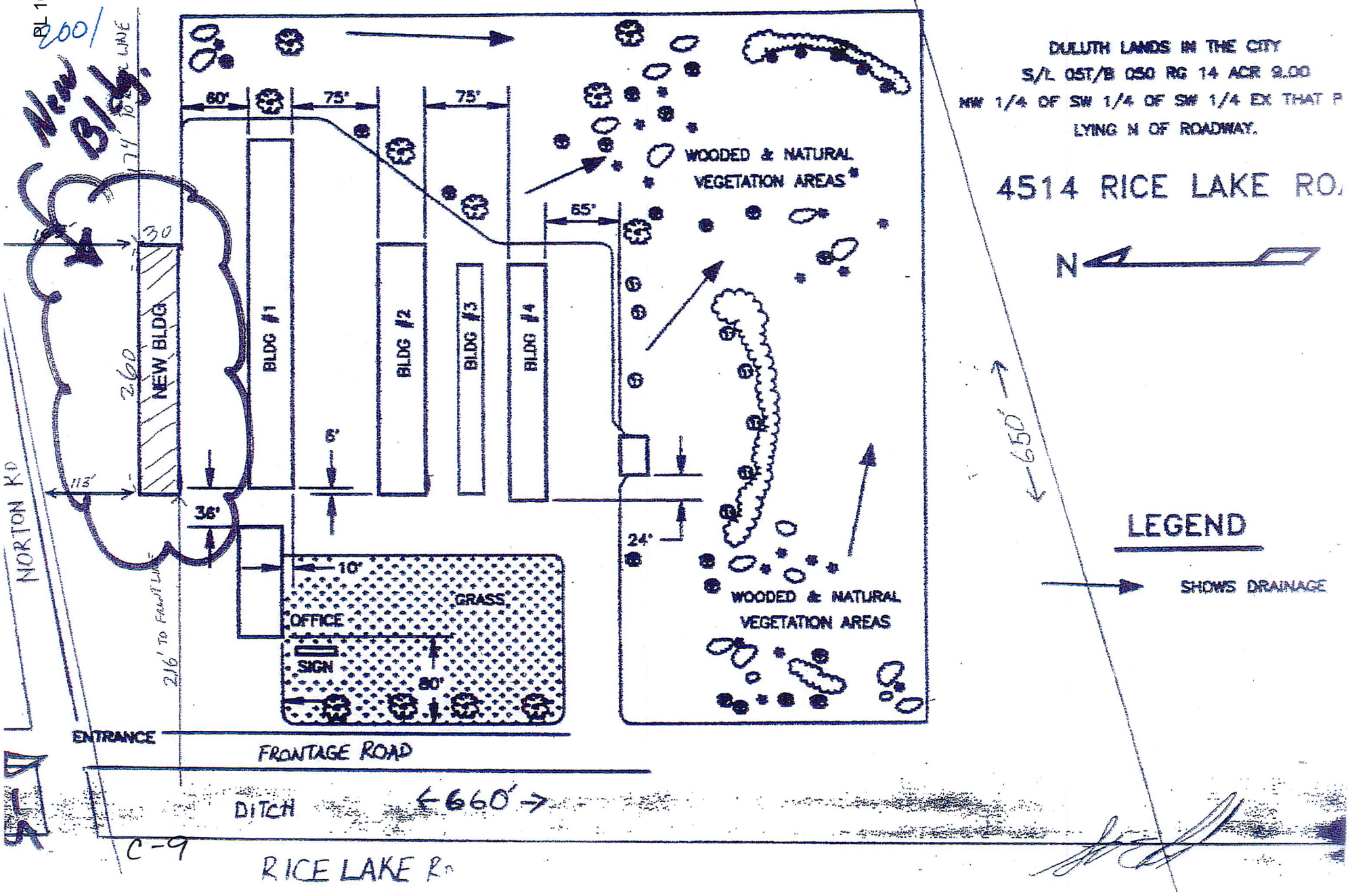

2014 Site Plan

PL 16-063

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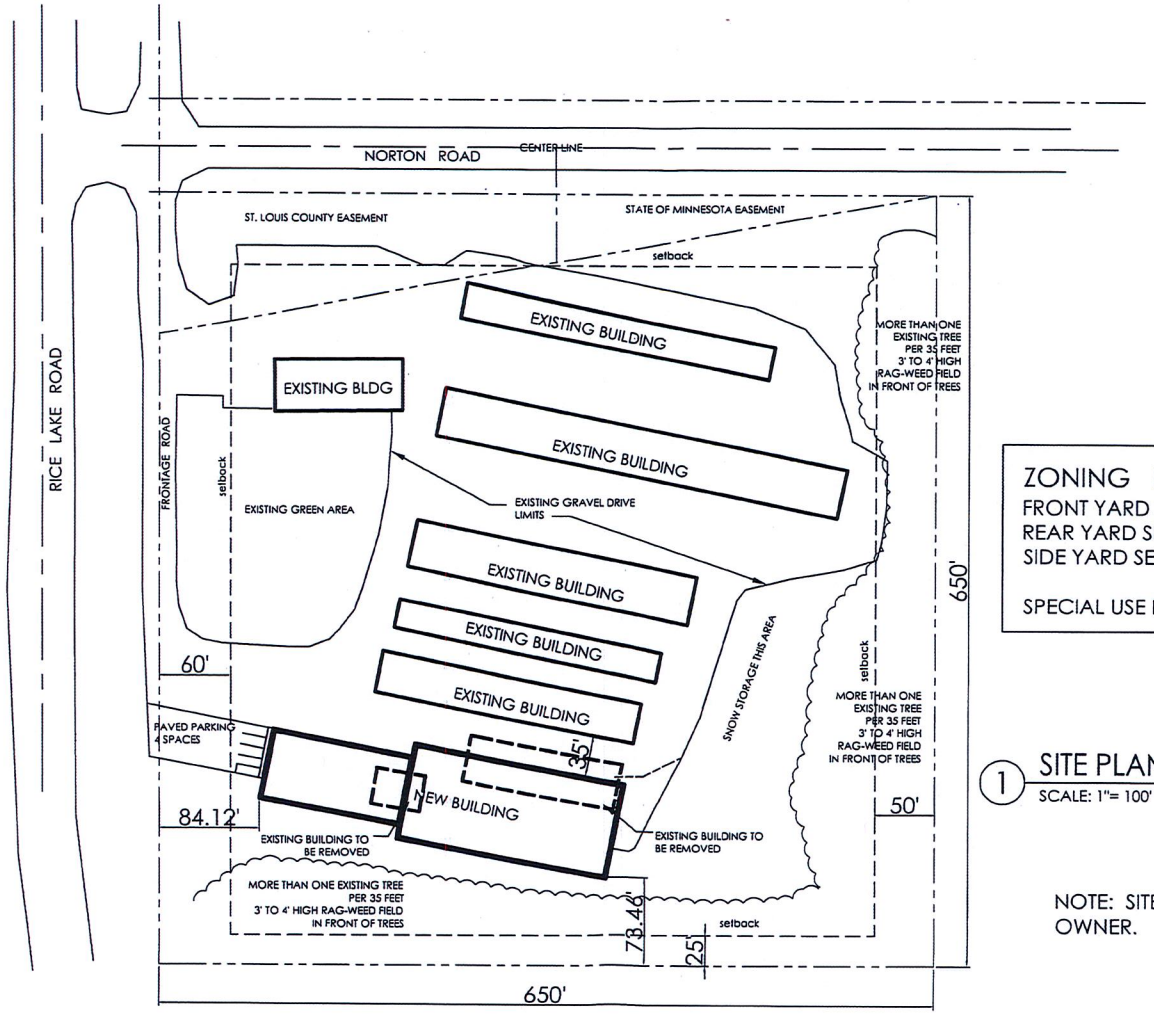
STORAGE KING BUILDING REPLACEMENT

4514 RICE LAKE ROAD DULUTH, MN



ZONING RR-1	
FRONT YARD SETBACK	60'
REAR YARD SETBACK	50'
SIDE YARD SETBACK	25'

SPECIAL USE PERMIT REQUIRED

1 SITE PLAN
SCALE: 1"= 100'

N

NOTE: SITE INFORMATION PROVIDED BY OWNER.

9-9-2014

Uses Allowed in Residential-Rural 1 (RR-1) Zone District
Revised January 27, 2016

Permitted Uses

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

Special or Interim Uses

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

Interim Uses

- Vacation dwelling unit

Uses Allowed in Mixed Use-Business Park (MU-B) Zone District
Revised January 27, 2016

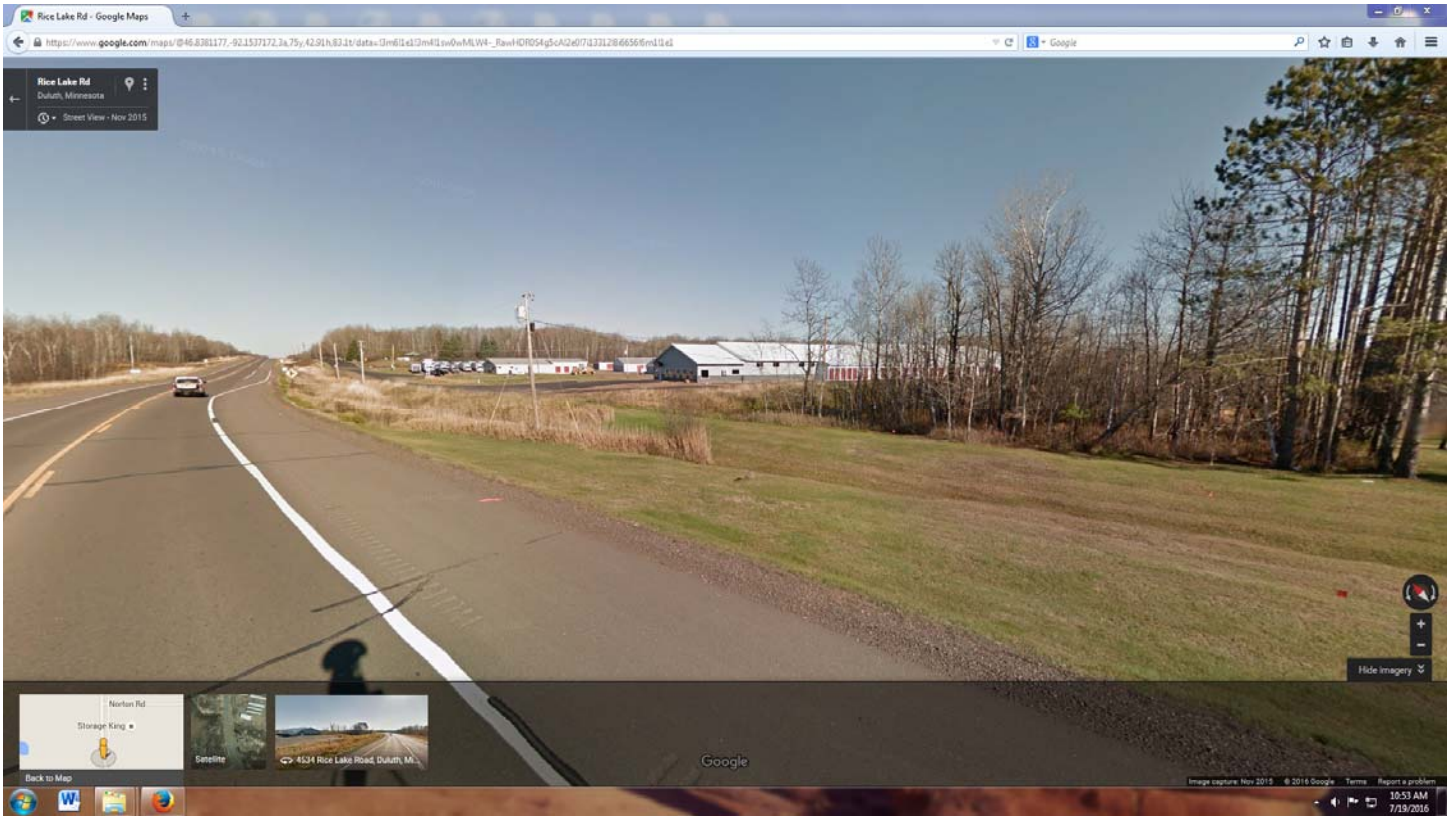
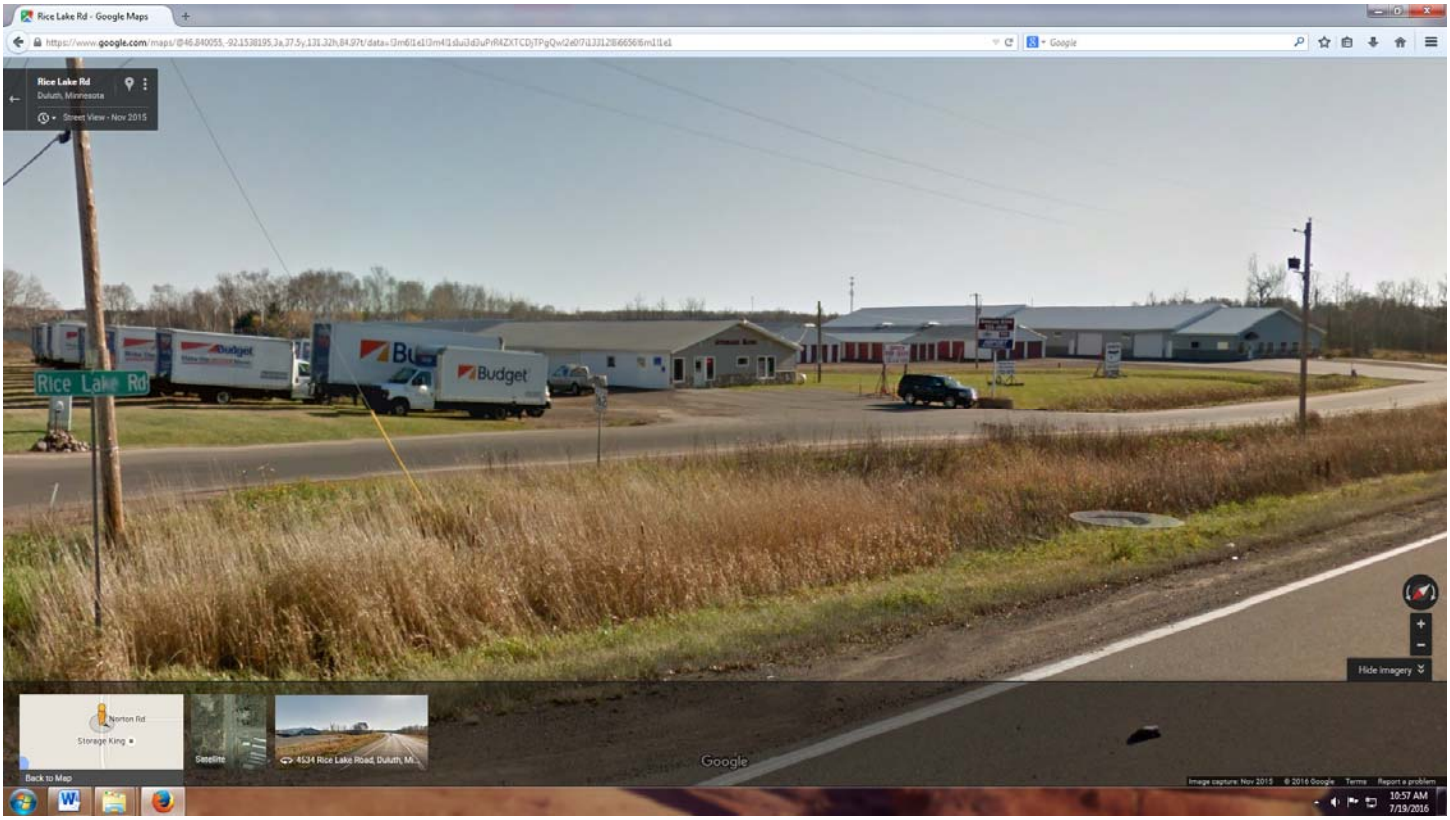
Permitted Uses

- Bus or rail transit station
- Government building or public safety facility
- Business art or vocational school
- Medical or dental clinic
- Kennel
- Veterinary or animal hospital
- Convention or event center
- Indoor entertainment facility
- Restaurant (less than 5,000 sq. ft.)
- Restaurant (5,000 sq. ft. or more)
- Hotel or motel
- Bed and breakfast
- Bank
- Office
- Data center
- Business park support activities
- Funeral home or crematorium
- Mini-storage facility
- Personal service and repair, small (less than 10,000 sq. ft.)
- Personal service and repair, large (10,000 sq. ft. or more)
- Building material sales
- Automobile and light vehicle repair service
- Automobile and light vehicle sales, rental or storage
- Filing station
- Parking lot (primary use)
- Parking structure
- Truck or heavy vehicle sales, rental, repair and storage
- Contractor's shop and storage yard
- Dry cleaning and laundry plant
- Research laboratories
- Industrial services
- Manufacturing, light
- Truck freight or transfer terminal
- Solar, geothermal, or biomass facility (primary use)
- Storage warehouse
- Wholesaling

Special Uses

- Cemetery or mausoleum
- Museum, library or art gallery
- Religious assembly, small (less than 50,000 sq ft)
- Religious assembly, large (50,000 sq. ft. or more)
- Other outdoor entertainment or recreation use not listed
- Electric power transmission line or substation
- Major utility or wireless telecommunication facility
- Radio or television broadcast tower
- Water or sewer pumping stations/reservoirs
- Wind power facility (primary use)
- Recycling collection point (primary use)
- Sold waste disposal or processing facility

Interim Uses

- Medical cannabis distribution facility
- Medical cannabis laboratory

Google Street View, November 2015, 4514 Rice Lake Road