

MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD VIRTUALLY ON THURSDAY, NOVEMBER 12, 2020.

9:00 AM – 9:25 AM

Planning Commission members in attendance: David Anderson
Steve Filipovich
Daniel Manick
Sonya Pineo, Chair
Dave Pollock
Roger Skraba
Ray Svatos
Diana Werschay (at 9:15 AM)

Planning Commission members absent: Commissioner Keith Nelson

Also present: Thomas Stanley, St. Louis County Attorney's Office

Decision/Minutes for the following public hearing matters are attached:

NEW BUSINESS:

- A. Warner Companies - a conditional use permit for a commercial mini-storage business as a Commercial, Retail and Service Establishments - Class II.

OTHER BUSINESS:

Motion by Skraba/Manick to approve the minutes of the October 8, 2020 meeting.

In Favor: Anderson, Filipovich, Manick, Pineo, Pollock, Skraba, Svatos – 7

Opposed: None – 0

Motion carried 7-0

Thomas Stanley, St. Louis County Attorney's Office, gave an update regarding the Duluth International Joint Airport Ordinance. The Planning Commission received the most recent copy of the Airport Zoning Ordinance. The process moving forward is the ordinance would get submitted to the Minnesota Department of Transportation for review. If it is acceptable, this would become the new ordinance for the airport and the county would amend Zoning Ordinance 62 to accept these provisions. The St. Louis County Comprehensive Land Use Plan may need to be updated as well. There are two St. Louis County commissioners that serve on the Joint Airport Zoning Board.

NEW BUSINESS:

Warner Companies

The only hearing item was for Warner Companies, a conditional use permit for mini-storage business as a Commercial, Retail and Service Establishments - Class II. The property is located in

S29, T51N, R15W (Canosia). *George Knutson*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing a commercial mini-storage as a Commercial, Retail and Service Establishments – Class II.
- B. The proposed hours of operation will be 8:00 AM until 5:00 PM, seven days per week.
- C. The applicant stated an estimated traffic increase of 10 or less vehicles.
- D. There is currently an accessory structure and several trailers located on the property.
- E. There are wetlands located on the eastern half of the parcel.

George Knutson reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
 - 1. The parcel is zoned Shoreland Multiple Use (SMU)-11.
 - a. Zoning Ordinance 62, Article V, Section 5.6 C., indicates mini-storage is allowed within the SMU zone district with a conditional use permit.
 - 2. The property falls within the Forest and Agriculture land use category of the St. Louis County Comprehensive Land Use Plan.
 - 3. Goal LU-7 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.
- B. Neighborhood Compatibility:
 - 1. The majority of the surrounding properties are used residentially.
 - 2. The subject parcel is adjacent (north, south, and east) to large tracts of land which contain an abundance of wetlands.
 - a. Parcels directly west of the subject parcel, across Midway Road, are smaller and more densely developed residential properties.
- C. Orderly Development:
 - 1. The subject parcel is located in close proximity to Pike Lake which contains small parcels with limited room for additional accessory structures.
 - a. The proposed mini-storage would provide additional storage options for residents in the area.
- D. Desired Pattern of Development:
 - 1. The subject parcel is zoned SMU-11. The surrounding parcels are zoned Shoreland Multiple Use (SMU) and Multiple Use (MU).
 - a. Shoreland Multiple Use zone district allows for a wide range of uses.
 - b. Commercial mini-storage is an allowed use in the Shoreland Multiple Use zone district.

George Knutson noted one item of correspondence from Kerri and Matt Barry with concerns about the proposal that was provided to the Planning Commission prior to the hearing.

STAFF RECOMMENDATION

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a commercial mini-storage as a Commercial, Retail and Service Establishments - Class II, the following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. Lighting shall be directed downward in accordance with dark sky standards.
2. The applicant shall obtain an address from the proper addressing authority.
3. Wetland Conservation Act standards shall be met.
4. The applicant shall comply with Minnesota Accessibility Code.
5. All signs shall be in accordance with St. Louis County Zoning Ordinance 62.
6. Existing vegetative screening along Midway Road shall remain intact.
7. Waste shall be disposed of in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
8. The applicant shall comply with all other county, state, and federal regulations.

Dan Warner, the applicant, stated the property is being used as part of a concrete business. They are working to clean up the property.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Filipovich* asked what the property is being used for at the moment based on the accessory structure and the trailers. *George Knutson* stated the property was recently purchased and the landowner has used the property for equipment storage. The main use for the property would be the mini-storage. The applicant is aware of the compatible uses for the property. Heavy equipment storage is not an allowed use.
- B. Commission member *Svatos* stated that the new mini-storage building will likely clean up the site. It looks like it was a construction storage site.

DECISION

Motion by Skraba/Svatos to approve a conditional use permit to allow a commercial mini-storage as a Commercial, Retail and Service Establishments - Class II, based on the following staff facts and findings:

A. Plans and Official Controls:

1. The use conforms to the land use plan with mixed uses of commercial and residential uses allowed in the zone district.
2. The parcel is zoned Shoreland Multiple Use (SMU)-11.
 - a. Zoning Ordinance 62, Article V, Section 5.6 C., indicates mini-storage is allowed within the SMU zone district with a conditional use permit.
3. The property falls within the Forest and Agriculture land use category of the St. Louis County Comprehensive Land Use Plan.

4. Goal LU-7 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.

B. Neighborhood Compatibility:

1. The use is compatible with the existing neighborhood and 500 feet away from residential uses; is surrounded by wetlands and is a justified use that will provide storage for shoreland properties.
2. The majority of the surrounding properties are used residentially.
3. The subject parcel is adjacent (north, south, and east) to large tracts of land which contain an abundance of wetlands.
 - a. Parcels directly west of the subject parcel, across Midway Road, are smaller and more densely developed residential properties.

C. Orderly Development:

1. The use will not impede on orderly development in the area.
2. The subject parcel is located in close proximity to Pike Lake which contains small parcels with limited room for additional accessory structures.
 - a. The proposed mini-storage would provide additional storage options for residents in the area.

D. Desired Pattern of Development:

1. The use is consistent with the desired pattern of development and is a needed use in the area and will help clean up the subject property.
2. The subject parcel is zoned SMU-11. The surrounding parcels are zoned Shoreland Multiple Use (SMU) and Multiple Use (MU).
 - a. Shoreland Multiple Use zone district allows for a wide range of uses.
 - b. Commercial mini-storage is an allowed use in the Shoreland Multiple Use zone district.

The following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. Lighting shall be directed downward in accordance with dark sky standards.
2. The applicant shall obtain an address from the proper addressing authority.
3. Wetland Conservation Act standards shall be met.
4. The applicant shall comply with Minnesota Accessibility Code.
5. All signs shall be in accordance with St. Louis County Zoning Ordinance 62.
6. Existing vegetative screening along Midway Road shall remain intact.
7. Waste shall be disposed of in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
8. The applicant shall comply with all other county, state, and federal regulations.

In Favor: Anderson, Filipovich, Manick, Pineo, Pollock, Skraba, Svatos, Werschay - 8

Opposed: None - 0

Motion carries 8-0

Motion to adjourn by Skraba. The meeting was adjourned at 9:30 a.m.