



ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

INSPECTION DATE: N/A

REPORT DATE: 7/27/2020

MEETING DATE: 8/13/2020

APPLICANT INFORMATION

APPLICANT NAME: Eric Gruba

APPLICANT ADDRESS: 13462 Villa Road, Ely, MN 55731

OWNER NAME: Robert Matschiner

SITE ADDRESS: 2068 Hwy 169, Ely, MN 55731

PROPOSED LEGAL DESCRIPTION: That part of the Northwest Quarter of the Southwest Quarter of Section 32, Township 63 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota described as follows; Assuming the West line of said Northwest Quarter of the Southwest Quarter to bear North 00° 46' 29" West and from the Southwest Corner of said Northwest Quarter of the Southwest Quarter, being also the South Sixteenth Corner, run North 89° 33' 09" East a distance of 1288.91 feet to the Southeast Corner of said Northwest Quarter of the Southwest Quarter, being also the Southwest Sixteenth Corner; thence North 00° 46' 29" West along the East line of said Northwest Quarter of the Southwest Quarter, a distance of 317.10 feet to the POINT OF BEGINNING.

Thence South 89° 45' 57" West, a distance of 219.76 feet; thence North 27° 22' 12" West, a distance of 518.47 feet; thence North 61° 22' 37" East, a distance of 389.29 feet; thence South 35° 06' 29" East, a distance of 189.47 feet; thence South 00° 46' 29" East along the East line of said Northwest Quarter of the Southwest Quarter, a distance of 489.88 feet to the POINT OF BEGINNING. S32, T63N, R12W (Morse)

PARCEL IDENTIFICATION NUMBER (PIN): 465-0020-04644 (subject to change after parcel review is recorded)

NATURE OF REQUEST: A conditional use permit for a rolloff business as an Industrial Use-Class II.

PROPOSAL DETAILS: The applicant is proposing to use an existing structure as office/yard space for his rolloff business. The business will utilize existing parking area for trucks and containers along with creating an additional parking area to the east of the existing structure. The hours of operation will be Monday-Friday 7am-5pm. The current parcel is approximately 16.5 acres in size and a parcel approximately 5 acres will be retained by the applicant for the proposed use. This parcel has previously been used as a log cabin construction business and a small engine repair shop. The log cabin business received a CUP for a Rural Industry in 1988. In January of 2020, a CUP was approved for a Masonry business and a parcel 6 acres in size was subdivided from the current parcel.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Hwy 169

ROAD FUNCTIONAL CLASS: Arterial

LAKE NAME: N/A

LAKE CLASSIFICATION: N/A

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: There is currently an office, septic system and driveway on the property.

ZONE DISTRICT: MU 5

PARCEL ACREAGE: Approx. 5 Acres

LOT WIDTH: 389 FEET

FEET OF ROAD FRONTAGE: 389 FEET

FEET OF SHORELINE FRONTAGE: N/A

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: The parcel has good screening neighboring parcels to the east and poor screening from Hwy 169.

TOPOGRAPHY: The proposed storage area is relatively flat, the parcel has a large ridge to the south.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: N/A

FACTS AND FINDINGS

A. Plans and Official Controls:

1. Zoning Ordinance 62, Article V, Section 5.6, B., indicates that a rolloff business is an allowed use with a conditional use permit, as an Industrial Use-Class II.
2. The property falls within the Forest and Agriculture land use category of the Comprehensive Land Use Plan.
 - a. Goal LU-7 of the Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.
 - b. Objective LU 7.1- Encourage expansion of regional commercial opportunities in existing corridors along collector or arterial routes and at nodes where infrastructure and traffic volumes can support economic growth.

B. Neighborhood Compatibility:

1. The general area south and east of the proposed parcel consists of parcels approximately 40 acres in size. The parcels north of Hwy 169 vary in size from 2 to 20 acres.
2. There is one permanent residence located directly across the highway from the proposed parcel and rolloff business. There is also a residence on the adjoining parcel to the east.
3. The proposed rolloff business would likely be a compatible use with the neighborhood as the parcel has been historically used commercially.
4. Hwy 169 is an arterial road that has a substantial amount of regular traffic.

C. Orderly Development:

1. The proposed use is bordered by a masonry business on the adjoining parcel to the west and a proposed roll off business on the proposed 5 acre parcel (approx.) to the east.
2. There is residential development to the north and east of the parcel.

D. Desired Pattern of Development:

1. The subject parcel, as well as a majority of the surrounding area, is zoned Multiple Use.
 - a. Multiple Use zone districts allow a wide range of uses.
 - b. A rolloff business is an allowed use in a Multiple Use zone district with a conditional use permit.
2. The parcel has been used commercially. A CUP was approved in January 2020 for commercial development on the parcel to the west and there is proposed commercial development on the proposed adjoining parcel.

E. Other Factor(s):

1. In 1988 a CUP was approved on the parent parcel for a log cabin manufacturing business.
2. In January of 2020, a CUP was approved for a Masonry business and a parcel 6 acres in size was subdivided from the current parcel.
3. A mini storage business is proposed on the western 11.5 acres of the parcel.

See attachments: 1. Zoning/location map 2. Air photo 3. Site sketch 4. Project picture (if applicable) 5. Other pertinent pictures or maps

PLANNING COMMISSION CRITERIA FOR APPROVAL OF A CONDITIONAL USE PERMIT

- 1. Does the use conform to the land use plan?**
- 2. Is the use compatible with the existing neighborhood?**
- 3. Will the use impede the normal and orderly development and improvement of the surrounding area?**
- 4. Is the location and character of the proposed use considered consistent with a desirable pattern of development?**
- 5. What, if any, other factors should be taken into consideration on this case?**

RECOMMENDED CONDITIONS , IF APPROVED

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a rolloff business as an Industrial Use-Class II.

The following conditions shall apply:

1. The applicant shall obtain approval for access from the appropriate road authority.
2. Parcel Review shall be recorded prior to the issuance of a Conditional Use Permit.
3. The applicant shall comply with all county, state and federal regulations.
4. Lighting shall be directed downward in accordance with dark sky standards.
5. A plan to enhance vegetation will be submitted, approved by the county, and implemented by the property owner no later than 1 year from date of permit issuance.

**ST. LOUIS COUNTY, MN
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

Duluth

Government Services Center
320 West 2nd Street, Suite 301

Duluth, MN 55802
(218) 725-5000

Virginia

Northland Office Center
307 First Street South, Suite
117

Virginia, MN 55792
(218) 749-7103

CONDITIONAL USE PERMIT APPLICATION

General - This application is used to apply for a Conditional Use Permit. Applicants will need to attach the appropriate worksheet(s) in order to process. Incomplete applications will be returned. Note that the 'clock' does not begin until after payment has been processed for the application. For more information, see our website at:
www.stlouiscountymn.gov/BuildingStructures

Enter the Primary PIN and Associated PIN (if applicable) of the property to be reviewed.

PIN is found on your Property Tax Statement. For example, 123-1234-12345. Primary PIN: Parcel where Structure/SSTS are located. Associated PIN: Additional and/or adjacent property that you own or that is related to the project.

County Land Explorer: http://gis.stlouiscountymn.gov/planningflexviewers/County_Explorer

Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe>

Primary PIN **465-0020-04644**

Associated PINs

Type of Application

Does this application apply to a Short Term Rental?

No

Is this application being submitted for a Rehearing?

If this application is being submitted because a previous Conditional Use Permit application was denied or disapproved, please select Yes.

No

Enter Applicant Information

I am a: **Other**
Applicant Name: **Eric Gruba**
Address Line 1: **13462 Villa Rd**
Address Line 2: **--**
City: **Ely**
State: **MN**
Zip: **55731**
Primary Phone: **(218)235-8036**
Cell Phone: **--**
Fax: **--**
Email: **northernrouteseric@gmail.com**
Contact Person Name: **--**
Contact Person Phone: **--**

Mailing Address Information.

This address can default from the address you selected. If the values defaulted are not correct, please enter the correct information.

Same as Applicant address? **No**
 Name: **Eric Gruba**
 Address: **13462 Villa Rd**
 City: **Ely**
 State/Province: **MN**
 Zip: **55731**
 Primary Phone: **--**
 Cell Phone: **--**
 Fax: **--**
 Email: **northernrouteseric@gmail.com**

Site Information

If there is no site address, the application will be forwarded to 911/Communications to assign one.

Is there a site address for this property? **Yes**
 Site Address: **2068 Hwy 169 Ely**
 Is this leased property? **No**
 Leased From? **--**

US Forest Service

US Forest Service
 Superior National Forest
 8901 Grand Avenue Place
 Duluth, MN 55808

MN Power

MN Power
 Shore Land Traditions
 30 West Superior Street
 Duluth, MN 55802

MN DNR, Area Hydrologist

MN DNR, Area Hydrologist
 7979 Highway 37
 Eveleth, MN 55734

MN DNR Land and Minerals

MN DNR Land and Minerals
 1201 East Highway 2
 Grand Rapids, MN 55744

St. Louis County - Duluth

St. Louis County - Duluth
 Government Services Center
 320 West 2nd Street, Suite 301
 Duluth, MN 55802
 (218) 725-5000

St. Louis County - Virginia

St. Louis County - Virginia
 Northland Office Center
 307 First Street South, Suite 117
 Virginia, MN 55792
 (218) 749-7103

Do you have written authorization from the leased property owner?

If Yes, you must attach written authorization form.

--

How is the property accessed?**Public Road****No****No****No****No**

Enter Project Information.

If you answered 'Yes' to any of the questions below, it is required that you submit a copy of a septic permit to construct or certificate of compliance approval or municipal/sanitary district approval when applying for a land use permit.

Is this project on a parcel less than 2.5 acres?**Yes****Is this project within 300 feet of a stream/river or 1,000 feet of a lake?****No****Is this project adding a bedroom?**

Include home, garage, and accessory dwelling.

No**Total # of bedrooms on property after project completion.****0****Does this project include plumbing or pressurized water in proposed structure?****No****If Yes, please explain:****--****Is this project connected to a municipal or sanitary district system?****No**

CONDITIONAL USE WORKSHEET

Conditional use permits are typically required on property where the owner does not reside and/or has employees and customer traffic. A CUP needs additional controls or restrictions to assure that it is in harmony with the neighborhood. They are also required for a variety of other uses.

What are you applying for?

New Business **Yes**Expansion of Existing Business **No**Replace Existing Business **No**Other **No**

If Other, please explain

--

How is the property currently being used?

It is currently being used as a log yard for sawing lumber/storage yard for a construction company. The building is used as an office.

What type of business/use is being applied for?

List all uses that will take place.

Northern Routes RoloFF. It will be used for storing roll off containers and trucks. Want to build a shop in the future to do repair and maintenance on the trucks and containers. Basic day to day operations. No refuse or recycling will be stored on the property.

DAYS AND HOURS OF OPERATION

Describe the business and list business hours.

Describe the business **Mon thru Friday 7 am to 5 pm**

M-F Hours **7 am to 5 pm**

Saturday/Sunday Hours **--**

TRAFFIC, PARKING, AND/OR DOCKAGE

Will the proposal generate an increase in traffic?

Boat, snowmobile, truck, bus, car, etc.

Yes

If Yes, what is the estimated increase **< 10 vehicles**

Does the proposal require parking?

Please include employees, visitors, and other parking.

No

How many parking spaces are available on the property? **--**

SIGNAGE AND LIGHTING

Does your proposal include signage?

Include any off-site signs.

Yes

Please list number of signs, size, location, and illumination of each sign

There will be a sign on the building approximately 3 ft round that will replace the Current Evergreen Construction sign.

Will there be lighting (including security lighting) that may be visible from roads, waterways, and adjacent properties?

Yes

If Yes, please explain

The current lighting will remain in place on the current structure

OUTDOOR BUSINESS ACTIVITY

Will there be any outdoor work or storage areas such as: rock piles, assembly sites, tank storage, equipment parking, etc.?

Yes

If Yes, please explain

Equipment parking and container storage neatly arranged for a clean look.

WASTEWATER TREATMENT

Will wastewater be generated?

No

If Yes, what type of system will be used to handle wastewater treatment?

Private Septic System **No**

Municipal **No**

SOLID WASTE

Check all types of waste generated and describe how you will collect and store waste generated from the business below. Additional information may be required based on the scope of the project.

Household Garbage **Yes**

Oil and Grease **Yes**

Other Automotive Fluids **Yes**

Animal Waste **No**

Chemicals **No**

Medical **No**

Hazardous **No**

Demolition Waste **No**

Wood and Sawdust **No**

Radioactive **No**

Other **No**

If Other, please explain --

Please describe collection and disposal: **All will be stored in proper containers and disposed off at Northwoods transfer station.**

STORMWATER MANAGEMENT

Will there be more than one (1) acre of altered surface?

If Yes, please attach your NPDES permit.

No

By submitting this application, I certify and agree that I am the owner or the authorized agent of the owner of the above property, and that all uses will conform to the provisions of St. Louis County. I further certify and agree that I will comply with all conditions imposed in connection with the approval of the application. Applicants may be required to submit additional property descriptions, property surveys, site plans, building plans, and other information before the application is accepted or approved. ***Intentional or unintentional falsification of this application or any attachments thereto will make the application, any approval of the application and any result invalid.*** I authorize St. Louis County staff to inspect the property to review the application and for compliance inspections. Furthermore, by submitting this application, I release St. Louis County and its employees from any and all liability and claims for damages to person or property in any manner or form that may arise from the approval of the application or any related plans, the issuance of any resulting permit or the subsequent location, construction, alteration, repair, extension, operation or maintenance of the subject matter of the application.

If your name, contact information or email address have changed, you should update your contact information in the portal by selecting 'Maintain Contact Information' at the top of this page.

Submitted By: --

Address: --

City: --

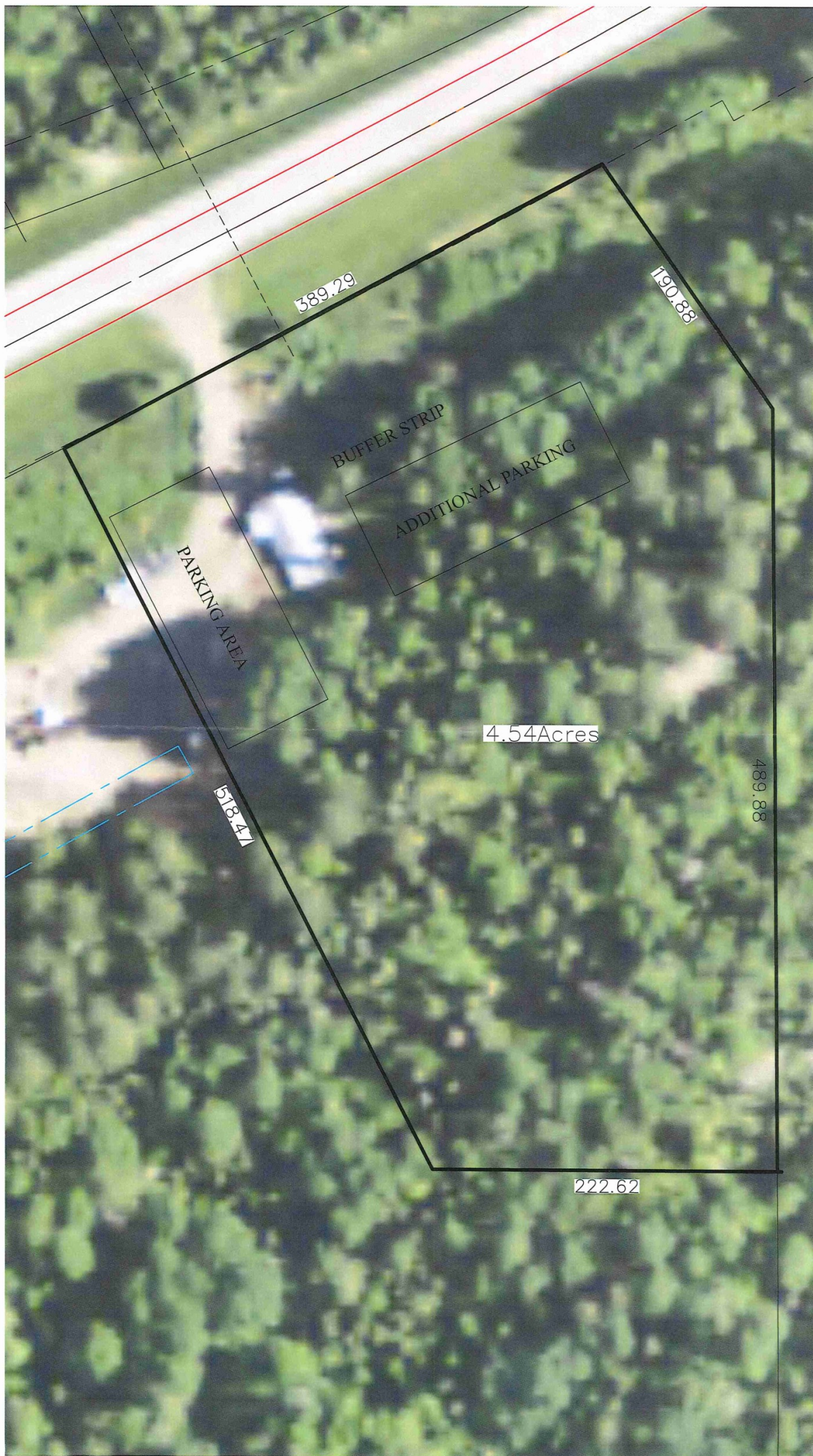
State: --

Postal Code: --

Email Address: --

I have read and agree to the statement
above.

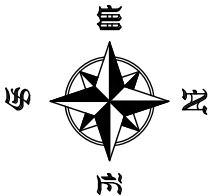
No



CERTIFICATE OF SURVEY
BOUNDARY SURVEY IN THE
NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF
SECTION 32, T63N, R12W,
4th P.M. ST. LOUIS COUNTY, MN

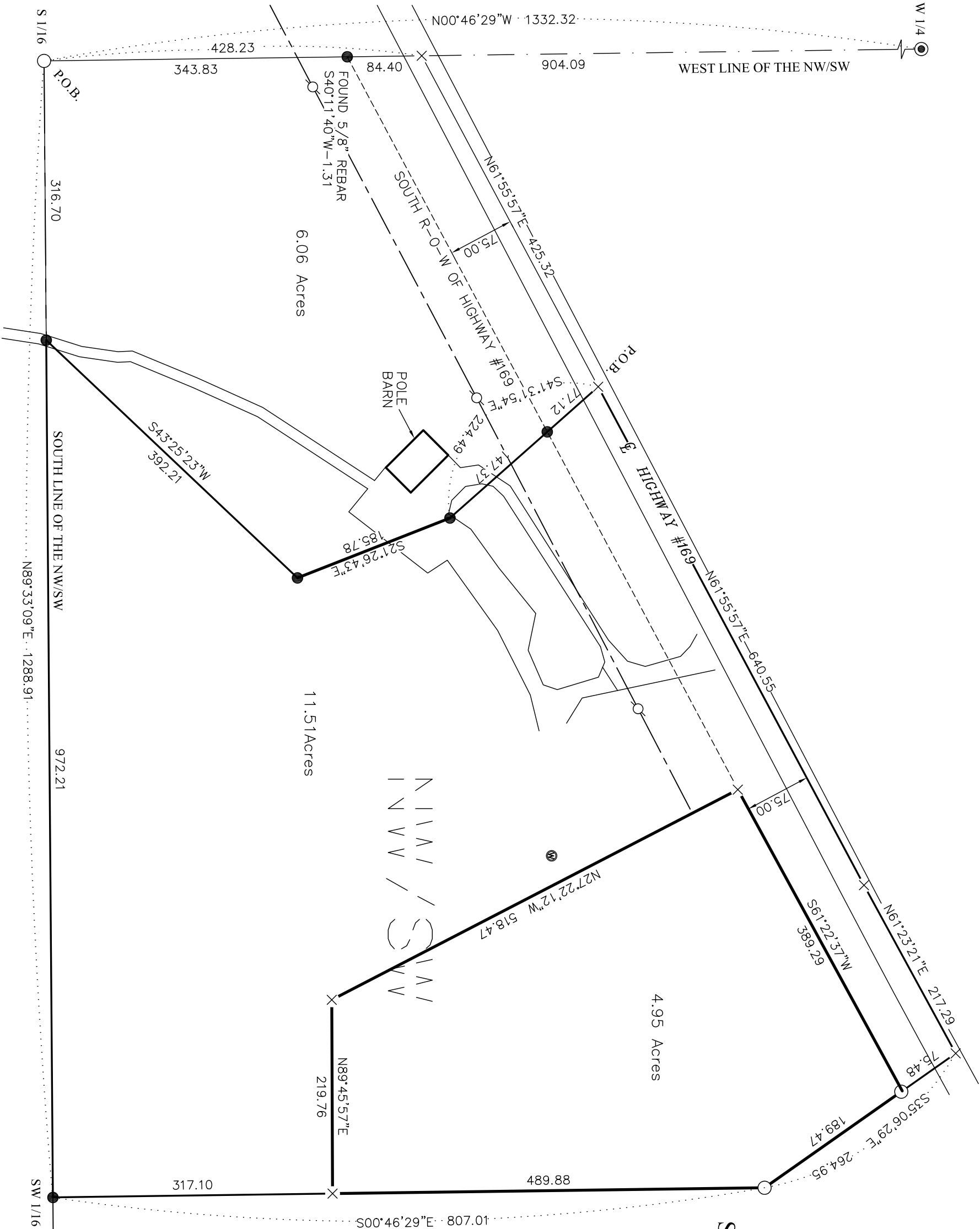
SCALE 1" = 120' REVISED JULY, 2020

BEAR ISLAND SURVEYING INC.
ELY, MINNESOTA



BASIS OF BEARING IS ASSUMING THE
WEST LINE OF THE NW/SW TO BEAR
N00°46'29"W
ALL LINEAR MEASUREMENTS ARE
U.S. SURVEY FEET ©

- LEGEND
- = 3/4" PLASTIC CAPPED REBAR
STAMPED RLS #23683
 - = 1" IRON PIPE
 - ⊙ = ST. LOUIS COUNTY
ALUMINUM CAPPED PIPE
 - × = LEGAL DESCRIPTION POINT
 - ⊗ = WELL



August PC Meeting



Development
(218) 725-5000
www.stlouiscountymn.gov

St. Louis County

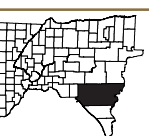
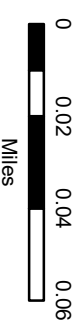
7/22/2020

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Survey

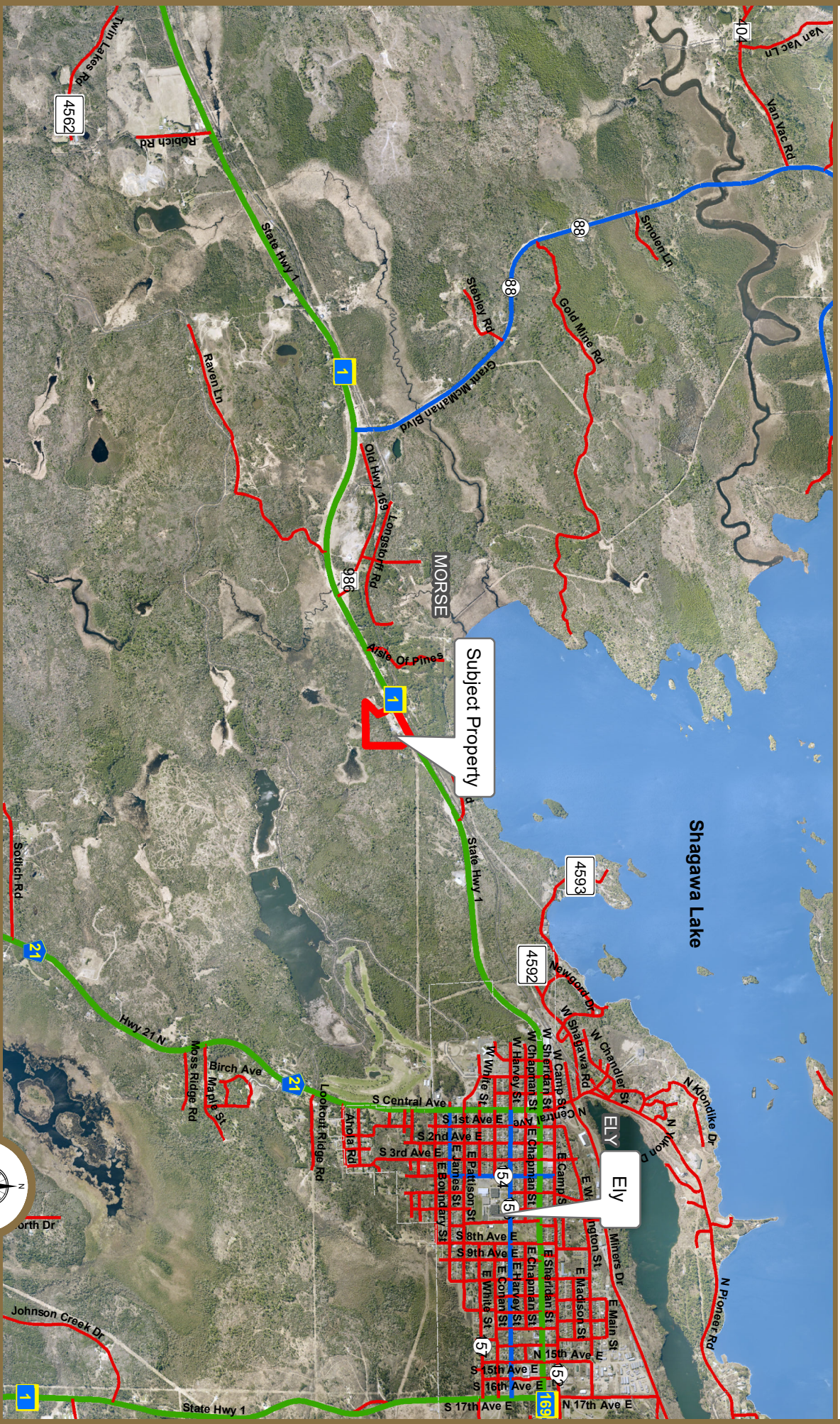
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St. Louis County MN

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August PC Meeting



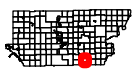
Prepared By: **Planning & Community Development**
(218) 725-5000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 7/22/2020

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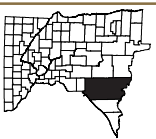
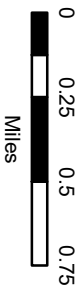
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Roderick / Gruba

Location Map

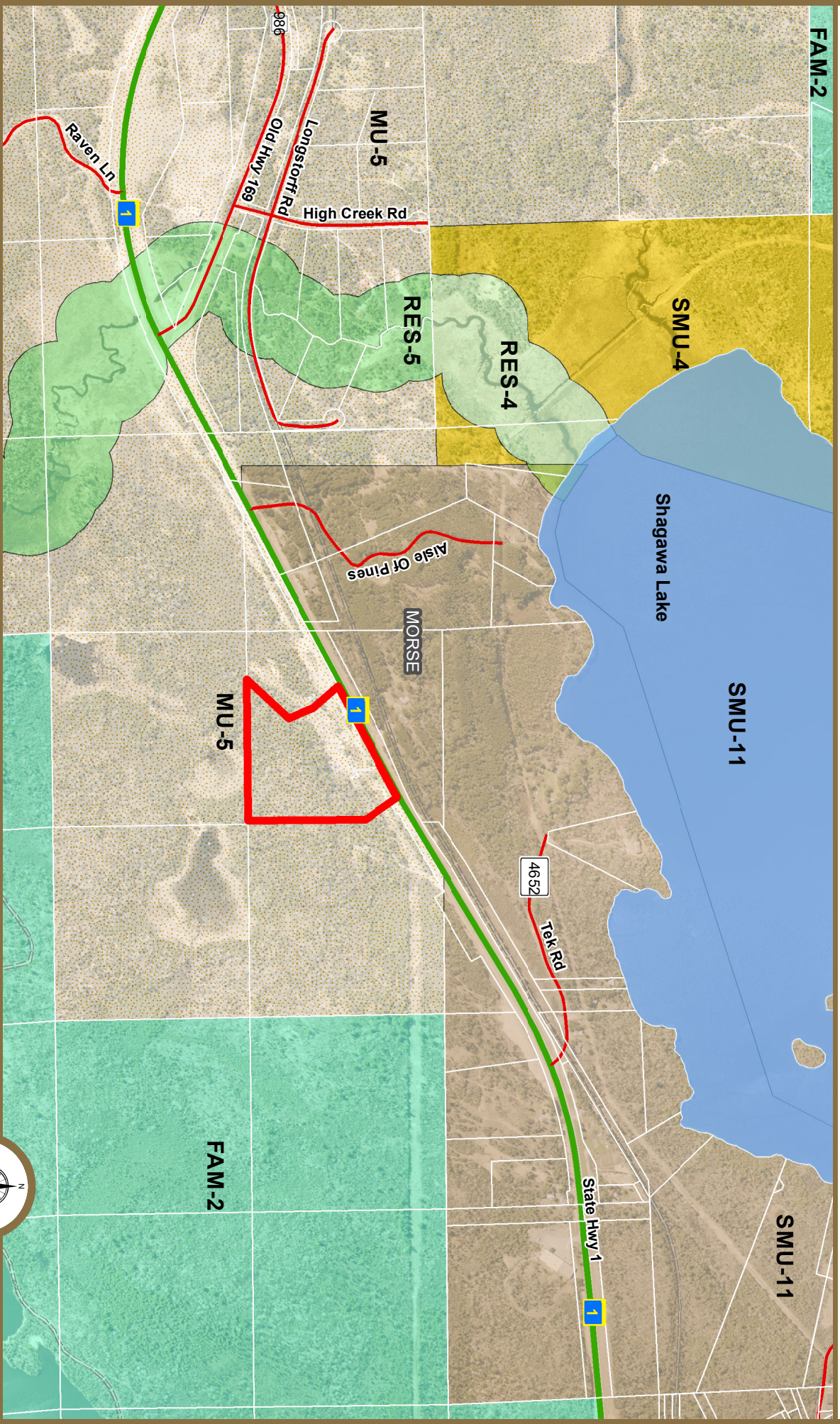
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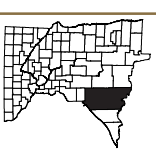
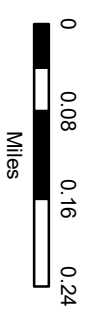
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Roderick / Gruba

Zoning Map

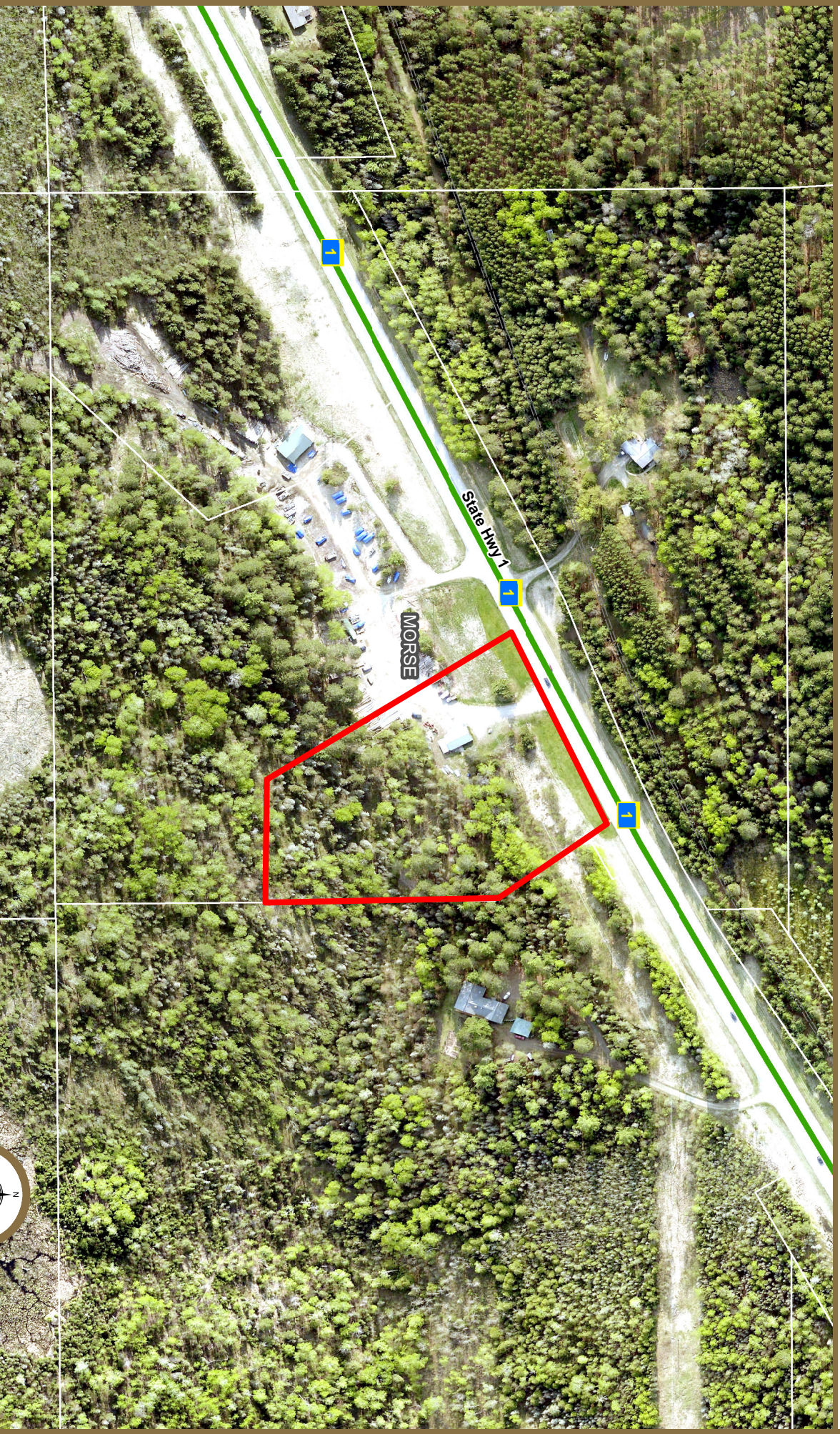
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August PC Meeting



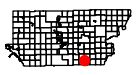
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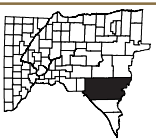
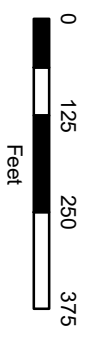
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Eric Gruba

Site Map

PIN:465-0020-04644



St. Louis County MN



Existing structure to be utilized by the applicant