



ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

INSPECTION DATE: 5/18/2021

REPORT DATE: 5/24/2021

MEETING DATE: 6/10/2021

APPLICANT INFORMATION

APPLICANT NAME: Kevin Swanson

APPLICANT ADDRESS: 304 S 57th Ave W, Duluth, MN 55807

OWNER NAME: Gerald Huberty

SITE ADDRESS: N/A

LEGAL DESCRIPTION: NW ¼ of SW ¼ SLY of HIGHWAY, S5, T50N, R16W (Solway)

PARCEL IDENTIFICATION NUMBER (PIN): 530-0010-00900

NATURE OF REQUEST: A conditional use permit for a wedding venue (or other similar events) as a Public/Semi-Public Use.

PROPOSAL DETAILS: The applicant is proposing to operate a venue for weddings and other similar events. Hours of operation are proposed 9 AM – 11 PM, seven days a week. The parcel is currently vacant. The proposal includes an event building and a large parking area. The applicant has indicated the main use will be for weddings. Other uses may include meetings or holiday parties.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Hwy 194

ROAD FUNCTIONAL CLASS: Arterial

LAKE NAME: Beaver Lake

LAKE CLASSIFICATION: NE

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: Undeveloped, contains some wetland.

ZONE DISTRICT: RES 5

PARCEL ACREAGE: 19.15 acres

LOT WIDTH: 1340 FEET

FEET OF ROAD FRONTAGE: 1,480 FEET

FEET OF SHORELINE FRONTAGE: NA

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: Existing natural vegetative screening is good from all sides.

TOPOGRAPHY: Parcel is flat with little elevation change.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: The parcel does contain various pockets of wetlands, including a large wetland complex that extends to Beaver Lake.

ADDITIONAL COMMENTS ON PARCEL: The applicant is intending on purchasing additional adjacent property that will not be utilized for the event center activities, but may act as a buffer to mitigate potential noise during events.

FACTS AND FINDINGS

A. Plans and Official Controls:

1. St. Louis County Zoning Ordinance 62, Article V, Section 5.5D allows a Public/Semi-public use in a Residential district with a conditional use permit.
2. The subject parcel is designated as Forest and Agriculture within Planning Area 5a on the Future Land Use Map. Area south of the subject parcel, around Beaver Lake, is designated as Natural Areas.
 - a. The Forest and Agriculture land use category takes up the majority of the county's unincorporated land area.
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.
4. Objective LU-7.2 of the St. Louis County Comprehensive Land Use Plan is to develop opportunities for neighborhood commercial sites that are compatible in scale and operation with surrounding residential development.

B. Neighborhood Compatibility:

1. The parcel is currently vacant. If approved, the lot will be developed to support the wedding venue use.
 - a. Current proposal indicates a venue building and a large parking area.
2. The proposal has the potential to impact residential properties in the area with added noise and traffic during events.
 - a. Beaver Lake contains approximately nine residential dwellings currently.
 - b. There are approximately five other residential dwellings within 0.25 miles of the subject parcel.

C. Orderly Development:

1. Many parcels in the area are currently used for seasonal and year-round residential use.
2. An event center was approved by the Planning Commission in 2016 on a nearby property. This property is approximately 0.4 miles west of the subject parcel.
 - a. The permit has not been issued for that approved use as precedent conditions have not been met.
3. There is also a bar/restaurant and a campground approximately 0.5 miles northwest of the subject property, at the intersection of Hwy 2 and Hwy 194.
4. In the immediate area around the subject parcel, future growth is not anticipated to change due to already established residential dwellings.

D. Desired Pattern of Development:

1. The desired pattern of development is not anticipated to change significantly in the near future.
 - a. Large wetland complexes on the subject parcel, and the surrounding area, may limit new development in the immediate area.

E. Other Factor(s):

1. If the use is approved, the applicant will need to work with the St. Louis County On-Site Wastewater Division on proper SSTS requirements.
 - a. The conditional use permit and any associated land use permits shall not be issued until proper SSTS approval is received.
2. The adjacent parcel to the west and one of the adjacent parcels to the south are under common ownership with the subject parcel.
 - a. The proposed use is only associated with the subject 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 CONDITONAL 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 for a wedding venue as a Public/Semi-Public use, the following conditions shall apply:

Conditions Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.
2. Notice of proposal shall be sent to the Solway Volunteer Fire Department.

Conditions Concurrent:

1. St. Louis County On-Site Wastewater SSTS standards shall be followed.
2. If liquor is allowed at an event, it shall be furnished by licensed and insured event supplier and follow St. Louis County ordinances liquor licensing.
3. Lighting shall be directed downward in accordance with dark sky standards.
4. There shall be no on-street/road parking during events.

5. During events, no amplified music shall be played outside after 11pm.
6. The applicant shall comply with all local, county, state, and federal regulations.
7. Wetland Conservation Act standards shall be followed.
8. All signs shall meet St. Louis County Ordinance 62 standards.

**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

VirginiaGovernment Services
Center

201 South 3rd Avenue West
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: <https://www.stlouiscountymn.gov/explorer>
Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe>

Primary PIN **530-0010-00900**

Associated PINs

PIN # **530-0010-00910**

PIN # **530-0010-01166**

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: **Landowner**
Applicant Name: **Kevin Swanson**
Address Line 1: **304 S 57th Ave W**
Address Line 2: **--**
City: **Duluth**
State: **MN**
Zip: **55807**
Primary Phone: **(218)269-6025**
Cell Phone: **--**
Fax: **--**
Email: **kswanson11@yahoo.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: **Kevin Swanson**
Address: **304 S 57th Ave W**
City: **Duluth**
State/Province: **MN**
Zip: **55807**
Primary Phone: **--**
Cell Phone: **--**
Fax: **--**
Email: **kswanson11@yahoo.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? **No**
Site Address: **--**
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
Land and Minerals
7820 Highway 135
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?**No****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?****Yes****If Yes, please explain:****Plumbing.****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?

Vacant Land.

What type of business/use is being applied for?

List all uses that will take place.

Wedding Venue/Event Center

DAYS AND HOURS OF OPERATION

Describe the business and list business hours.

Describe the business **Wedding Venue/Event Center**

M-F Hours **9AM-11PM**

Saturday/Sunday Hours **9AM-11PM**

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

> 25 vehicles

Does the proposal require parking?

Please include employees, visitors, and other parking.

Yes

How many parking spaces are available on the property?

100

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

3'x5' sign at start of proposed driveway.

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

Yes

If Yes, please explain

Security lighting.

OUTDOOR BUSINESS ACTIVITY

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

No

If Yes, please explain

--

WASTEWATER TREATMENT

Will wastewater be generated?

Yes

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

Private Septic System **Yes**
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 **No**
Other Automotive Fluids **No**

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: **Professional garbage pickup. (Hartel's Disposal)**

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: **Kevin Swanson**
Address: **304 S 57th Ave W**
City: **Duluth**
State: **MN**
Postal Code: **55807**
Email Address: **kswanson11@yahoo.com**

I have read and agree to the statement above.

I agree



County Land Explorer

St. Louis County, Minnesota



With Plans

default author

Map created using County Land Explorer
www.stlouiscountymn.gov/explorer



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County Land Explorer

St. Louis County

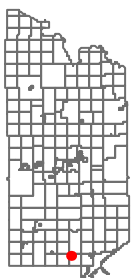
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Minnesota

Disclaimer

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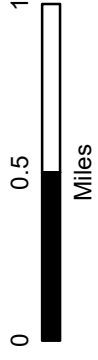
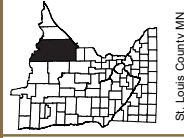
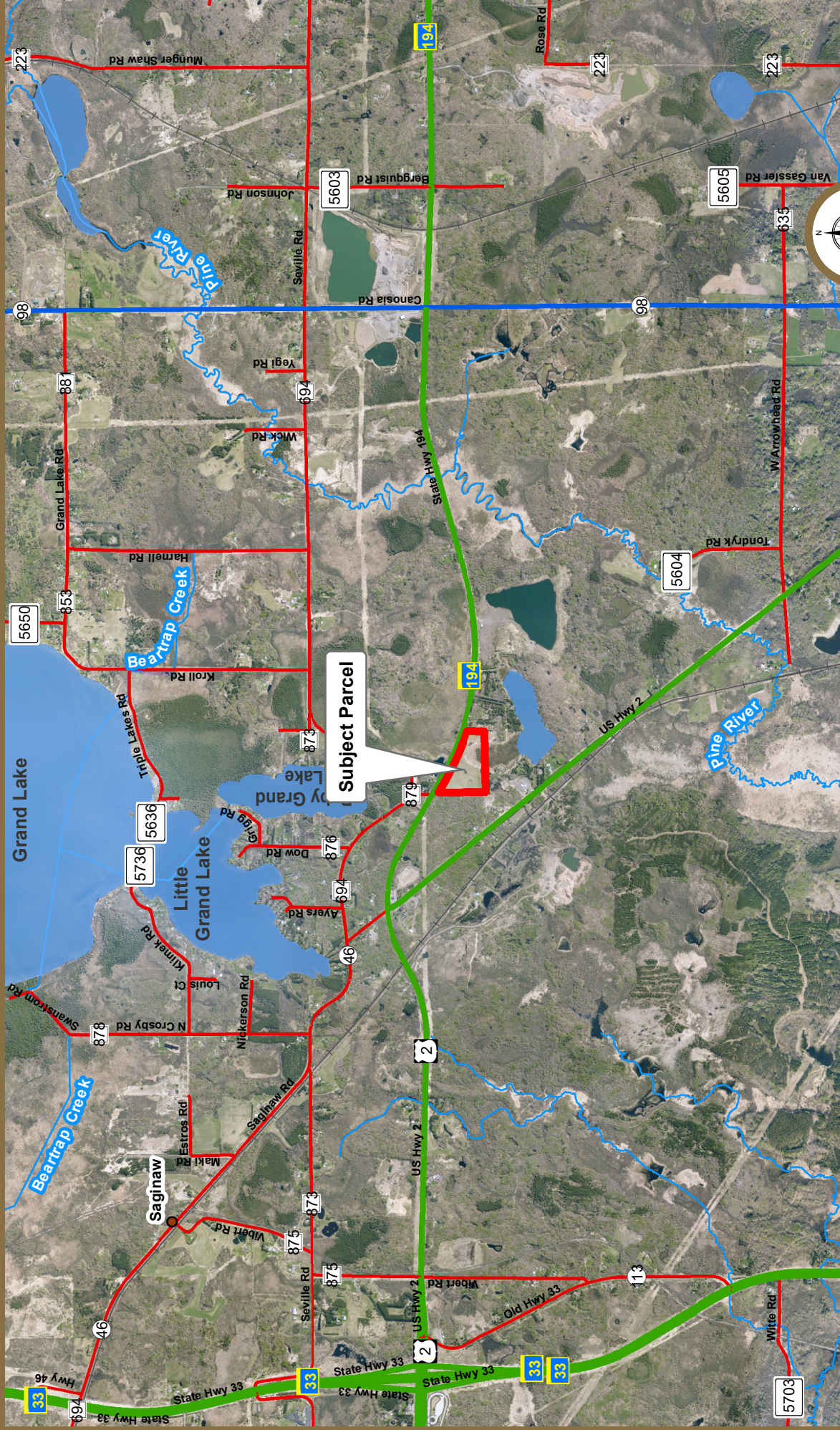
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St. Louis County

June PC Meeting



Kevin Swanson
Location Map
PIN:530-0010-00900



Prepared By: Planning & Community Development
(218) 728-5000
www.stlouiscountymn.gov
Source: St. Louis County

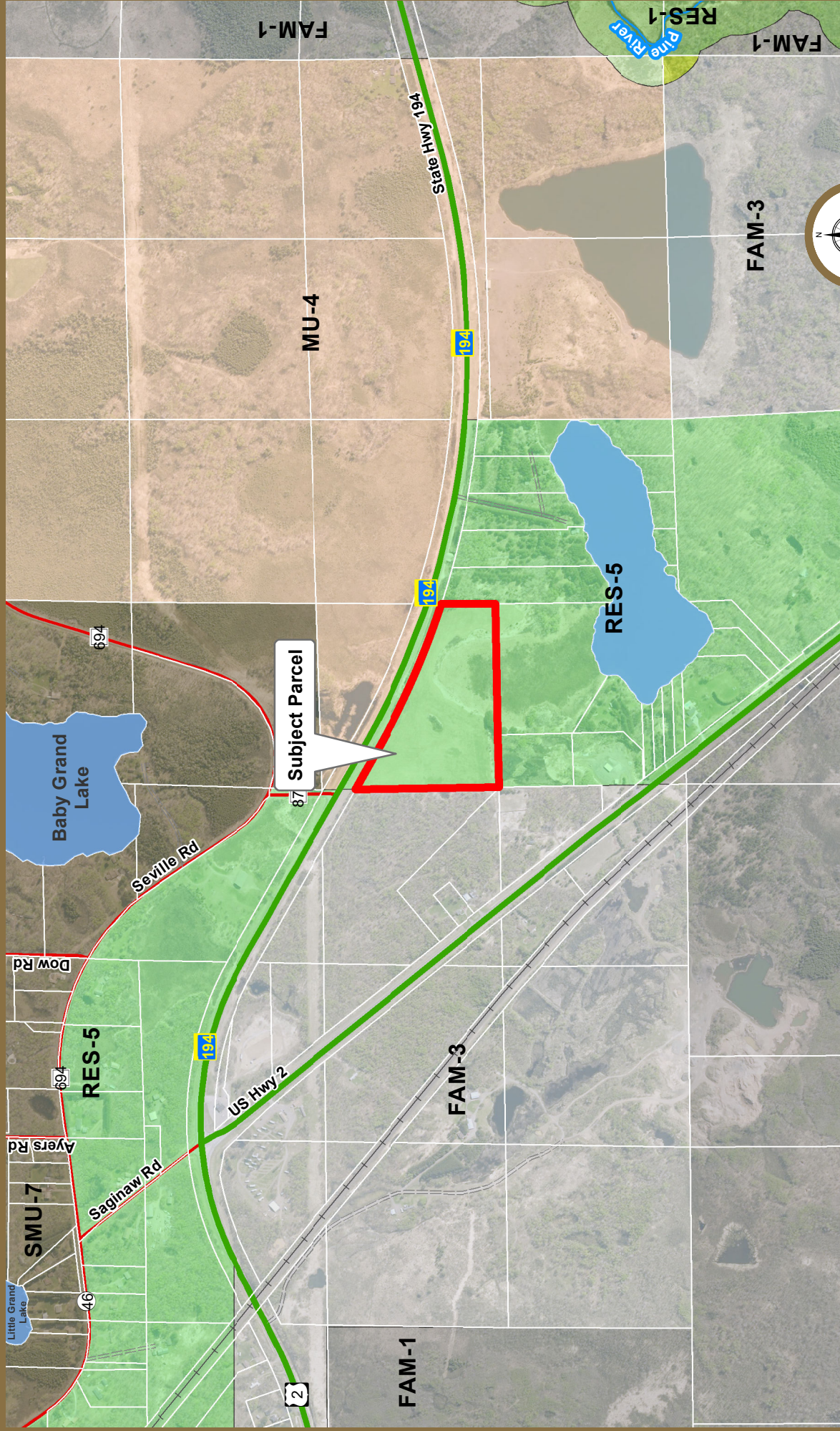
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St. Louis County

June PC Meeting



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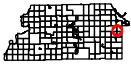
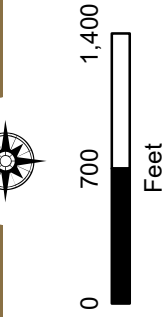
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Kevin Swanson
Zoning Map
PIN:530-0010-00900


St. Louis County MN



St. Louis County

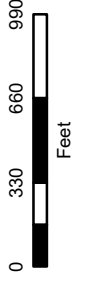
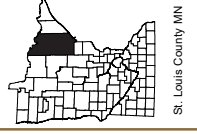
June PC Meeting



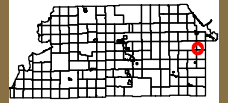


St. Louis County

June PC Meeting



Kevin Swanson
Wetland Map
PIN: 530-0010-00900



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June PC Meeting



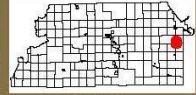
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Kevin Swanson

Area Map

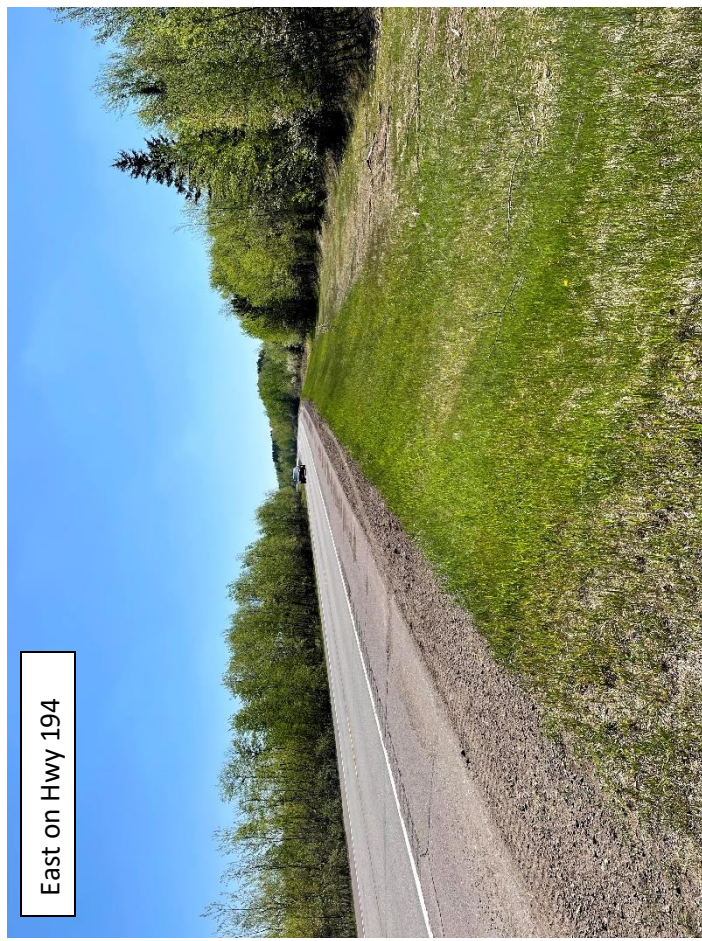
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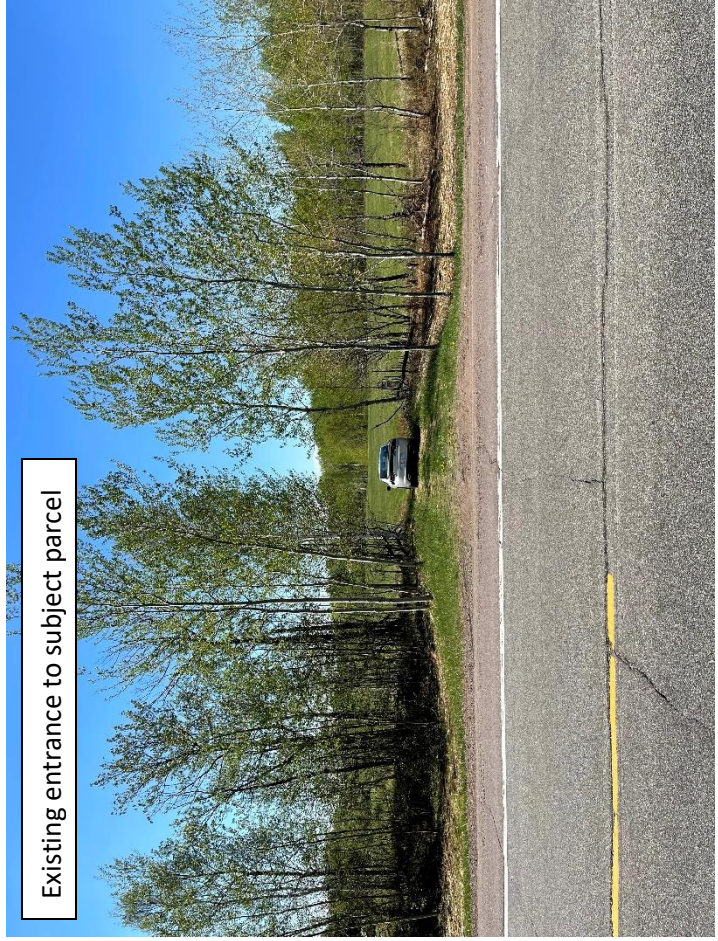
St. Louis County MN



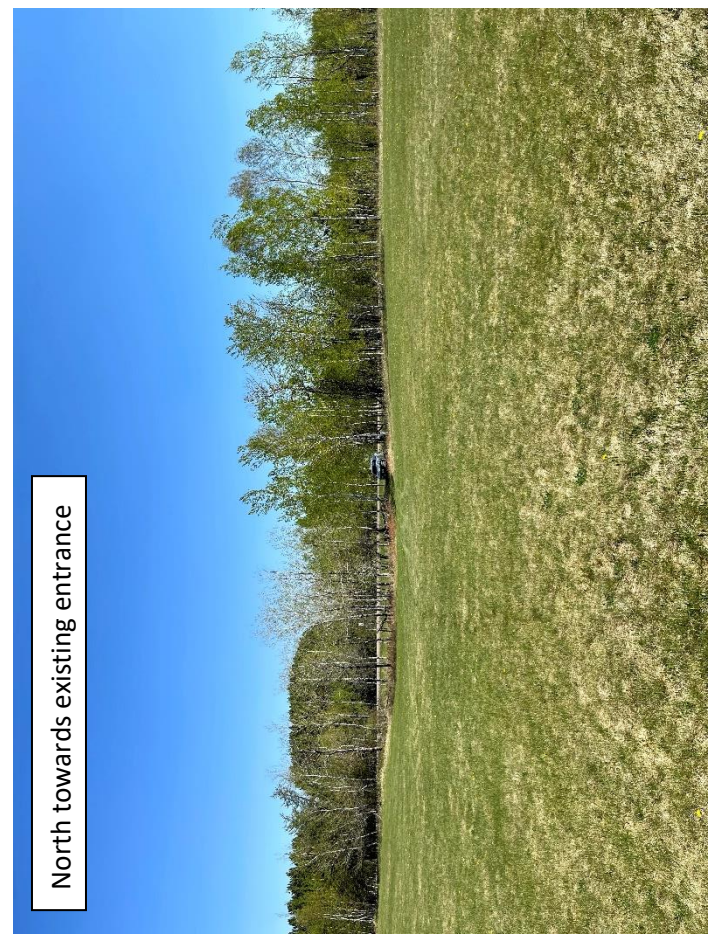
West on Hwy 194



East on Hwy 194



Existing entrance to subject parcel



North towards existing entrance

North towards Hwy 194



Large wetland complex



South into parcel from existing entrance



Proposed venue building location

