Planning & Development Division
Planning & Economic Development Department

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File Number	PL 21-059	**Contact**	Chris Lee, clee@duluthmn.gov	
Type	Special Use Permit – Child Care Facility	**Planning Commission Date**		June 8, 2021
Deadline for Action	**Application Date**	April 20, 2021	**60 Days**	June 19, 2021
	Date Extension Letter Mailed	May 12, 2021	**120 Days**	August 18, 2021
Location of Subject	1500 Swan Lake Road			
Applicant	Melissa Reisdorf, Administrative Director	**Contact**	Little Hearts Preschool	
Agent		**Contact**		
Legal Description	PID 010-2710-04270			
Site Visit Date	May26, 2021	**Sign Notice Date**	May 25, 2021	
Neighbor Letter Date	May 26, 2021	**Number of Letters Sent**	63	

Proposal
Applicant would like to open a new childcare center in the Mt. of Olives Baptist Church in the Duluth Heights neighborhood. The daycare will consist of 6 classrooms of 20 children each for a total of 120 children.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Religious Institution	Low-Density Neighborhood
North	R-1	Residential	Low-Density Neighborhood
South	R-1	Residential	Low-Density Neighborhood
East	R-1	Residential	Low-Density Neighborhood
West	R-1	Residential	Low-Density Neighborhood

Summary of Code Requirements

Sec. 50-37.10 – Special Use Permits: Planning Commission shall approve the application or approve it with modifications, if it is determined 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 limitations to 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 Governing Principles and/or Policies and Current History (if applicable):
Governing Principle #1 – Reuse previously developed lands. Supporting expansion in an existing location is preferable to choosing greenfield sites.

Governing Principle #8 – Encourage a mix of activities, uses, and densities. Cities have evolved as a mix of land use, building types, and housing types. Supporting this existing residential care facilities contributes to this mix in

Zoning – Residential-Traditional (R-1): Established to accommodate traditional neighborhoods of single-family residences, duplexes and townhouses on moderately sized lots. Intended to be used primarily in established neighborhoods.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood.

History: The facility is currently used as a church. The building previously used as Birchwood Elementary School and converted to the church in 2008, leaving the classrooms unused at this time.

Review and Discussion Items
Staff finds that:

1. This proposal would use six internal classrooms to the existing church. The facility will be licensed to provide care for 120 children. The proposal indicates that there will be outdoor play spaces for children; the site is of ample size and this can be provided on existing green space to the rear of the building.
2. 50-24 Parking and Loading: The UDC requires 1 parking space for every 5 children in care capacity. For this site, the minimum is 24 parking spaces, and the applicant is providing the required 24 parking spaces with room for more parking if necessary. The drop off/pick up area can be safety accommodated in the existing parking lot.
3. 50-25 Landscaping and Tree Preservation: This proposal would not increase the building square footage, exempting it from landscaping requirements. Staff finds that existing landscaping and natural vegetation on site will suffice.
4. 50-26 Screening, Walls, and Fences: Trash will be contained to the interior of the building and shared with the churches' dumpsters. The applicant is proposing to fence in two different areas for the safety of the children on the site. The new fences will require a separate fence permit prior to installation.
5. 50-31 Exterior Lighting: The applicant is not proposing any exterior lighting for the site.
6. Staff received comments from Construction Services indicating the applicant will need a change of use permit but as of the writing of this report have not received any additional agency or public comments.

Staff Recommendation
Based on the above findings, staff recommends that Planning Commission adopt the findings of fact in the staff report and approve the special use permit with the following conditions:

1) The project be limited, constructed, and maintained consistent with the sketch plan submitted with this application.
2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

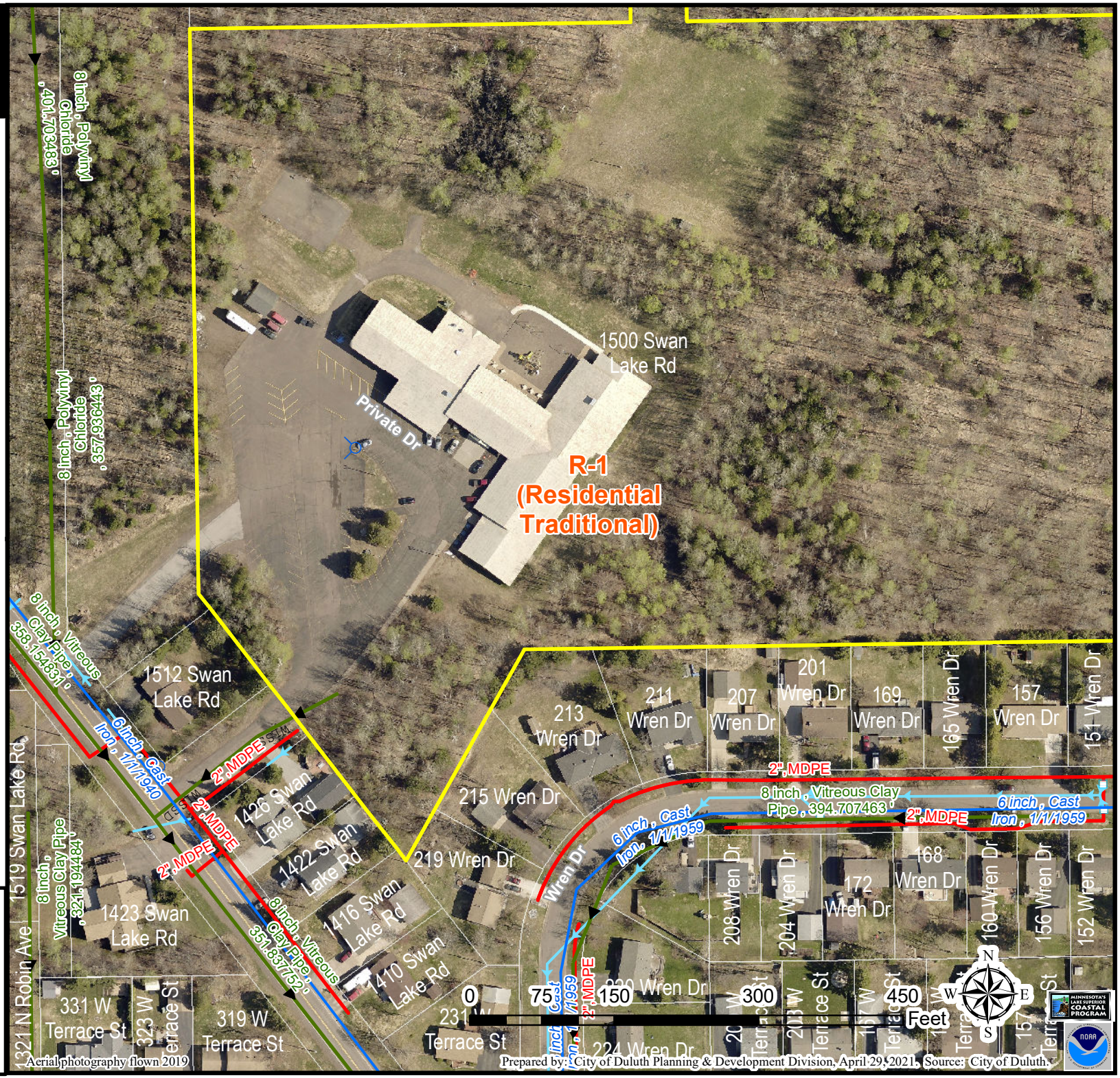
PL 21-059
Special Use Permit
1500 Swan Lake Rd

Legend

- Gas Main
- Water Main
- Hydrant

Sanitary Sewer Mains
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station

Storm Sewer Mains
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Zoning Boundaries



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Development Division, April 29, 2021. Source: City of Duluth.

County Land Explorer

St. Louis County, Minnesota

Title...1500 swan lake rd

default author

Map created using County Land Explorer
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County Land Explorer

St. Louis County www.stlouiscountymn.gov/explorer Minnesota

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Special Use Permit- Statements and Justification-April 14th, 2021

Little Hearts Preschool and Child Care

1500 Swan Lake Road

Benefits of the proposed project based on the 12 Governing Principles:

Principle 1: Reuse previously developed land- Little Hearts Preschool and Child Care proposes to reuse 6 classrooms in a current church building which was once an elementary school. The building has several classrooms that are not being used. This space is perfect for a child care center.

Principle 3 and 4: Support traditional and emerging economic bases- The proposed site will provide workers with a service that they need to stay in the work force.

Principle 5: Strengthen neighborhoods- Little Hearts Preschool will provide much needed child care to the Duluth Heights and surrounding neighborhoods. Our current location is 1.1 miles from this proposed site which will benefit families if they need to use both locations for care. The proposed site is located just off the main bus line on Swan Lake Road. It's tucked back far enough from traffic to create a safe environment for children.

Principle 6: Reinforce the place, specific- The location proposed is the perfect location to have a child care center as the building was previously an elementary school and is set up internally with separate classrooms to be used as a preschool setting.

Principle 8: Encourage mix of activities, uses and densities- the proposed location is ideal to service the working neighborhood, adding the use of child care into this neighborhood setting will add a new use that will be an asset to the neighborhood.

No negative impact on the community- Little Hearts Preschool and Child Care will be using an existing structure without any major modifications. Site lines will not be altered, even with setting up a fenced in play area. Hours of operation are during the day, therefore not adding extra noise and light during the evening and overnight hours. The presence of children during the day will once again add positive activity to the neighborhood. The site already has a large parking lot which allows for drop off and pick up areas to remain in the parking lot and not the residential streets. The site is located in an area where at least some of the families utilizing our services are located.

From: **REDACTED**
To: Chris Lee
Subject: Re: Planning Commission June Agenda 1500 Swan Lake Road, Daycare Zoning Change
Date: Monday, May 31, 2021 1:10:52 PM

My name is Thomas Szukis. I live at 1722 Swan Lake Road which is near the proposed daycare center. I write to you in support of the requested zoning change. Mount of Olives Baptist Church has been an extraordinarily good neighbor since they purchased the former Birchwood School property and I am confident they will manage the daycare operator in an appropriate manner. The immediate neighborhood has many new families with young children so the addition of quality daycare will be a welcome resource. Please approve this request.

Thomas Szukis