

City of Duluth Planning Commission

September 12, 2023 – City Hall Council Chambers
Meeting Minutes

Call to Order

President Margie Nelson called to order the meeting of the city of Duluth planning commission at 5:00 p.m. on Tuesday, September 12th, 2023 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Brian Hammond, Jason Hollinday, Margie Nelson, Danielle Rhodes, Michael Schraepfer, and Andrea Wedul (arrived after the approval of minutes)

Member Absent: N/A

Staff Present: Adam Fulton, Jean Coleman, Jenn Moses, Kyle Deming, John Kelley, Chris Lee, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – August 8, 2023 and Brown Bag Meeting – August 24, 2023

MOTION/Second: Hollinday/Eckenberg approved

VOTE: (7-0)

Public Comment on Items Not on Agenda

None

Consent Agenda

(Item PL 23-124 was removed from the consent agenda and placed under public hearings.)

PL 23-130 Vacation of Highland Avenue at 1203 N Arlington Avenue by Steven J. Elberling

PL 23-135 Minor Subdivision at 6th Street and 5th Avenue W by David and Laura Schauer

PL 23-141 Interim Use Permit for a New Vacation Dwelling Unit at 36 Cato Avenue by Darin and Elina Reinke

PL 23-146 Special Use Permit for a Residential Care Facility at 1111 N 11th Avenue E by CHUM

PL 23-147 Vacation of an Alley at 4102 99th Avenue W by Larry Varhalla

PL 23-150 Special Use Permit for a Residential Care Facility at 2122 Woodland Avenue by Deyona Kirk

Public: PL 23-146: Jessica Olson – 1624 E 8th St – addressed the commission. She is a member of the congregation, and voiced her support for the proposal. City Councilor Gary Anderson – 30 E. Saint Andrew St - is also a member of the congregation and voiced his support. PL 23-150: Councilor Anderson addressed the commission and voiced his support.

Dave Jordet – 2141 Woodland Ave – addressed the commission. He is concerned about parking issues and noted homeowner insurance if it is a commercial use. He is opposed to the proposal. **MOTION/Second:** Wedul/Hammond approved the consent agenda items as per staff recommendation

VOTE: (8-0)

Public Hearings

PL 23-124 Interim Use Permit for a new Vacation Dwelling Unit at 122 E Buffalo Street by Venkata Gireesh Menta and Ruth Pallapati

Staff: A presentation was not given, but questions were welcomed.

Public: Lauri Athmann – 146 E Buffalo St – addressed the commission. She has lived in the Kenwood area for 34 years. She is concerned about non-residents and transient guests. She does not think this will benefit their neighborhood. She is opposed. Kim Roufs – 1006 Mississippi Ave – addressed the commission. She noted discrepancies on what is listed on Zillow versus what is listed on the staff report regarding the number of bedrooms and parking. She thinks this will lower the housing stock, and would prefer permanent neighbors. She is opposed. Judith McKeever – 1202 Missouri Ave – addressed the commission. She is a 29-year Kenwood resident. She is concerned about traffic and road conditions in the winter. She voiced her appreciation for having their concerns heard. She is opposed.

Commissioners: Danielle Rhodes asked about the property manager. One will be hired if the applicants move out of the area. Andrea Wedul asked how this permit was offered. Chris Lee noted the applicant was chosen to apply as part of the lottery process. Gary Eckenberg asked about the parking situation and the size of the garage. Lee noted it is only a one-car garage, but the driveway has room for three vehicles. Jason Crawford asked about the four-bedroom maximum. Lee noted a rumored fifth bedroom is not confirmed, and would not be allowed. Deputy Director Adam Fulton noted the UDC sets a firm limit. If the home is advertised as a five-bedroom dwelling, it could be subject to permit revocation. Chair Nelson noted there are vacation rentals throughout the city. Wedul added if there was ever a behavior issue, there are ways to address. Michael Schraepfer noted he understands the neighbors are concerned, but this is not a new program and vacation rentals are dispersed throughout the city.

MOTION/Second: Nelson/Hammond approved as per staff recommendation

VOTE: (8-0)

(Commissioner Wedul recused herself from the following item due to a conflict of interest.)

PL 23-128 Planning Review for a Building Addition at 2101 Trinity Road by Lake Superior College

Staff: John Kelley introduced the applicant's proposal for the construction of an 8,310 square foot building addition for the machine tool and welding programs as well as a loading and storage area for the college. Additional site improvements include reconfiguring parking spaces and landscaping to facilitate the building addition. The building addition will require the removal of 24 parking spaces, but will be installing 15 new spaces with two accessible spaces for net loss of 9 spaces. Staff received public comment from a resident of 2121 Trinity Road who will speak tonight. The zoning sign had fallen over, and they weren't notified of the proposal. Staff recommends approval with the conditions listed in the staff report.

Applicant: Present, but did not speak.

Public: Mary Vranesich – 2121 Trinity Rd – addressed the commission. Her husband, James Helewski, was unable to attend tonight. She noted the zoning sign was facing towards the

campus. The Heleski homestead shares borders with the college on three sides. She is concerned that they weren't notified about the proposal. She noted the school has changed from a vocational school to a college. She doesn't think they should encroach on the wetlands and is opposed to their proposal.

Commissioners: Rhodes asked why the neighbor wasn't notified. Kelley stated normal procedure was followed, and the address of the school was beyond the notification zone. Rhodes asked if there was a way to modify the process to capture all parcels, so that all neighbors would have been notified. Kelley stated a UDC amendment would be needed to make the change to notification procedure. Rhodes asked if this item could be on the next meeting agenda. Deputy Director Fulton affirmed.

MOTION/Second: Crawford/Eckenberg approved as per staff recommendation

VOTE: (7-0, Wedul Abstained)

PL 23-143 Planning Review for a Laundromat at 338 E Central Entrance by West End Properties, Inc.

Staff: Chris Lee introduced the applicant's proposal for the construction of a 4,778 square foot laundromat (personal services and repair) and associated site improvements including 24 parking stalls. All proposed exterior lighting is specified as downward pointing and cut-off with no excess light crossing the property line. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Eckenberg asked if MNDot was concerned about the egresses on to Central Entrance. Is it a right turn only? Per Lee, the egress would be all directions. MNDot did not provide a comment. Rhodes commented on there being no windows facing Central Entrance. Lee noted the building layout was chosen to accommodate parking. Commissioner Brian Hammond noted pedestrian access. He was pleased to see a sidewalk connection and would like to add a condition for curb-cuts for ADA access to Blackman and Central Entrance and to add bike lanes. Wedul asked why the buffering design stopped on Palm Street. Lee noted it was for storm water retention purposes. Wedul sees the retention pond, but thinks the buffer should extend further past the drainage. Lee deferred to the applicant. Wedul asked about Brewery Creek and stormwater management. Lee noted engineers will work on additional details.

Public: Silvin Pop – 332 E Central Entrance – addressed the commission. He is the owner/doctor at Waters Edge Animal Hospital and Urgent Care located next door. He noted the land is infected with gas tanks and asked if the land will be cleaned up when removing the gravel. He is concerned about noise and air quality for his animals. He is also concerned about security and has seen drug needles and debris in the area. He is opposed to the proposal.

Applicant: Blake Martin/Developer – applicant – noted Linn Companies is acquiring the site. They are the largest laundromat business in Minnesota. This will be their 14th site, and they also have a site in Superior. He noted their site will remain well lit, and thought their lighting could discourage drug use in the area. Staff members will check for cleanliness. They have a pet cleaning area as well as a pedestrian car wash. It is a unique business, and is pedestrian friendly. They are aware of the contamination on site, and are working with the MPCA. They will clean it up the right way. In addressing Commissioner Wedul's previous comments, he noted they will rely on their civil engineer to meet stormwater requirements and agreed to add trees behind the dumpster for additional screening. Per Hammonds' comments, Martin noted the sidewalks should have curb cuts. Hammond stated there could be pedestrian hotel traffic.

MOTION/Second: Crawford/Rhodes approved as per staff recommendation

VOTE: (8-0)

PL 23-145 Minor Subdivision at 800 E Central Entrance by Luzy Ostreicher

Staff: Kyle Deming introduced the applicant's proposal for a minor sub-division to divide one parcel into two in preparation for development of a structure on the proposal parcel A. Parcel A contains most of the former high school building site (demolished) and remaining parking lot. There is an existing structure on proposed parcel B, the former Secondary Technical Center and associated parking lot. The City Engineer commented that the existing water service and gas mains need to be addressed through easement or other agreements. Staff recommends approval with the conditions listed in the staff report including an easement be granted, or an agreement made pertaining to the gas main and water service.

Applicant: Present, but did not speak.

Public: No speakers.

MOTION/Second: Wedul/Hollinday approved as per staff recommendation

VOTE: (8-0)

Tabled Item

PL 23-003 UDC Text Amendments to Off-Street Parking Requirements by the City of Duluth

Deputy Director Fulton thanked the commissioners for their special meeting/brown bag attendance. There will be a public meeting on the 20th and expects revisions will be brought to the October meeting.

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. Staff is working with Northern Lights Express to determine timeline. Community meetings upcoming for 6th Avenue East. Our division's new director, Chad Ronchetti, is now in position.

Heritage Preservation Commission – Gary Eckenberg noted they have not met since June.

Joint Airport Zoning Board – No updates.

Duluth Midway Joint Powers Zoning Board – Deputy Direct Fulton noted annex land complaints related to the quarry, which will require analysis of township files.

Adjournment

Meeting adjourned at 6:40 p.m.

Respectfully,

DocuSigned by:
Adam Fulton
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Adam Fulton – Deputy Director
Planning & Economic Development