

City of Duluth
Planning Commission
December 12, 2017 Meeting Minutes
Council Chambers - Duluth City Hall

1. Call to Order

President Michael Schraepfer called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, December 12, 2017, in city hall council chambers.

Roll Call

Attending: Terry Guggenbuehl, Garner Moffat, Margie Nelson, Michael Schraepfer, and Zandra Zwiebel

Absent: Janet Kennedy, Tim Meyer, Luke Sydow, and Heather Wright Wendel

Staff Present: Keith Hamre, Robert Asleson, John Kelley, and Cindy Stafford

2. Approval of Planning Commission Minutes –

November 13th – Brown Bag and November 14th – Regular meeting

MOTION/Second: Guggenbuehl/Zwiebel approved the minutes

VOTE: (5-0)

3. EAW/EIS

- PL 17-085 Kayak Bay Village Environmental Assessment Worksheet (Note: decision on the need for an EIS postponed until the January 9, 2018, Planning Commission meeting)

MOTION/Second: Moffat/Guggenbuehl Table until next month.

VOTE: (5-0)

4. Public Hearings

- A. PL 17-183 Special Use Permit for a Six Unit Townhome Development at 1710 Carver Avenue by Michael Peller and Campus North

Staff: John Kelley introduces the applicant's proposal to remove the existing residential structures on the properties and construct a new 6-Unit townhome containing 5 units with 4-bedrooms and 1 unit with 3-bedrooms. Townhouse dwellings are a special use in the R-1 district. Staff recommends approval with the conditions listed in the staff report.

Applicant: Michael Peller (applicant) and Greg Strom of Foundations Architecture address the commission. Zandra Zwiebel asks if the modular house they are removing is fairly new. Peller states it's about seven years old. Zwiebel notes the additional parking and asks if drainage issues have been addressed. The applicant states there is a stormwater sewer in St. Marie Street and they will install an underground storage tank and a berm to carry the water out to St. Marie Street. Terry Guggenbuehl refers to the site plan and notes there is no designated area for outdoor refuse. Will each unit have their own? Peller states if they decide to add a designated space, it will meet the UDC requirements. They have added additional parking to accommodate more cars. It's across from campus, but won't necessarily be just students.

Public: Roberta Edwards, 1717 Dunedin Ave., addresses the commission. She is concerned about the sanitary sewer. They are also concerned about additional lighting and how it will fit into their neighborhood. Greg Strom replies there will be a 2 ½ foot berm with a hedge on top of it. The hedge will block car lights from the neighbors. If the sanitary sewer is a concern, they will work with engineering to remedy it. Mary Boisjoli, 1711 Dunedin Ave., addresses the commission. She is concerned about the sanitary sewer. She is concerned about car lights and might prefer a fence over greenery. Terry Spehar, 1722 Carver Ave., addresses the commission. He is concerned

about parking. They are allowed 2 parking passes for their guests on the street. He is also concerned about parties, which could be noisy. Renee Lyttle, Congdon Park area, addresses the commission. She thinks this is a lovely neighborhood and they hope the tenants will be mindful of the neighbors. She urges the commissioners to consider everyone's opinions. Margie Nelson suggest they can add a condition to verify with engineering that the sanitary sewers are ok. Zwiebel asks about snow storage. Is it enough? Strom states there is snow storage along the north edge of the property, too. It is going to be a huge improvement over what is there now. The runoff will be cleaner and will go directly into the French drain. The system was preliminarily approved by Tom Johnson of city engineering. Chair Schraepfer asks the applicant if he would consider a fence versus a hedge. Peller states they are open to suggestions. There are four neighbors. Chair Schraepfer asks if they are willing to talk to the neighbors and reach an agreeable outcome. Peller states yes.

Commissioners: Zwiebel note the public comment about parties. She thinks older homes are more conducive to parties. These new units probably won't attract parties. She thinks the applicants have gone beyond what is required for parking and drainage.

MOTION/Second: Zwiebel/Guggenbuehl approved as per staff's recommendations with the conditions they talk with the neighbors about berm versus fence and city reviews the sanitary sewer connection with engineering.

VOTE: (5-0)

- B. PL 17-182 Partial Vacation of Utility Easement at 2130 Water Street by Mike Edmunds
Staff: John Kelley introduces the applicant's proposal to vacate the westerly five feet of an existing utility easement retained by the city of Duluth. Utility easement currently contains city sanitary and storm sewer. The city will retain the remaining utility easement, which contains sewer lines. The applicant is requesting the vacation to increase buildable width of the property to remove an existing home and construct a new single-family residence. Staff recommends approval with the standard condition listed in the staff report.

Applicant: Dough Zahn addresses the commission. The intent is to have a little wider area of frontage.

Public: Jack Seiler, neighbor to property, speaks up from the middle of the council chambers. How far is the setback from the lake walk or the shore? He owns the end condo at Beacon Point and is concerned it will block his view. Will it be even with their building? Zahn notes the setback from lake is 50'. He hopes they honor the same setback lines as the condo has now. Zahn doesn't have a final design yet, but states it will meet the setback requirements. Once the vacation is approved they will begin working on the design. Director Keith Hamre states it will be set back further from Beacon Point because of the access easement.

Commissioners: N/A

MOTION/Second: Guggenbuehl/Zwiebel recommend approval as per staff's recommendations.

VOTE: (5-0)

- C. PL 17-184 Concurrent Use Permit for Public Parking in Public Right of Way of 31st Street South Near Lafayette Park

Staff: Director Hamre suggests the commissioners table this item due to neighbors asking to meet with city staff to discuss public parking and how their own parking will be addressed.

Applicant: N/A

Public: N/A

Commissioners: N/A

MOTION/Second: Guggenbuehl/Nelson Tabled until next month.

VOTE: (5-0)

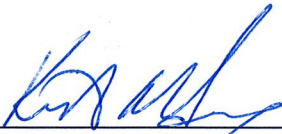
5. Communications

- A. Discussion on Imagine Duluth 2035. Director Hamre states there will be seven public hearings in January. The January planning commission meeting will begin at 4:30 p.m. with a presentation. Staff will invite focus groups and vision committee members to attend. Staff is asking feedback on how to prioritize the strategies. The second phase will ask for recommendation of approval of the final document from the commissioners at their February planning commission meeting. Then the final plan can be forwarded to the city council for adoption. A schedule will be provided to the planning commissioners when they are finalized.
- B. Manager's Report – Director Hamre shares the use table for filling stations. Also, code language for fences. Chair Schraepfer asks about the impetus for the change from seven foot to four foot. Director Hamre states they want to make sure fences are constructed properly to ensure they are going to last. Guggenbuehl asks about fence height. Can there be a length allowance? Director Hamre stated staff has received a lot of calls on fences. A consistent message will alleviate problems in the future. Zwiebel mentions the clause about not using recycled materials. She feels some designs are attractive. Director Hamre then changes discussion to vacation dwelling units and refers to the handout. They currently have 60 allowable interim use permits for vacation dwellings. Rather than doubling the allowable amount, market analysis aids staff in recommending a cap increase of 10% for the next five years. This item will be discussed at the next planning commission meeting. Director Hamre notes meeting efficiency and bylaw changes. If there is no opposition maybe approve all agenda items at one time?
- C. Reports of Officers and Committees --Heritage Preservation Commission Representative, Terry Guggenbuehl gives an overview. The HPC agreed to designate the Leif Erickson park stage as a local landmark.
MOTION/Second: Zwiebel/Moffat recommend designation of the Leif Erikson park stage for local landmark status.

VOTE: (5-0)

- D. Meeting adjourned at 6:17 p.m.

Respectfully,



Keith Hamre - Director
Community Planning and Construction Services