

City of Duluth Planning Commission

March 9, 2021
Meeting Minutes

Due to the COVID-19 emergency, many planning commission members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency. Public comment was taken at planning@duluthmn.gov prior to and during the meeting, and via verbal comment through public attendance in the WebEx video conference during the meeting.

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, March 9th, 2021.

Roll Call

Attendance: (* Via WebEx video conferencing – all votes conducted via roll call)

Members Present: Jason Crawford*, Gary Eckenberg*, Tim Meyer*, Margie Nelson*, Eddie Ratnam*, Michael Schaefer*, Andrea Wedul, Sarah Wisdorf*, and Zandra Zwiebel*

Members Absent: N/A

Staff Present: Adam Fulton*, Robert Asleson*, Steven Robertson*, Jenn Moses*, John Kelley*, and Cindy Stafford*

Public Comment on Items Not on Agenda - City Councilor Zack Filipovich thanked the planning commissioners and staff for their input and continued help regarding vacation rental issues. He welcomes pc commissioners to reach out to the city councilors if they have more input.

Approval of Planning Commission Minutes - Gary Eckenberg appreciated the clarification to the minutes regarding the mention of vacation rental complaints that it was 1 party with complaints of 45 violations throughout the city. Eckenberg asked about the status of the Cody Street issuance of a ticket. Per Deputy Director Adam Fulton, planner Chris Lee delivered the administrative ticket himself without police escort. A second citation will be issued if the violations are not corrected.

Planning Commission Meeting – February 9, 2021

MOTION/Second: Eckenberg/Crawford approved

VOTE: (9-0)

Presentations

Imagine Duluth 2035 Annual Report – Jenn Reed Moses gave an overview. This is the second report given since adoption in 2016. This version provides a quicker summary and is more graphical in nature. This report combines years 2019 and 2020. Topics included: energy and

conservation, Housing, Open Space, Transportation and Transformative Opportunities. Moses welcomed questions. Zandra Zwiebel asked about the Open Space segment as it applied to the Duluth Natural Areas Program (DNAP) and Hartley. Deputy Director Fulton noted the process is ongoing and they need to finalize their work plan for the upcoming year. If the planning commission approves the Imagine Duluth 2035 Annual Report, it will be submitted to the city council.

MOTION/Second: Zwiebel/Wisdorf report accepted as presented

VOTE: (9-0)

Highway 61 Revisited – Jordan Van der Hagen, lead for the Highway 61 Revisited initiative, gave an overview. They envision a unified downtown. Why are there so many traffic lanes? He noted the area's demographics: 32% of residents in the area do not own a vehicle. The infrastructure doesn't serve the people living in the area. They are proposing new traffic patterns, decreasing the speed limit, creating 20 acres of reclaimed land by displacing lanes of traffic, and creating green space. They would like to see more connections between downtown and Canal Park. The city has a real opportunity here. He thanked the commissioners and welcomed questions. Eckenberg asked what other groups has Van der Hagen talked to. He noted MIC, GDC, the Canal Park Business District and MN/Dot. Zwiebel noted the current system ended up being a freeway because of funding. Andrea Wedul asked what the economic drivers are. Van der Hagen noted, housing needs, diversify ownership, and economic activity downtown. They want to urbanize and create more infrastructure to protect the long-term effect on the lake. It is asphalt now, they hope to create high-quality green spaces and stormwater plans. Wedul noted the snow removal component in regards to MN/Dot. Roundabouts are noted and they can be built to handle RV traffic. Wedul thanked Van der Hagen for his presentation.

Consent Agenda

PL 21-009 Vacation of Utility Easement at 939 Idaho Street by Lutheran Social Services of Minnesota

PL 21-011 Minor Subdivision at 231 E Arrowhead Road by Amnicon LLC

PL 21-014 Minor Subdivision at 54xx Tioga Street by Jay Isenberg

PL 21-015 Vacation of One Foot of a Utility Easement at 2102 W Superior Street for a Building Foundation by Duluth Lincoln Park1, LLC

Staff: Deputy Director Fulton noted there is an additional condition for item PL21-009, as an easement is needed for sanitary sewer access, and will be added to the applicant's action letter. Wedul asked where it was on the map. John Kelley referred to the east/west dashed line and the area around the grinder pump which will need to be vacated.

Public: PL21-009 – Dean Minardi, present as a representative for Lutheran Social Services welcomed questions. There were none.

MOTION/Second: Zwiebel/Wedul approved as per staff recommendations

VOTE: (9-0)

Public Hearings

PL 21-008 Environmental Assessment Worksheet for the 319-333 East Superior Street Redevelopment

Staff: Steven Robertson introduced the project, which involves the demo of three building in downtown Duluth. The EAW is not meant to approve or disapprove a project. They are currently in the middle of a 30-day comment period. He welcomed comments.

Applicant: N/A

Public: No speakers.

Commissioners: Tim Meyer noted it is not practical to integrate old structures into a new building. He would like to see the facades replicated in the new building. Could the current facades be integrated? Deputy Director Fulton noted the façades have been discussed with the developer. They would like to retain elements of the façade for historic interpretation, perhaps on the building's interior. Meyer feels this gesture would be appreciated by the community. Sarah Wisdorf shared they had an HPC meeting yesterday. They briefly went over mitigation strategies. They are amenable to interpretive signage and maintaining the elements that they could.

MOTION/Second: N/A (Item open for public comment – action to determine whether an EIS is necessary will be held during a special meeting on March 30, 2021)

PL 21-004 Proposed UDC Text Changes Related to Self-Storage Facilities, Sober Houses, Use Table, and Signage Including Signage at Bus Shelters

Staff: Deputy Director Fulton noted this item was held over from last month. Steven Robertson gave an overview. The amendments are noted in red in the staff report. The language used for residential care facilities parrots Minnesota State Statute. Sober house language remains the same, except item 3 states there is a minimum distance of 350 feet from existing sober homes, and there is no treatment provided on site. Robertson welcomed comments, questions, and would appreciate an action tonight. Wedul asked about the reasoning not to include sober homes in a rural setting application. Robertson noted residents may not have a vehicle, and it needs to be on a transit route. Wedul referred to MU-C/MU-N/MU-B – access points on sides or rear of mini-storage. Would it be excluded if they had a front entry? Robertson noted pedestrian access is okay, but does not include loading docks. This mimics the other language. Eddie Ratnam noted DTA bus shelter signage. Robertson stated up until now, you couldn't have commercial messaging in the public right of way. Ratnam asked about storage facilities language. Does it specify the type of materials that can be kept inside? Robertson stated they don't call our materials inside the building. The fire department may, but it is not addressed in the zoning code.

Applicant: N/A

Public: Kellin Sybrant of U-Haul addressed the commission. They have a storage facility north of the mall. They would like to provide climate controlled areas for the customers. He thanked the commissioners for their time and consideration.

MOTION/Second: Wedul/Zwiebel recommended approval as per staff recommendations

VOTE: (9-0)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. He took a picture of the serving commissioners using the web-ex camera. This is commissioner Meyer's last meeting. Deputy Director Fulton thanked Meyer for his service and will forward him a

certificate of appreciation for his eight year commitment. Meyer thanked the commissioners and staff. He feels public service is important and likes to give back to the community. The commissioners individually thank Meyer and wish him well. Deputy Director Fulton noted there will be a special meeting on 3/30/2021 at 5:00 p.m. to consider the EAW for 319-333 E Superior Street. This is related to project schedule, to allow for timely HPC review of the historic demolition permit. He noted city hall is closed through the end of April. Staff continues to work on the vacation dwelling units program. The city council had a lot of ideas and he thanked Councilor Filipovich for his efforts. Deputy Director Fulton stated they now have a stronger sense of what the right answers may look like. The process is ongoing. He noted the MN Power Duluth Loop Project. He will email the commissioners more information. It is for the new transmission infrastructure. He asked for tax forfeit subcommittee volunteers. They will meet at 4:30 in advance of April's planning commission meeting. (Schraepfer, Wisdorf, Wedul, Eckenberg and Ratnam volunteered.) Deputy Director Fulton noted Core Investment Planning and will focus on Spirit Valley. He gave an update on the Central High School site. The school may apply for rezoning at the May planning commission meeting. There are 90 acres in the heart of the city, which has been vacant for ten years. Robertson noted they are accepting RFP's for design standards for a portion of downtown. The grant was approved last summer. It will be a guidebook to help fit into the character of the neighborhood.

Heritage Preservation Commission – Commissioner Wisdorf gave an overview. They met yesterday and approved the certificate of appropriateness for the old central building redevelopment.


Joint Airport Zoning Board – Commissioner Eckenberg is the new representative. Duluth is working on their own master plan. City attorney Steve Hanke is also involved.

Duluth Midway Joint Powers Zoning Board – No report.

Adjournment

Meeting adjourned at 7:03 p.m.

Respectfully,

DocuSigned by:

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Adam Fulton – Deputy Director
Planning and Economic Development