

City of Duluth
Planning Commission
June 9, 2015 Meeting Minutes
Council Chambers - Duluth City Hall

I. Call to Order

President Zandra Zwiebel called to order the meeting of the City Planning Commission at 5:00 p.m. on Tuesday, June 9, 2015, in City Hall Council Chambers.

Roll Call

Attending: Marc Beeman, Terry Guggenbuehl, Janet Kennedy, Tim Meyer , Garner Moffat, Mike Schraepfer, Luke Sydow and Zandra Zwiebel

Absent: N/A

Staff Present: Nate LaCoursiere, Steven Robertson, John Kelley, Jenn Moses, Kyle Deming and Cindy Stafford

II. Unfinished Business

- A. PL 15-064 UDC Map Amendment to Rezone from Residential-Rural 1 (RR-1) to Mixed Use-Business (MU-B) at the 4600 Block of Rice Lake Road by JLH Properties of Duluth LLC (Tabled from May 12, 2015, Planning Commission Meeting)

Staff: Kyle Deming referred the commissioners to photocopies of an email received the morning of the meeting from Ken Zwak, a neighbor of the proposed rezoning. Deming summarized the memo mailed to commissioners which states the Comprehensive Plan recommended General Mixed-Use to allow for a flexible design solution and master planning to meet the challenges of this site, including the lack of utilities (which are now nearby), the need to protect the airport from incompatible land uses, and the need to protect the site's forest and wetland resources, while taking advantage of the site's location on an arterial roadway near the airport and the need for future light industrial and business park sites to meet economic development needs.

Applicant: Present but did not speak.

Public: N/A

Commissioners: N/A

MOTION/Second: Guggenbuehl/Moffat recommend approval as per staff's recommendations in the staff report.

VOTE: (8-0)

- B. PL 15-063 Interim Use Permit for a Vacation Dwelling Unit at 127 Chester Parkway by Beth Grobe Magomolla and Grobe Family Supplemental Needs Trust (Tabled from May 12, 2015, planning commission meeting)

Staff: Steven Robertson introduces the applicant's request which now includes additional information on off-street parking capacity. The required off-street parking space must be located fully outside the 7.5 foot utility easement which is adjacent to the 10 foot platted alley. Staff recommends approval. Janet Kennedy asks if the current garage can be used for parking. Per Robertson, the garage is in disrepair and can't be used for parking in its present state.

Applicant: Beth Magomolla addresses the commission. The parking space is outside of the easement, but the garage is not. She agrees to no camper/RV parking.

Public: N/A (public comment period was at May 12, 2015 planning commission).

Commissioners: Luke Sydow is concerned about this site due to erosion and the restoration work below the site. He feels there will be too much stress in and out of the

allotted parking spot. Garner Moffat suggests shortening the term as an option. Robertson notes six years is standard length of an interim use permit. Kennedy feels one year would be too short for what the applicant had to go through, but would agree to shortening the term. Moffat is uncomfortable approving the term for six years.

MOTION/Second: Meyer/Beeman recommend approval as per staff's recommendations. A friendly amendment was accepted to change the duration of the interim use permit to two years.

VOTE: (6-2, Sydow & Moffat opposed)

III. Public Hearings

- A. PL 15-082 UDC Map Amendment to Rezone to Park and Open Space (P-1) the Following Parks: Old Main, Congdon, Morley Heights, Waverly, and Longview Tennis Courts

Staff: John Kelley introduces the city's proposal to rezone park property from the current zoning districts of Residential- Traditional (R-1) to Park and Open Space (P-1). Staff recommends approval based on the reasons listed in the staff report. Tim Meyer asked what spurred the change. Per Kelley states it adheres and creates unity to the comprehensive plan.

Applicant: N/A

Public: Mitch Wolfe - 2324 E. 5th Street - addresses the commission. He notes the rezoning will add extra protections. Old Main Park is part of the historic resources overlay and is part of a historic district as per the city's heritage preservation commission. He clarified the rezoning would not change the historic designation. Chair Zwiebel asks staff to reiterate. Per Kelley, the rezoning does not change the historic designation. Moffat states it will not change the historic overlay. Per Robertson P-1 zoning has fewer allowances than R-1 zoning and the rezoning will not change the heritage preservation commission's authority to grant certificates of appropriateness. Sherry Boyce - 2115 Lakeview Drive - lives near Waverly Drive and Congdon Park. She is in favor and asks if changes are made, will the neighbors be informed? Kelly states there is a parks master plan which involves a long range plan. She is concerned about Waverly Park and appreciates the current buffering from traffic.

Commissioners: N/A

MOTION/Second: Sydow/Schraepfer recommend approval as per staff's recommendations.

VOTE: (8-0)

- B. PL 15-050 Special Use Permit to Construct an Eight Unit Townhome in an R-1 District at the Southeast Corner of Mississippi Avenue and Lyons Street by Green Capital LLC (Tabled from May 12, 2015, Planning Commission Meeting, Public Hearing Continued)

Staff: Steven Robertson introduces the applicant's request which includes slightly revised site plans. The changes include a small screening fence on top of the retaining wall, interior sidewalks leading up to Mississippi Avenue, and a 3 cubic-yard dumpster with enclosure. Staff recommends approval with the conditions listed in the staff report, and lists the optional condition 6, which adds additional parking. Terry Guggenbuehl asks staff about the vacated right of way for Lyons Street. Was there a public easement retained? He notes an interest in pedestrians walking to campus. Per Robertson it was vacated in 1983 and to his knowledge there was not an easement retained for pedestrians. Chair Zwiebel asks about snow removal. Robertson states when the road is unimproved they haven't normally asked for upgrades. It may be a reasonable condition to ask the applicant to improve, but it could be a significant cost and adding curbs and gutters without knowing what is underneath could create more of a problem.

Applicant: Jason Ross of Green Capital, LLC, addresses the commission. They are proposing to add a curb and gutter on the south side of Lyons Street to access a storm water catch basin system.

Public: Bruce Wyman – 32 W. 8th St. - opposes the development. He feels it will change the neighborhood and will make it less pleasant for the adjoining property owners. Dave Anderson - 1055 Brainerd Ave. - opposes the development. Joel Sipress – 2023 E. 4th St. - technical aspects of the project set the minimum bar. Discretion is needed to determine if it's a random development. He feels the density is too high and the development will not look like distinct family homes. He is opposed. Al Makynen – 1233 Mississippi Ave. – emphasizes guidelines 15 units per acre and is inconsistent. He doesn't feel the development is reasonable and asks commissioners to deny. Jim Starr – 1145 Mississippi Ave. – inappropriate use for this development and asks commissioners to deny. He requests those in attendance who are opposed to stand. (Large group stands.) Frank Wanner – 1135 Mississippi Ave – thanks for the commissioners time and opposes development. Judith McKeever - 1202 Missouri Ave. – winter driving is a concern and she is opposed. Kathleen Anderson – 1055 Brainerd Ave. – her home is next to the proposed driveway. Driving in the area is treacherous and she is opposed. Ruth Frederick - 1030 Missouri Ave. – opposes project. Thomas Hoff – 1007 Brainerd Ave. – opposes development. Robert Williams – 615 W. College St. – opposes the development. Putting additional burden of those crossing the street is an accident waiting to happen. Susan Jarosz – 1413 Mississippi Ave. – opposes the project. James Jarosz – 1413 Mississippi Ave. – opposes the project and feels other rental units are available. Helen Gildseth – 206 Lyons St. – notes the tipping point of rentals. She opposes the project. Chair Zwiebel states the cumulative allotted time to speak is almost over. Kevin Hoene - 1110 Mississippi Ave. - notes during winter the USPS mail truck has been stuck many times. Extra mail would need to be delivered. He is opposed.

Commissioners: Guggenbuehl asks staff if this parcel was developed as single family homes. Robertson states 5 lots or 4 duplexes. He notes fewer curb cuts are favorable. Meyer personally feels it an inappropriate development for the neighborhood due to safety concerns, size of development and increased traffic. He notes the development is in conflict with the neighborhood. He feels the compatibility of architecture with the other structures in the neighborhood is inappropriate. He notes snow removal challenges, run-off, drainage and increased density. He thinks it should be denied. Guggenbuehl is in favor of the proposal. He feels the number of single-family homes and duplexes is roughly equal to the number of units in the apartment complex. The apartment building reduces pressure to convert existing homes into rentals. The Higher Ed Small Area Plan recommends student housing be within walking distance of campuses. The Comprehensive Plan recommends diversity of land uses in neighborhoods. He notes the development will be taking away a vacant parcel of land and adding extra value to the city and will generate tax revenue. H commends the developer for addressing neighbors' concerns. He feels the project will be a positive impact on neighborhood. Moffat notes there is a huge shortage of housing in Duluth. There is a growing use towards mixed use neighborhood. He doesn't feel renters are bad transient neighbors. Infill development is important. Developing has been a challenge for the city. It's expensive to build here. Building challenges include wetlands and rock blasting. He walked the site and is concerned about utilities, storm water drainage, and side street grading. He is also concerned about pedestrian access. He is disappointed with the building design and would appreciate different elevations. Sydow refers to the site design. He doesn't see a good connection to the neighborhood. He doesn't think a ten foot wide driveway entrance is adequate. He is concerned about the

retaining wall height and aesthetics. He's not an architect, but feels the long facade doesn't fit in with the surrounding neighborhood. In regards to landscaping, he notes the survivability of bur oak trees. There aren't many bur oaks in the area and putting an excessively large tree in a 9 x 5 foot area may be a challenge. Chair Zwiebel notes there can be different interpretations on UDC. She notes there is a tight market and dislikes the negative student stigma. She is torn and feels the developer has come a long way from a year ago. Robertson notes asking the applicant for a larger driveway could be a condition and they could widen the 10 foot access. Sydow would like a pedestrian connection to the front doors. Ross states there are no sidewalks on Mississippi Avenue. Sydow doesn't feel the site's proposed sidewalks are adequate. The applicant states they are trying to meet the requirements of the commission and are accumulating costs. They would like a definitive answer so they can determine if they should continue to allocate monies to the project. They are proposing five entries onto one sidewalk which would then enter onto Mississippi Avenue. Sydow asks about snow removal and mesh screen material. Is this a fancy word for chain link? The project engineer, Dave Chmielecki, addresses the commission and states it will be a wood or synthetic wood fence. He notes although bur oaks are not native to this area, they have used them before and they work well. Chair Zwiebel appreciates the storm water discharge rate is being reduced by 75%. Chmielecki states they will be going from green space to paved surface and will have to store a lot of storm water on site. They plan on doing this properly which will actually help with the downstream effects that the neighbors are experiencing now. He notes the fine line of density concerns and feels the developer has made huge concessions in order to appease the neighbors. If individual homes were developed, storm water runoff would be even worse. Kennedy asks the applicant what their alternative plan is. Ross states a downscaled development. If this project doesn't go through, he would parcel it off and allow homeowners to purchase, which would create worse storm water concerns. They believe they have met the criteria for city standards, and hope the commissioners will take that into consideration. Mike Schraepfer states it's good to infill, but thinks this neighborhood is distinctly different and isn't dense with rentals. He thinks this project might be a little too much. Meyer states technically they can address if the project adheres to the UDC criteria, but there is a room full of opposing neighbors, and he questions why their views aren't being considered.; Chair Zwiebel states this isn't the first time they've been tasked with a similar situation where the neighbors are in opposition, they have been asked to make a decision based on the criteria set before them, and the commissioners are asking for additional conditions. She feels they are completing their role as commissioners, and notes there is an area for appeal, which is the city council.

MOTION/Second: Guggenbuehl/Moffat approved as per staff's recommendations with the added conditions 7) driveway width is increased to 16'; 8) sidewalks in front connecting each unit to long sidewalk; 9) fence constructed of wood or synthetic wood material; 10) revised architectural designs by applicant for facade to fit in better with the neighborhood to be reviewed by staff; 11) screening of retaining wall height in back;

VOTE: (4-4, Beeman, Sydow, Meyer and Schraepfer opposed) – TIE

Nate LaCoursiere states the commissioners are tasked to either approve or deny the application brought forward in regards to the UDC and zoning code. Meyer asks commissioners Kennedy and Beeman where they stand on the issue. Kennedy states housing is needed in Duluth, but she is aware of the concerns the neighbors have. She is not swayed by the future tenants being students and feels there are good students

and good people. She feels everyone deserves a good place to live. She feels the developer has been responsive to the neighbors' concerns. Marc Beeman feels if the developer can make it look like it belongs in the neighborhood, then he would be for it. But he also notes the concerns of the surrounding neighbors and the conditions of getting to campus in the winter. The existing road condition in winter is poor and adding more traffic will make it worse. Chair Zwiebel thinks not all tenants will be students and notes the increased need for retiree housing. Guggenbuehl notes winter driving conditions are poor even if there were single family homes there. He thinks the neighbors' have an issue with it being rental property. Sydow asks the applicant if it's a possibility to separate the buildings. Ross states, no, it would be a whole new project. The applicant is willing to change the facade, and notes architect Greg Strom is capable of making it work. Chair Zwiebel states currently they're at a split vote. If no decision is made within the allotted time frame, the application will be approved. Robertson states if the item is tabled, there would still be enough time to make a decision at their July meeting. Joel Sipress requests if he can ask a procedural question. Chair Zwiebel states the public comment period is closed, but suspends rules for his question. Sipress asks legal counsel if a deadlock remains and 120 day time limit expires, and by default it is approved, would the opposition lose their right to appeal? LaCoursiere states yes. Sipress urges commissioners (whatever their decision may be) to make sure the community has a right to appeal.

MOTION/Second: Moffat/Guggenbuehl approved as per staff's recommendations with the added conditions 7) driveway width is increased to 16'; 8) sidewalks in front connecting each unit to long sidewalk; 9) fence constructed of wood or synthetic wood material; 10) revised architectural designs by applicant for facade to fit in better with neighborhood to be reviewed by staff; 11) screening of retaining wall in back;

VOTE: (5-3, Beeman, Sydow, and Meyer opposed)

- C. PL 15-076 Concurrent Use Permit for Private Underground Utilities in the Public Right of Way at Fifth Avenue East between Second Street and Fourth Street by Essentia Health

Staff: Jenn Moses introduces the applicant's proposal to use the right of way of 5th Avenue East and East 4th Street for private underground utilities to provide emergency power generation and communications wiring for the Essentia campus. Staff recommends approval with the conditions listed in the staff report.

Applicant: Evan Elgo of LHB addresses the commission and asks if there are any questions.

Public: N/A

Commissioners: Sydow asks staff if this will result in a paved road? Elgo yes, paving on road will be redone.

MOTION/Second: Sydow/Beeman recommend approval as per staff's recommendations.

VOTE: (8-0)

- D. PL 15-083 Vacate Unimproved Street Right of Way of Vermilion Road at 4906 Vermilion Road by John Gibson

Staff: Steven Robertson introduces the applicant's proposal to vacate a portion (approximately 475 feet) of the street right of way for improved Vermilion Road. According to the applicant, "this piece of Vermilion Road was a curve that was not needed when road was straightened out to continue down the hill to Martin Road over

50 years ago". If the partial vacation is approved, Vermilion Road (originally platted as Market Avenue) would still have a right of way width of 66 feet. Staff recommends approval without conditions.

Applicant: John Gibson addresses the commission. He has been maintaining the property all along and prefers to work for himself. He asks if there are any questions. Zwiebel notes the possibility of increased taxed. Gibson is aware as he's lived in Duluth a long time.

Public: N/A

Commissioners: N/A

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

VOTE: (8-0)

- E. PL 15-079 Vacate Unimproved Street Right of Way (Alley) at the Southwest Corner of Arrowhead Road and Kenwood Avenue, by Kenwood Village LLC

Staff: Jenn Moses introduces the applicant's request to vacate alleys in the area of the proposed Kenwood Village development at the southwest corner of Arrowhead Road and Kenwood Avenue (Block 1, 2, and 11, Myers and Whipples Addition to Duluth). A utility easement will be retained to provide Minnesota Power access to existing lines adjacent to existing single-family homes. Staff recommends approval with the condition listed in the staff report.

Applicant: Rick McKelvey of United Properties addresses the commission. They met with the neighborhood in April and received generally positive feedback. They also are working with MN Power to provide them with another utility easement that isn't listed here, which runs north to Arrowhead Road and south to Cleveland Street. Meyer asks the applicant what is the ultimate use of the property. McKelvey states it's for a Mixed Use -commercial and residential development which is coming up next on the agenda. It will consist of approximately 13,000 square feet of retail space and 83 apartments with covered parking below. Moses states the applicant owns property on the eastern side of the vacation. The western portion would remain adjacent to properties currently being used as single-family homes.

Public: N/A

Commissioners: N/A

MOTION/Second: Moffat/Sydow recommend approval as per staff's recommendations.

VOTE: (8-0)

- F. PL 15-081 MU-N Planning Review for Mixed Use Commercial and Residential Development at the Southwest Corner of Arrowhead Road and Kenwood Avenue for Kenwood Village LLC

Staff: Jenn Moses introduces the applicant's proposal for a mixed-use development containing 83 residential units and 14,000 square feet of commercial space. The revised plan includes parking for bikes to encourage biking. All street frontage, parking lot and buffer landscaping requirements have been met. The building design standards have been met, lighting standards have been met. Staff recommends approval with the conditions listed in the staff report with the removal of item #2, which has already been met. There was a memo handed out to commissioners prior to the meeting relating to a traffic impact study that was conducted by the applicant. The city is requesting two addendums related to the right turn lane on east bound Arrowhead Road. The applicant has agreed to dedicate ten feet of property on the eastern side to allow for future

addition of a left turn lane. They have agreed to half the cost of traffic signal at Cleveland and Kenwood, or other intersection improvements. Other recommendations included adding zebra striped crosswalks, as well as relocating yield signs to be placed in front of the cross walk.

Applicant: Rick McKelvey addresses the commission. The site plan has been revised many times and has grown into an exciting project they are proud of and hopes the community is excited about it, too. For technical questions he introduces: Steve Manheart (traffic engineer from Westwood Engineering), Heidi Bringman and Nathan Bruno (LHB Architects and Engineers), Debra Gotlin and Chris Kerwin (Nationwide Housing). Nationwide is their project partner and will be handling the building management. Also introduced is Keith Alstead of United Properties. McKelvey states potential traffic improvements can be even better than what it currently is. Green space comments from the public were addressed and more of a western edge buffer has been included. Quality of management is top notch. Debra Gotlin of Nationwide Housing Corp. addresses the commission. They were founded in 1972 and are licensed realtors and managers. There will be a satellite regional office in Duluth. They professionally manage all their properties and promote a crime free establishment. Their main office is located in New Hope, MN.

Public: Joel Sipress – 2023 E. 4th St. – attended the neighborhood meeting and one of main concerns was traffic. He appreciates traffic conversations between the city, the developer and the residents. Barb Breimon – 28 W. Cleveland St. – they live on a heated slab and are concerned about ground shaking during construction. She would like a buffer between her windows and car lights. Dan Thompson – 1520 Kenwood Ave. - owns land leased to Holiday Station. He isn't opposed, but is concerned with traffic. He has a meeting set up later this week with the city. He is concerned with intersection changes. He is distressed the traffic study was done by the developers with no communication to other business owners in regards to traffic patterns. Nolan Chenevert – 20 W. Cleveland St. – lives across from project. He is concerned with traffic and the narrowness of the road. He is also concerned about the future marketability of his home. He would appreciate a safety buffer and notes he has a toddler. Rich Maclin – 48 W. Cleveland St. – doesn't feel there will be an increase in the housing market and notes the decline in iron mining and the Bakken oil slowdown. Duluth has a high vacancy rate. He feels the proposed project is pursuing a need that isn't there. He doesn't see professionals or families moving in, and thinks it will be student housing. Jessica Chenevert – 20 W. Cleveland St. – it was a challenge buying their first home. They finally found a dead-end quiet street. She feels the proposed parking situation would devastate her family.

Commissioners: Chair Zwiebel asks about blasting. Moses states procedures are followed, but now they are not considering blasting. The height variance (next on the agenda) will eliminate the need to blast bedrock. Chair Zwiebel asks about lights and buffering on to Cleveland Street. McKelvey states their plan increased buffering with significant landscaping. Chair Zwiebel asks about the traffic study and neighboring business input. Moses refers to the traffic impact analysis. They are predicting peak hour traffic will function at same level of service. They looked at adding a left turn lane and traffic signal timing. They also looked at pedestrian safety issues. The developer is willing to contribute funds. More funding sources can be allocated once there is an approved project. Meyer asks if the agenda items can be combined. Chair Zwiebel prefers to handle them separately. Moffat notes site traffic will enter from the top of Arrowhead Road and exit the property on to a residential street (Cleveland). Steve Manheart, traffic engineer notes they worked with city engineers and the developer.

They worked with equations and traffic models. The project will not increase the burdens at either intersection. Model showed the traffic was able to exit and enter via Cleveland. In the macro sense of the project there will be generally low volume traffic. Moffat asks about the project's commercial space. Will the services be neighborhood services or destination businesses which will attract outsiders? The applicant states the retail space will include local services (i.e. coffee shop, bank and phone store) which are day-to-day uses that everyone can enjoy. Moffat appreciates the discussion on bikes. He asks about bus routes. Will there be a heated bus stop? The applicant states they are open to the idea. Moses states code allows in an MU-N district a restaurant up to 5,000 square feet and will require a special use permit. Sydow asks the applicant about the access from West Arrowhead Road and notes the narrow sidewalk. The pedestrian spaces (i.e. outdoor seating) are minimal, and he encourages more allotted space. Kennedy asks the applicant to describe the demographics of their future tenants. Applicant rep states the property is designed as a multi-family dwelling. Anyone who meets their selection criteria would be welcomed to live there. It is not affordable housing. The rental rates are not defined yet, but will be the market rate as based on comparable housing. They aren't targeting a certain group and want to appeal to the masses for 100% occupancy. Moffat asks how many parking spaces are in the lower level. The applicant rep states there are 129 total spaces below. 65 spaces are in open air underground and the remaining spaces are in a closed garage underneath the building. This information is shown on the site plan's parking count calculation. She notes the four-story building will create a shaded patio area. Sydow asks about the parking lot side and internal space. There will be a community room and possible outdoor patio areas. Driving lanes are discussed. The drive through hours will be busiest in the morning opposite of what the retail traffic may be. Sydow asks the developer about off-site amenities for neighbors. The developer is open to discussion. Kennedy notes traffic can be pedestrian and not just vehicles. Chair Zwiebel thinks the development may slow down vehicular traffic. Guggenbuehl notes the traffic for the Kenwood Plaza shopping area and new development could create improvements. Meyer asks about the intersection changes. Moses states nothing is proposed at time. Once funding is available improvements include installing ADA ramps, zebra crosswalks and most importantly creating a left turn lane on Kenwood. Guggenbuehl entertains adding the condition to formalize screening on Cleveland. Moses states this would be going on someone else's property. LaCoursiere states they can't create a condition for something to be placed on someone else's property. The applicant is willing to work with the property owners to develop adequate screening. Sydow asks about pedestrian traffic to Arrowhead Patio area. The private retail patio can be accessed by residents from a breezeway.

MOTION/Second: Moffat/Guggenbuehl approved as per staff's recommendations with the removal of item 2 and added conditions to work with the city to investigate pedestrian access points at Kenwood and Arrowhead; and the applicant work with the DTA to investigate the feasibility of a heated bus stop shelter on Kenwood with funding coming from the applicant.

VOTE: (8-0)

- G. PL 15-078 Variance to Exceed the Maximum Height Allowed in MU-N Zone District by 15 Feet at the Southwest Corner of Arrowhead Road and Kenwood Avenue by Kenwood Village LLC

Staff: Jenn Moses introduces the applicant's proposal for a height variance to allow a maximum height of 50 feet instead of the allowed maximum of 35 feet. Due to unique

conditions of the property including bedrock, practical difficulty has been determined. Staff recommends approval with the conditions listed in the staff report. Sydow asks what is determined as the front yard. In regards to building height, the principle front of building is not the same as the front of the lot.

Applicant: Rick McKelvey notes the shadow study shows minimal impact. Kennedy asks about icing of the roads in the shade. Applicant notes these are arterial roads which will already be well-maintained.

Public: N/A

Commissioners: Sydow notes the long linear elevation. He would like to see an elevation change.

MOTION/Second: Guggenbuehl/Beeman approved as per staff's recommendations with hardship being bedrock and avoiding blasting.

VOTE: (7-1, Sydow opposed)

- H. PL 15-080 Special Use Permit for Veterinary and Animal Clinic in an RR-1 Zone at 4009 West Arrowhead Road, by Farzad Farr

Staff: Jenn Moses introduces the applicant's request for a special use permit to use the property as a "veterinary and animal hospital". Wildwoods is a short-term case facility that does not house animals permanently on-site. The applicant is proposing to use the existing house as well as two new 24' x 60' buildings that would be used to provide care for orphaned and injured wildlife. Staff recommends approval with the conditions listed in the staff report. Sydow asks why front yard parking is allowed in this zone. Moses states correct, it will need to be changed. Sydow would like to see complete landscaping plans.

Applicant: Sarah Glesner is the animal supervisor. She asks if the commissioners have any questions. Farzad Farr is the executive director. They will work the staff to find the additional placement for the four spaces of parking not allowed in front. Kennedy asks about operational procedures. How do they receive the animals? Could the animals become a nuisance to the neighbors? Glesner states they receive animals which are brought to them from the public and animal control. There are no animal releases on site. Meyer asks about medium sized animals. Can they be aggressive? Applicant states very rarely they may receive a bobcat, but it's usually compromised and brought to facility in a secured holding area. There is no animal housing longer than approximately 48 hours.

Public: N/A

Commissioners: N/A

MOTION/Second: Sydow/Moffat approved as per staff's recommendations and meet RR-1 setbacks.

VOTE: (7-0, Guggenbuehl recused himself)

- I. PL 15-086 Final Plat for Grand Avenue Estates

Staff: Steven Robertson introduces the applicant's proposal for a final plat to subdivide the property to prepare for residential development on this site. Staff recommends approval with the conditions listed in the staff report. Condition #1 modified to state the applicant must provide proof of conservation. The city will not issue certificates of occupancy until conservation easement proof is provided.

Applicant: Dan Hinzmann of SEH (representing the owner) addresses the commission and asks for questions.

Public: N/A

Commissioners: N/A

MOTION/Second: Guggenbuehl/Meyer approved as per staff's revised recommendations.

VOTE: (8-0)

IV. Other Business

- A. Information on Environmental Assessment Worksheet for Chambers' Grove Aquatic Habitat Enhancement project (Public Comment Period from May 25, 2015 to June 24, 2015) – Included in packet for Commissioner's review.
- B. Information on Final Environmental Assessment and Finding of No Significant Impact for Duluth-Sky Harbor Airport Runway 32 Obstruction Removal project (30 day comment period starting May 29, 2015) – Moffat questions financial information. He doesn't feel he has all of the information.

V. Communications

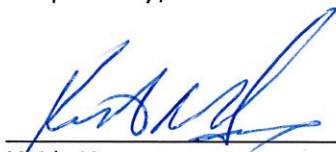
- A. Manager's Report – Froseth Retired. New position will be posted. Moses notes the Superior Street meeting.
- B. Future Brown Bag Meetings
 - Wed, June 17 (3rd Wed), Skyline Overlay District
 - Wed, July 22 (4th Wed), Discussion about Development in Form Districts
- C. Consideration of Minutes – May 12, 2015

MOTION/Second: Meyer/Beeman approve the minutes with two changes.

VOTE: (8-0)

- D. Reports of Officers and Committees
 - Heritage Preservation Commission Representative – Guggenbuehl gives an update.
- E. Meeting adjourned at 9:27 p.m.

Respectfully,



Keith Hamre
Director of Planning and Construction Services