



CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL 16-116		Contact	Chris Lee, clee@duluthmn.gov	
Type	Variance, off-street parking		Planning Commission Date	October 11 2016	
Deadline for Action	Application Date	September 13, 2016	60 Days	November 11, 2016	
	Date Extension Letter Mailed	September 26, 2016	120 Days	January 11, 2017	
Location of Subject	1509/11 East Superior Street				
Applicant	Dean Jablonsky		Contact	deanjablonsky@gmail.com	
Agent			Contact		
Legal Description	010-1480-01300				
Site Visit Date	September 22, 2016		Sign Notice Date	September 27, 2016	
Neighbor Letter Date	September 26, 2016		Number of Letters Sent	57	

Proposal

The applicant is requesting a variance from the parking requirements in a MU-N district. 11 parking spaces are required; per UDC 50.24.2 the applicant will provide 5 on the site.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Mixed Use - Neighborhood	Urban Residential
North	MU-N	Mixed Use - Neighborhood	Urban Residential
South	MU-N	Mixed Use - Neighborhood	Urban Residential
East	MU-N	Mixed Use - Neighborhood	Urban Residential
West	MU-N	Mixed Use - Neighborhood	Urban Residential

Summary of Code Requirements

UDC Section 50-24.2 - Required parking spaces. Multi-family dwelling: 1.25 spaces per dwelling unit, and Office use: 2.5 spaces per 1,000 square feet

50-37.9.C. - General Variance Criteria (paraphrased here): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant's property, enforcement of the ordinance would cause the landowner practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That they are proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #1 – Reuse previously developed lands

Future Land Use – Urban Residential:

Greatest variety of building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space.

The site is developed consistent with the future land use as described and the applicants are not proposing alterations to the use. The applicant is planning to restore a historic structure that was previously damaged in an arson fire in 2014.

Review and Discussion Items

- 1) The applicant is planning to renovate the current building to turn into a multi-family dwelling and office space, this is a permitted use in the MU-N district. The building was constructed in 1892 and is 9,267 square feet. There is a bus stop located on the street corner at East Superior and North 15th Ave.
- 2) The applicant needs 11 spaces based on UDC section 50-24.2. The 30% reduction from the minimum would place the applicants parking at 8, which will not physically fit on the lot. The previous owners and use of the site were allowed parking on the neighboring properties, but the owners of the building next door are no longer willing to share spaces.
- 3) The applicant is requesting the variance to move 6 spaces to on-street parking, while retaining 5 spaces on his own property.
- 4) The Applicant is proposing to use the property in a reasonable manner that is similar to the uses that are found in the neighborhood, and similar to uses of the property in the past.
- 5) The relief is due to the circumstances on this property as the lot is narrow and the historic building takes up a large portion of space.
- 6) Granting the variance will not alter the essential character of the neighborhood. Surrounding buildings also utilize the street for parking while some retain a parking lot.
- 7) One comment was received from the business owner across the street, stating his concern for parking for his business and other tenants in the area.
- 8) No other citizen or City Department comments were received on this zoning application.
- 9) Per UDC Sec. 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun within 1 year.

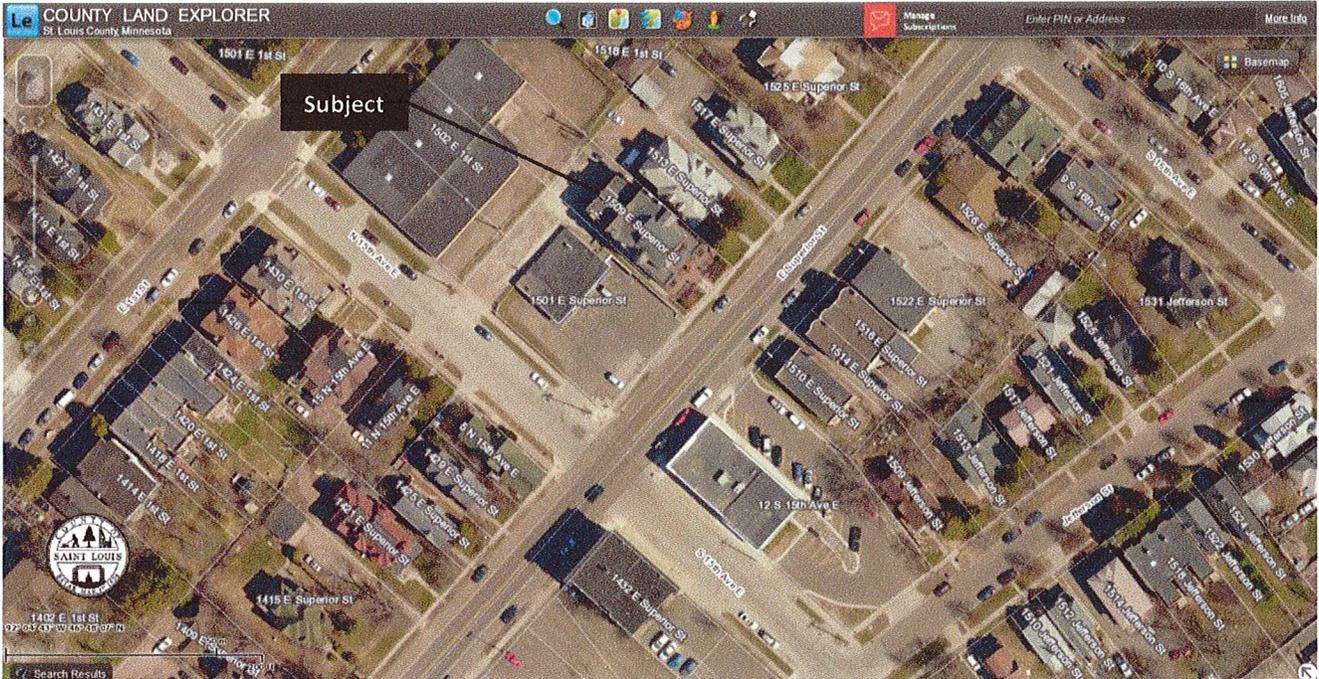
Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission recommend approval of the variance to Section 50-24.2 to allow off-street parking for 5 stalls on the property.

Site Plan

AERIAL VIEW

1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY

AERIAL VIEW

1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY

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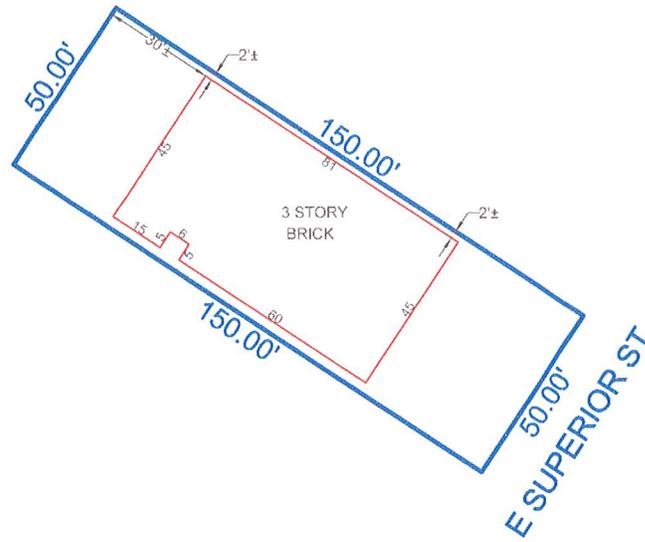
PROPERTY SKETCH

FILE NUMBER: 1418932

DATE: 2/25/2016

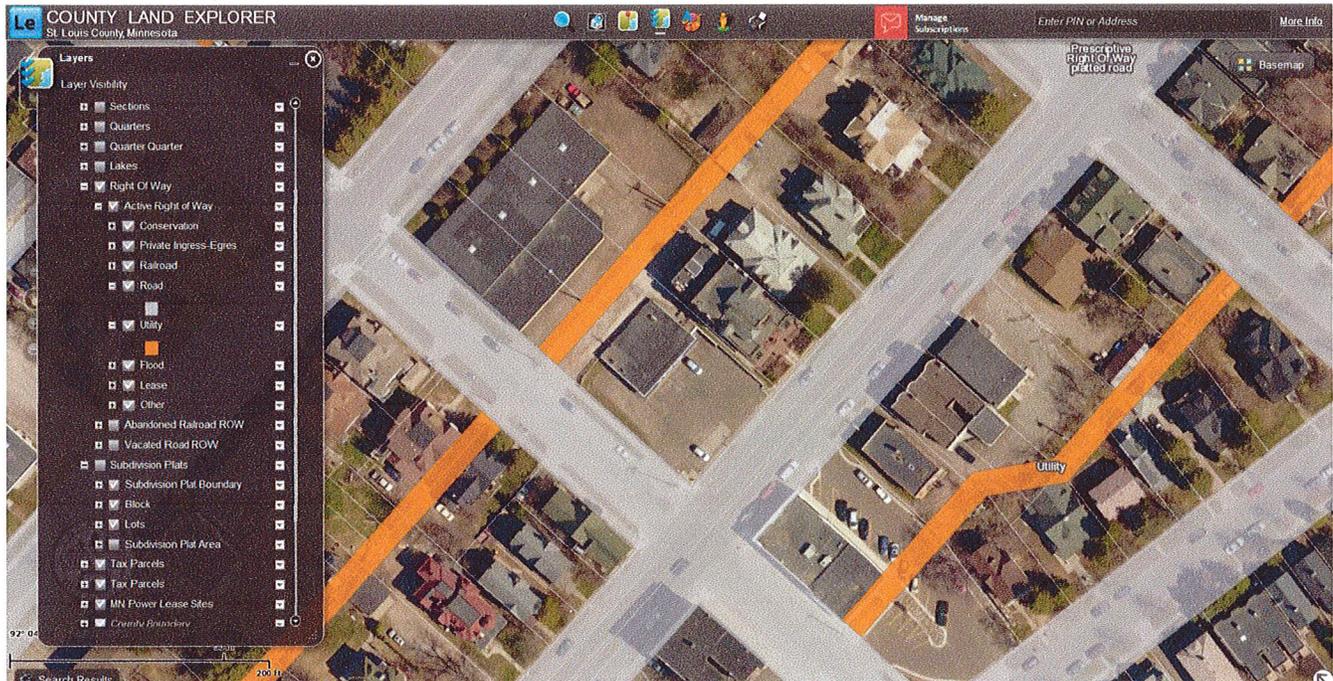


EPIC PROPERTY SERVICES, INC.
PROPERTY SKETCH



ROAD AND UTILITY RIGHT-OF-WAY

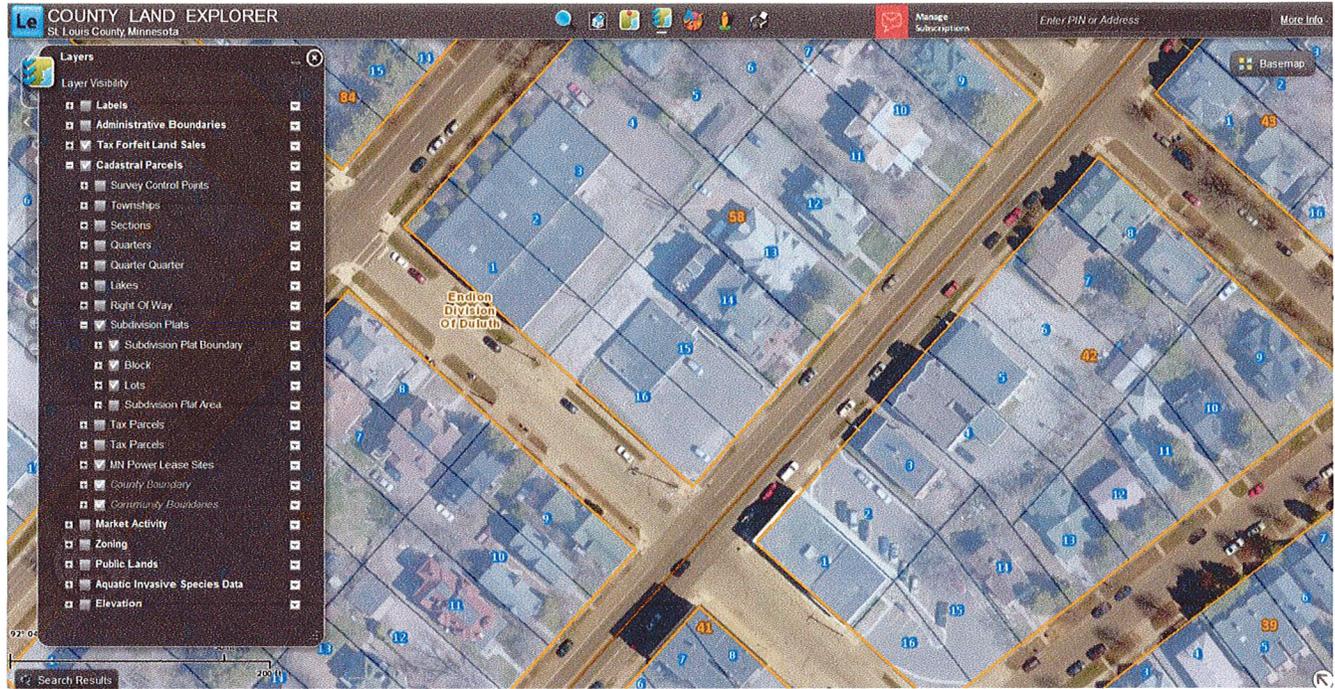
1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY

PLAT, LOTS AND BLOCKS

1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY

PASSAGEWAY EASEMENT (IN GREEN)

1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY

OFF-STREET PARKING (IN YELLOW)

1509-11 East Superior Street



OFF STREET PARKING OPTIONS

1509-11 East Superior Street



SOURCE: ST. LOUIS COUNTY



PL 16-116
1509 East Superior St

Legend

Right-of-Way Type

- Road or Alley ROW
- ▣ Vacated ROW

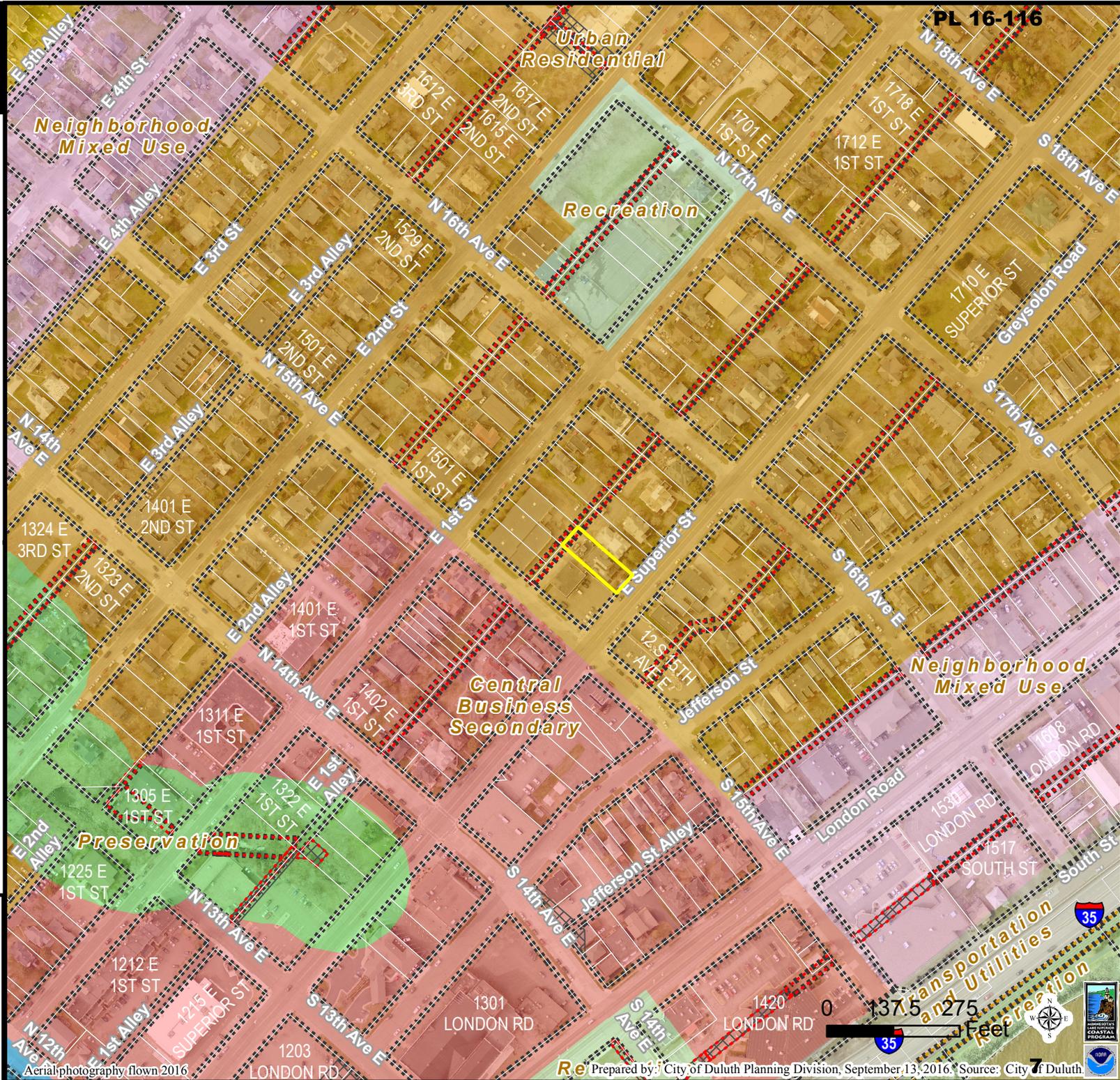
Easement Type

- ▣ Utility Easement
- ▣ Other Easement

Future Land Use

- ▣ Preservation
- ▣ Recreation
- ▣ Rural Residential
- ▣ Low-density Neighborhood
- ▣ Traditional Neighborhood
- ▣ Urban Residential
- ▣ Neighborhood Commercial
- ▣ Neighborhood Mixed Use
- ▣ General Mixed Use
- ▣ Central Business Secondary
- ▣ Central Business Primary
- ▣ Auto Oriented Commercial
- ▣ Large-scale Commercial
- ▣ Business Park
- ▣ Tourism/Entertainment District
- ▣ Medical District
- ▣ Institutional
- ▣ Commercial Waterfront
- ▣ Industrial Waterfront
- ▣ Light Industrial
- ▣ General Industrial
- ▣ Transportation and Utilities

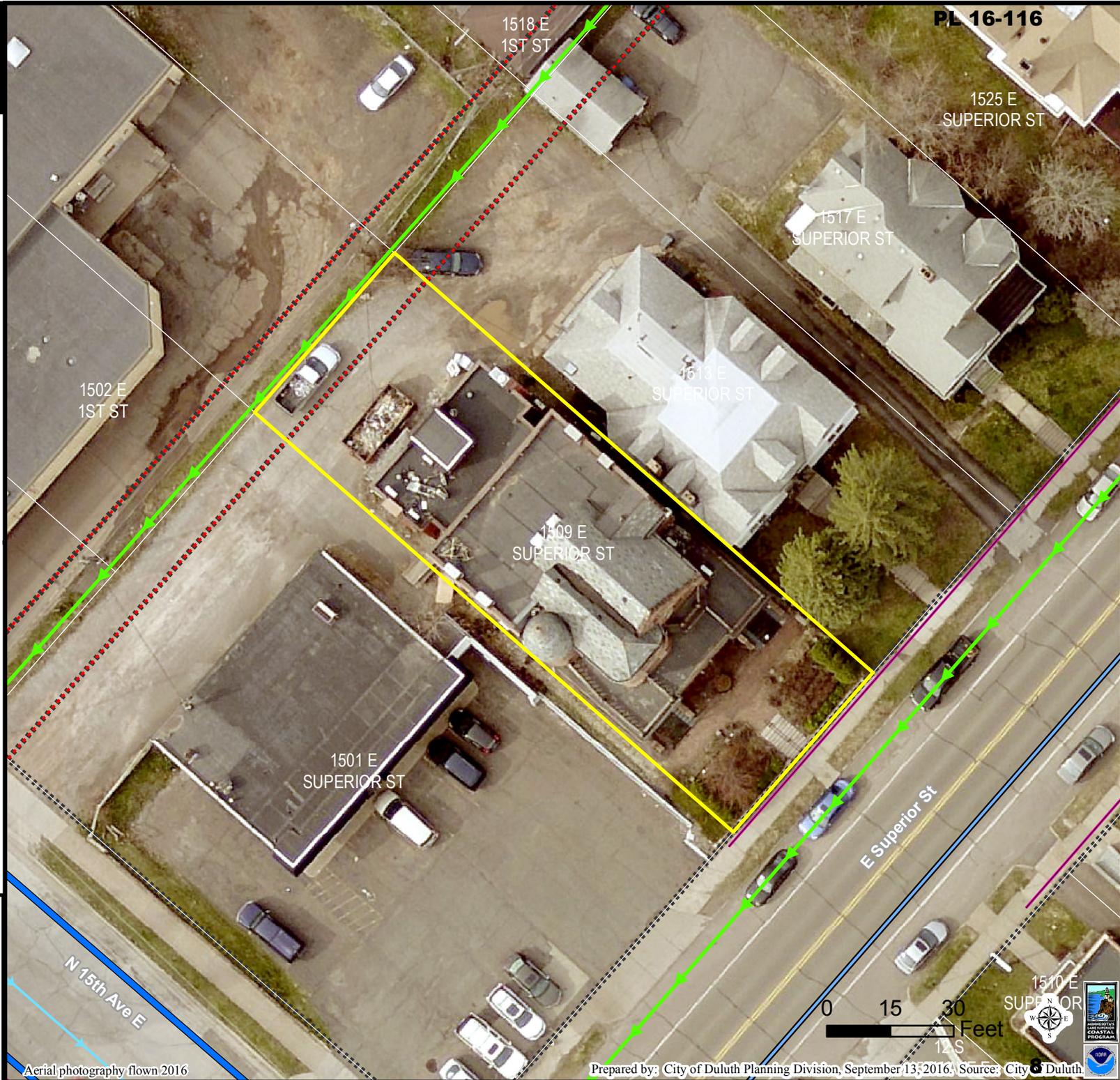
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Aerial photography flown 2016

Legend

-  Trout Stream (GPS)
-  Other Stream (GPS)
- Water Distribution System**
-  30 - 60" Water Pipe
-  16 - 24" Water Pipe
-  4 - 6" Water Pipe
- Sanitary Sewer Collection System**
-  Sanitary Sewer Collector
-  Sanitary Sewer Interceptor
-  Sanitary Sewer Forced Main
-  Storage Basin
-  Pump Station
- Gas Distribution Main**
-  8" - 16" Gas Pipes
-  4" - 6" Gas Pipes
-  0" - 4" Gas Pipes
- Storm Sewer Collection System**
-  Storm Sewer Pipe
-  Storm Sewer Catch Basin
- Right-of-Way Type**
-  Road or Alley ROW
-  Vacated ROW
- Easement Type**
-  Utility Easement
-  Other Easement



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VARIANCE APPLICATION SUPPLEMENTAL FORM

1509-11 EAST SUPERIOR STREET, DULUTH

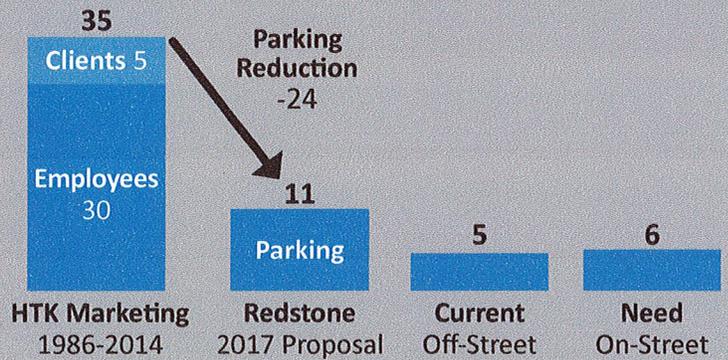
NATIONAL REGISTER OF HISTORIC PLACES

1

LIST THE UDC SECTION YOU ARE SEEKING RELIEF FROM?



PARKING PROPOSAL PAST & FUTURE



UDC Section: Redstone LLC is seeking relief from the following:

- UDC Code 50-24: Parking and Loading in an MU-N.

- In order to preserve and restore the property to similar and consistent past residential and commercial use, a variance will be needed for 6 on-street parking spaces.
- The request from UDC Code 50-24 is a reduction of approximately 24 parking space needs from past uses.

OFF-STREET PARKING (CURRENT)



ON-STREET PARKING (NEED)



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2

IS THE APPLICANT PROPOSING TO USE THE PROPERTY IN A REASONABLE MANNER?

Yes. Use of Property: The preservation and redevelopment plan of up to 13 units is consistent with the property’s past commercial and multi-family residential uses that meets the:

- MU-N zoning purpose of “accommodating a mix of neighborhood-scale, neighborhood serving non-residential and a range of residential uses located in close proximity”;
- UDC Adaptive Reuse provisions in UDC 50.20.7: Adaptable Reuse of Local Historical Buildings;
- The Comprehensive Plan Principle #1- Reuse Previously Developed Lands

PLAN OVERVIEW

Units

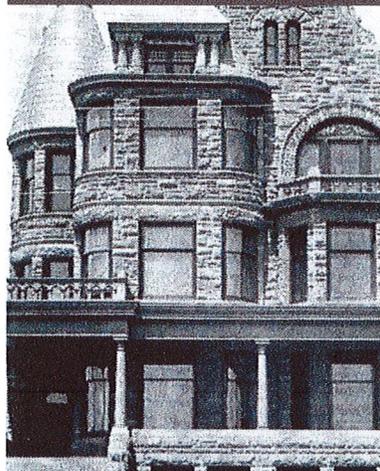
Residential Units	11
Commercial Units	2
Total Units	13

The plan includes the ability to use the commercial space as residential space if market conditions change. The plan is to continue and expand the use of the under-utilized lower level space (~3,000 sq ft) while adhering to any code and egress requirements.

HISTORIC USES

2-UNIT

Duplex

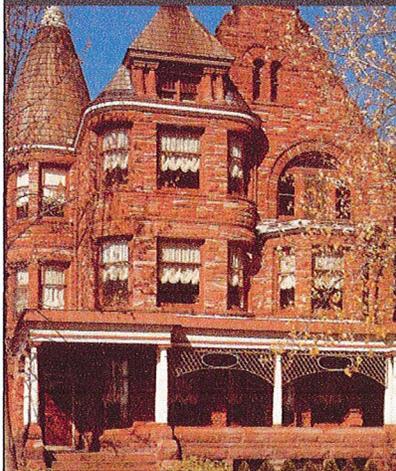


1892 - 1919

- **1892:** Built as Two (2) Family home
- Romanesque Revival Redstone
- Designed, built and home of Oliver G. Traphagen
- **1896:** Traphagen left Duluth
- **1897 - 1908:** Chester Congdon lived in home until Glensheen Mansion was built

9-UNIT

11 Bedrooms

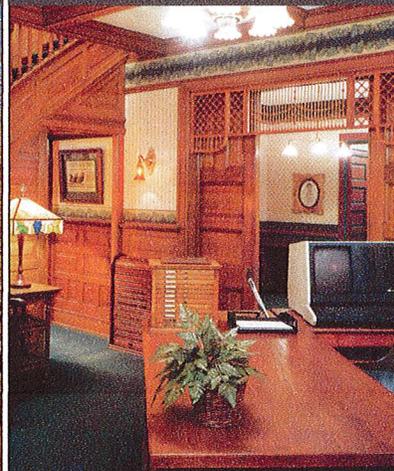


1919 - 1986

- **1919:** Subdivided to Nine (9) Unit Apartment building. Converted by Congdon family Estate
- **1919 - 1935:** The house remained in the Congdon family
- **1935 - 1972:** passed through a dozen or more owners
- **1972:** Duluth real estate entrepreneur Ben Overman added apartments to Twin Ports rental properties

MIXED USE

Commercial-2 Bedrooms

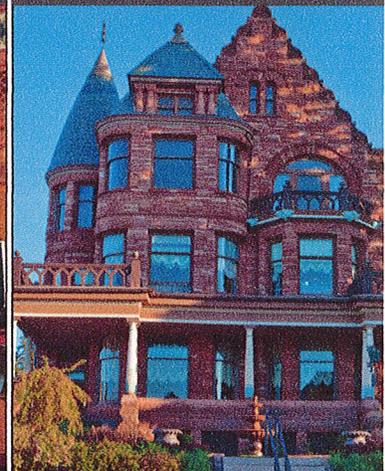


1986 - 2014

- **1986:** Howard Klatzky purchases apartment building
- **1987:** Used as commercial offices for HTK Marketing and moved in with 12 employees. Two (2) apartments kept and later converted to commercial space due to business growth
- High of 30 employees
- Averaged 22-25 employees
- **2014:** Fire caused extensive damaged to building

MIXED USE

12 Bedrooms



2017 PROPOSAL

- Mixed Use
- 11 Residential Units
- 2 Commercial Units

Goals: The goal is to restore and preserve the Redstone as a long-term viable property and again become a vibrant contributing member to Duluth's historic properties.

- Preserve and Restore the Historic Property
- Financially Viable
- High Quality Housing

OPTIONS CONSIDERED

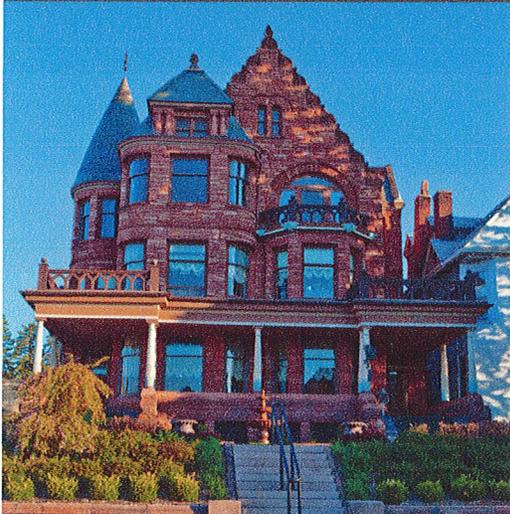
After careful review of past uses, current property blight condition, continued property deterioration, and investment level needed to ensure preservation can occur, it was determined that the best viable option to financially preserve and restore the property is to continue its past commercial and residential uses with some modifications

to number and mix of units while utilizing the under-used lower level.

Therefore, in order to make it a financially viable, the project will need 13 units to support investment level needed.

OPTION #1

Restore and Preserve



- Restore and preserve property with 13 units
- Preserve historic landmark
- Become cornerstone of vibrant corridor
- Requires parking variance of 6 on-street spaces

OPTION #2

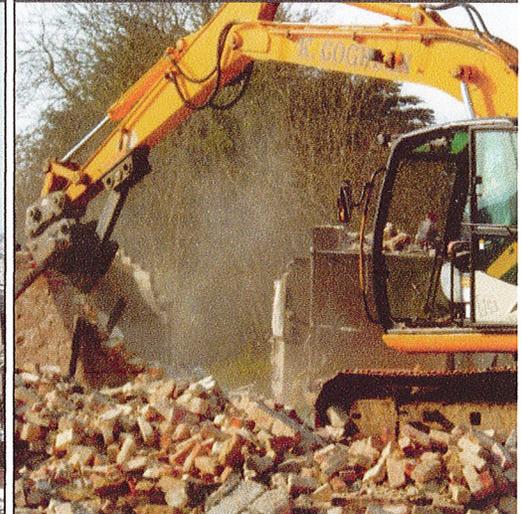
Do Nothing



- Continue to keep Redstone in existing "boarded" condition
- Blight on community
- Increased crime and theft
- Loss of historic landmark

OPTION #3

Demolition



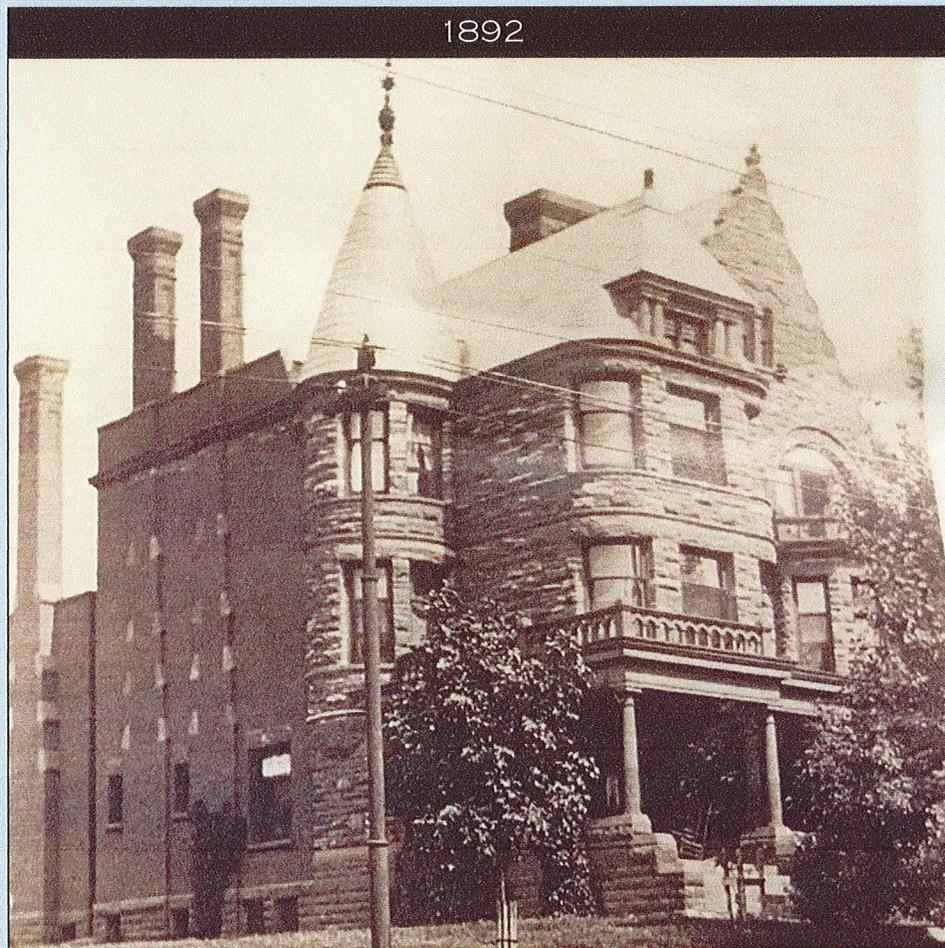
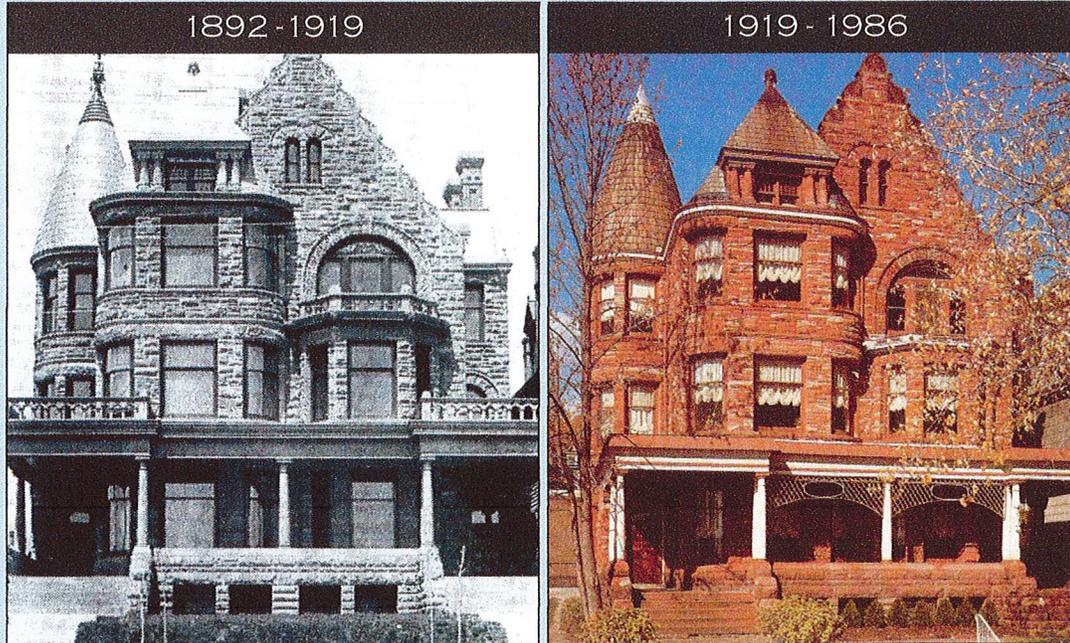
- Demolish Redstone and create vacant lot
- Complete loss of historic landmark

"It is our preference to restore and preserve the Redstone historic landmark, however it will require a parking variance of 6 on-street spaces. If the variance is not approved, the remaining 2 options will be further evaluated."

3

IS THE NEED FOR RELIEF DUE TO CIRCUMSTANCES UNIQUE TO THIS PROPERTY?

No. Due to the historical use of the property, parking was not an issue back in 1919 (horseback) so the parking was not an issue when converted to a nine (9) unit apartment building. Over the decades, this property continued its use in its current parcel shape and configuration.



4

WILL GRANTING THIS VARIANCE ALTER THE ESSENTIAL CHARACTER OF THE AREA?

No. If the variance is granted, the restoration will have “no” impact on the character of the area since the proposed use will be consistent with past uses.

However, the restoration will help improve the area and node from its current blighted condition and become again a cornerstone historical property and asset that has helped define the character of the area and node.

PROPERTY CHARACTER & NEIGHBORHOOD FIT

Current Condition

Future Condition



PARKING OPTIONS CONSIDERED

Parking Options: Several off-street parking options were reviewed which included:

- Purchasing different parcels, demolishing the existing buildings, and then installing a parking lot
- Contract Parking- An option but contract parking is only time limited. Options are limited. All options made the preservation and restoration project financially unviable.

Variance Denial: If the variance is denied, the property will continue to be boarded up and be a blight on the surrounding properties and area since the project is financially unviable.

If parking is limited, then the demolition of the existing historical Redstone is an option since the demolition and reconstruction of a new structure is generally cheaper than renovating historical structures. Our preference is to invest in the preservation and restoration of the existing historical structure even at a higher cost, if parking variance is granted.

OPTION # 1

Purchase Adjacent Property & Demolish Building

- A detailed financial analysis was completed
- Financially unviable

OPTION #2

Purchase Avenue Property & Demolish Building

- A detailed financial analysis was completed
- Financially unviable

OPTION #3

Purchase 3rd Property & Demolish Building

- A detailed financial analysis was completed
- Financially unviable
- Poor parking location

Observations were conducted to understand traffic patterns and availability of the 6 on-street parking spaces. Since the parking needs of the previous Redstone owners required approximately 35 spaces (versus our 6 spaces), it was observed that there is ample parking available during the morning, afternoon and evening hours.

Superior Street (Facing West)

Thurs July 28th, 7:30 am



Superior St (Facing East)

Thurs Sept 1st, 1:00 pm



Superior Street (Facing East)

Thurs July 28th, 7:00 pm



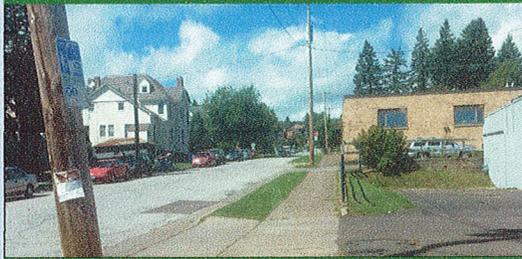
15th Ave E (Facing North)

Thurs July 28th, 7:30 am



15th Ave E (Facing North)

Thurs Sept 1st, 1:00 pm



Superior Street (Facing East)

Thurs July 28th, 7:00 pm



Superior Street (Facing West)

Thurs July 28th, 7:30 am



15th Ave E (Facing South)

Thurs Sept 1st, 1:00 pm



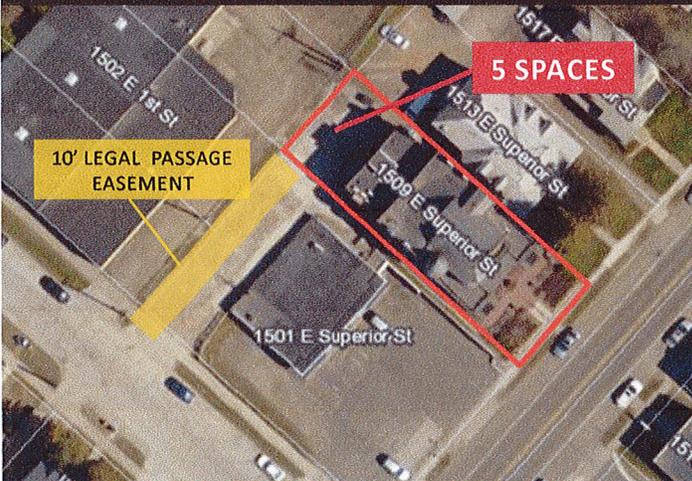
15th Ave E (Facing South)

Thurs July 28th, 7:00 pm



OFF-STREET PARKING

(CURRENT)



ON-STREET PARKING

(NEED)



5

IS THIS REQUEST CONSISTENT WITH THE INTENT OF THE UDC AND COMPREHENSIVE PLAN?

Yes, this request meets and supports the UDC and reinforces the “Comprehensive Land Use Plan” through the following:

A

COMPREHENSIVE LAND USE PLAN FROM 2006

- **Comprehensive Land Use Plan Principle #1: Reuse Previously Developed Lands:** “Reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state.”

B

UDC 50.20.7

ADAPTABLE REUSE OF LOCAL HISTORICAL BUILDINGS

- UDC 50.20.7: Adaptable Reuse of Local Historical Buildings: Intent: “To allow for economic use of historic landmarks by allowing a variety of uses that are not normally permitted in some zoning districts. Standards for adaptive reuse are designed to ensure that the adaptive reuse of a local historic landmark is compatible with surrounding areas.” This property is on the National Register of historic places and meets the spirit and intent of the UDC code.

C

MU-N

MIXED USE NEIGHBORHOOD

- MU-N: The MU-N district is established to accommodate a mix of neighborhood-scale, neighborhood serving non-residential uses and a range of residential uses located in close proximity.

6

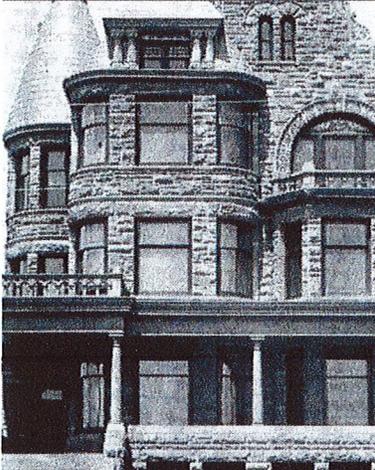
EXPLAIN HOW THE SPECIAL CIRCUMSTANCES OR CONDITIONS THAT CREATE THE NEED FOR RELIEF WERE NOT DIRECTLY OR INDIRECTLY CREATED BY THE ACTION OR INACTION OF THE PROPERTY OWNERS?

No. Direct or indirect action or inaction by property owners caused the circumstances or conditions that created the need for relief. The property will be used in the same manner as historical uses.

CONSISTENT USE

2-UNIT

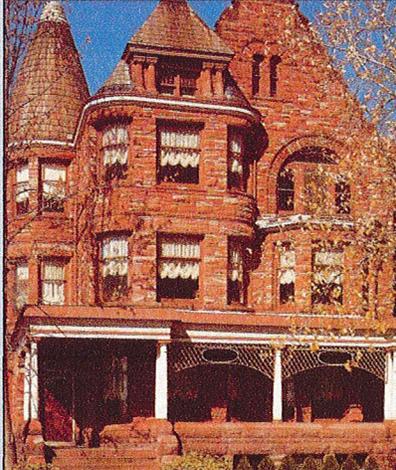
Duplex



1892 - 1919

9-UNIT

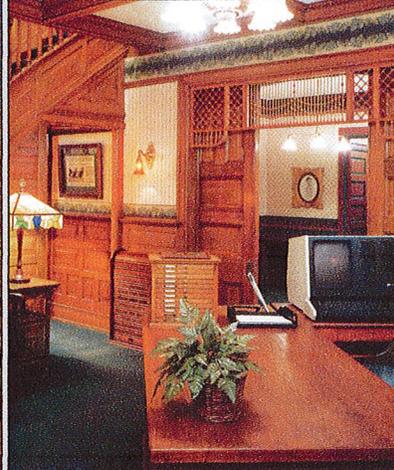
11 Bedrooms



1919 - 1986

MIXED USE

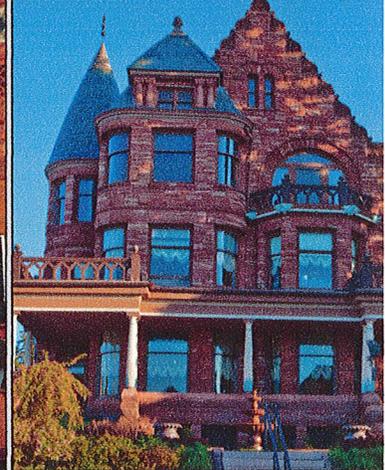
Commercial-2 Bedrooms



1986 - 2014

MIXED USE

12 Bedrooms



2017 PROPOSAL

7

WILL THE VARIANCE IMPAIR AN ADEQUATE SUPPLY OF LIGHT AND AIR TO ADJACENT PROPERTY OR UNREASONABLY INCREASE THE CONGESTION IN PUBLIC STREETS OR THE DANGER OF FIRE OR IMPERIL THE PUBLIC SAFETY OR UNREASONABLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREAS OR IN ANY OTHER RESPECT IMPAIR THE HEALTH, SAFETY OR PUBLIC WELFARE OF THE INHABITANTS OF THE CITY?

No. The property will not impair adequate supply of light and air to adjacent property since the preservation and restoration plan will not significantly modify any exterior layouts that would impact the supply of light or air flow to adjoining property owners.

It will not unreasonably increase congestion since the proposed use is similar to past uses. It will decrease traffic congestion since past commercial uses needed up to 35 spaces. Furthermore, the past commercial business would have had clients and customers visiting the site that would have had increased parking demands.

It will not imperil public safety since the proposed use is similar to past uses. In fact, in its current condition, the property has been a victim of repeated thefts and garbage dumping and with its restoration could help public safety.

In its current blighted condition, the Redstone is negatively affecting surrounding property values. With the variance approved and property restored, surrounding property values would likely stabilize and increase.

Furthermore, with Redstone's variance approval and restoration, the health, safety and public welfare would improve. The property smoke damage odor has impacted the area at times, as well as, pigeon's droppings that have accumulated since the fire.

Emergency Access: Any restoration plan will take into consideration the emergency operation needs of law enforcement and emergency vehicle access to Redstone.



8

DOES THE RELIEF ALLOW ANY TYPE OF SIGN THAT IS NOT ALLOWED IN THE ZONE DISTRICT WHERE THE PROPERTY IS LOCATED?

No.

9

DOES YOUR VARIANCE REQUEST NEED TO MEET ANY OF THE SPECIFIC CRITERIA IN UDC SECTION 50-37.9, SUBSECTIONS D THROUGH M?

No.