



City of Duluth

Meeting Agenda

Planning Commission.

Tuesday, March 8, 2022

5:00 PM

CALL TO ORDER AND ROLL CALL

PRESENTATION OF 2022 ZENITH AWARD

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 22-0208](#) Minutes 02/08/22

Attachments: [02-08-2022 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

CONSENT AGENDA

[PL 21-204](#) Vacation of Utility Easement on Hawthorne Road North of E 4th Street by Julie Ann Kubat

Attachments: [PL21-204 Staff Report and Attachment](#)

[PL 22-006](#) Concurrent Use Permit for Wall in Skywalk at 309 W Superior Street by Superior Street Property, LLC

Attachments: [PL 22-006 Staff Report and Attachments](#)

[PL 22-009](#) Interim Use Permit for a Vacation Dwelling Unit at 4123 W 7th St by Mike and Laurie Casey

Attachments: [PL 22-009 Staff Report and Attachments](#)

[PL 22-011](#) Interim Use Permit for a Vacation Dwelling Unit at 207 Pittsburgh Street by Linda Nervick

Attachments: [PL 22-011 Staff Report and Attachments Amend](#)

[PL 22-012](#) Interim Use Permit for a Vacation Dwelling Unit at 5808 London Road by Dean Jablonsky

Attachments: [PL 22-012 Staff report and attachments](#)

[PL 22-014](#) Interim Use Permit for a Vacation Dwelling Unit at 1916 W Superior Street Unit 1 by DKM Ventures

Attachments: [PL 22-014 Staff report and attachments](#)

[PL 22-015](#) Interim Use Permit for a Vacation Dwelling Unit at 1916 W Superior Street Unit 2 by DKM Ventures

Attachments: [PL 22-015 Staff report and attachments](#)

[PL 22-016](#) Minor Subdivision at Joshua Avenue by Van Staagen Design LLC

Attachments: [P 22-016 Staff report and attachments](#)

[PL 22-013](#) Variance from Corner Side Yard Setback for Deck at 2533 Minnesota Avenue by Kimberly Anderson

Attachments: [PL 21-013 Staff Report and Attachments](#)

PUBLIC HEARINGS

[PL 22-018](#) Special Use Permit for a Car Wash at 604 W Central Entrance by CWP West Corp.

Attachments: [PL22-018 Staff Report - final with attachments](#)

[PL 22-024](#) MU-I Planning Review Amendment for Parking Ramp at 502 E 2nd Street by Essentia Health

Attachments: [PL 22-024 Staff Report and Attachments](#)

[PL 22-019](#) Special Use Permit for Commercial Support Services at 500 E 10th Street by JS Print Group

Attachments: [PL22-019 Staff Report - final with attachments](#)

[PL 22-022](#) Concurrent Use Permit for Balconies Above 20th Avenue W at 2001 W Superior Street by Urbane 218, LLC

Attachments: [PL22-022 Staff Report - final with attachments](#)

PL 21-135 UDC Text Amendments for Mixed Use-Institutional (MU-I), Residential-Planned (R-P), and Mixed Use-Planned (MU-P) Districts

Attachments: PL 21-135 Staff Memo and Attachments

OLD BUSINESS

[PL 21-096](#) Minor Subdivision at Glen Place and W Michigan Street by Aaron Schweiger

COMMUNICATIONS

Land Use Supervisor Report

Historic Preservation Commission Report

Joint Airport Zoning Board Report

Duluth Midway Joint Powers Zoning Board Report

NOTICE: The Duluth Planning Commission will be holding its March 8, 2022 Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 emergency. Some members of the Commission will be participating through video conference. Due to the COVID-19 emergency and the closure of City facilities, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to planning@duluthmn.gov prior to the meeting. Please include "Planning Commission Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data.

City of Duluth Planning Commission

February 08, 2022
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

Vice-President Sarah Wisdorf called to order the meeting of the city planning commission at 5:04 p.m. on Tuesday, February 8th, 2022.

Roll Call

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

Members Present: Gary Eckenberg*, Jason Hollinday*, Michael Schraepfer*, Andrea Wedul*, Sarah Wisdorf*, and Zandra Zwiebel*

Members Absent: Jason Crawford and Margie Nelson

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

Approval of Planning Commission Minutes -

Planning Commission Meeting – January 11, 2022

MOTION/Second: Eckenberg/Wedul approved

VOTE: (6-0)

Public Comment on Items Not on Agenda

None

(Item PL 22-007 was removed from the consent agenda and placed under public hearings.)

Consent Agenda

PL 22-001 Interim Use Permit for a Vacation Dwelling Unit in a Form District at 1218 ½ E 4th Street – Unit 1 – by Maxim & Father, LLC

PL 22-002 Interim Use Permit for a Vacation Dwelling Unit in a Form District at 1218 ½ E 4th

Street – Unit 2 – by Maxim & Father, LLC

PL 22-003 Interim Use Permit for a Vacation Dwelling Unit in a Form District at 1218 ½ E 4th
Street – Unit 3 – by Maxim & Father, LLC

PL 22-004 Interim Use Permit for a Vacation Dwelling Unit in a Form District at 1218 ½ E 4th
Street – Carriage House – by Maxim & Father, LLC

Public: No speakers.

MOTION/Second: Holliday/Wedul approved consent agenda items as per staff recommendations

VOTE: (6-0)

Public Hearings

PL 22-007 Interim Use Permit for a Vacation Dwelling Unit at 8502 Bessemer Street by Mark and Jamie Sams

Staff: John Kelley gave an overview and welcomed questions.

Commissioners: Gary Eckenberg noted the various public comments they received. The property has been operating on a rental basis for the last eight months. Are they out of compliance? Per Kelley, the applicant has an accessory home share permit. The owner occupies the basement and rents out the upper level. Eckenberg asked if an accessory home share permit requires the property to be homesteaded. Kelley stated yes, the owner has to be on site while guests are there. Eckenberg stated the comments the commission received stated the owner does not live there. They are getting mixed messages. Commissioner Michael Schraepfer stated the accessory home share requirements don't specify homestead, just states their primary residence. Deputy Director Fulton affirmed it does not list homestead, but it is implied that it is their primary domicile. Commissioner Andrea Wedul noted there are multiple dwellings on the property. Will they convert the whole building for a vacation dwelling? Per Kelley, this application is for three rooms and defers to the applicant. There are combinations/options available for rental, which can also be long term.

Applicant: Mark Sams addressed the commission, and stated this is the first time he is going through this process. He doesn't agree with the neighbors' comments, and thinks they are false accusations. They bought the house in 2020 and planned to fix up the upstairs, while living downstairs. This is his primary homestead. He is there every day, and rents mainly on weekends. Of the 35 guests who have stayed there, he has received a perfect score on the vacation rental websites. He caters to skiers and mountain bikers. He has never received a letter or notice from his neighbors before this process. He wished they would have talked to him beforehand. Commissioner Eckenberg stated there was indication of another home being owned by Sams in a city nearby. Sams stated his wife and kids live in Hermantown. Sams contacted a tax assessor and clarified with the county that the Bessemer property is a homestead residence. Sams feels lucky that they were chosen in the lottery to apply for a regular vacation dwelling unit. He travels occasionally for work, but is home when guests are there. Eckenberg noted the current accessory home share license allows up to four renters, and it will be increased to seven renters with the interim use permit. He asked if Sams is expecting a higher density of use. Sams stated yes, but didn't realize the tension in the neighborhood. He would be willing to reduce the number in order for approval. He is willing to work with the neighbors. Commissioner Schraepfer doesn't feel the need to reduce the number of guests. He doesn't feel the neighbors understood the process. Commissioner Wedul stated she appreciates

the applicant's willingness to work with the neighbors. She asked about the managing agent of the property. Sams stated if he isn't residing in the home, he will absolutely be there in a drop of a hat.

Public: Shanna Thompson – 8421 Bessemer St. – addressed the commission. She stated she also sent a letter. The Sams do take good care of their property. She said if the owner is occupying the lower level, there are no lights on. She notices an increase of traffic when guests are present, and they tend to drive quickly. She doesn't want to see this situation get worse, and doesn't want to see it become commercialized. They have had people walk through yards to get to Spirit Mountain. Andy Clade – 4080 Bessemer St. – addressed the commission. He is opposed and is concerned about the owner not being there. If the renters get out of hand, how is it enforced? What are the neighbors' options? Mike Casey – lives in Smithville – addressed the commission. He shared his experience of living next to an AirBNB. He has not had any real issues. He realizes the fear of change, but noted his own experiences have been positive. Chair Wisdorf asked the applicant if he would like to respond to the neighbors' comments. Sams said his game plan is to rent to good people, and is willing to work with the neighbors to keep occupancy and traffic to a minimum.

Commissioners: Eckenberg noted if the neighbors have issues with the vacation rental they can call the managing agent/owner. He agrees with Schraepfer that the owner has done everything correctly in applying for this permit, which can be confusing. Wedul reiterates Eckenberg's comments and notes there are conditions/rules that must be followed by the renters. If the rules aren't followed there is a provision in place to revoke the permit.

MOTION/Second: Eckenberg/Zwiebel approved as per staff recommendations.

VOTE: (6-0)

PL 21-137 Special Use Permit for a Self-Service Storage Facility at 5710 Grand Avenue

Staff: Deputy Director Adam Fulton noted there was a computer blog stating this application was withdrawn. Staff has not received official word from the applicant. Staff is recommending denial. No application for a variance has been issued. The applicant is not in attendance. Kyle Deming introduced the applicant's proposal for a special use permit for a combination self-service storage facility, and retail showroom, installation facility, outdoor display and storage for U-Haul. Staff recommends that the planning commission deny the application for a special use permit based on the findings described fully in the review and discussion section of the staff report, and the staff recommendation section. Staff received many comments, some for and some against the proposal.

Commissioners: Schraepfer asked about the state statute regarding zoning. Per Deming, the proposed use is not allowed under the zoning ordinance because of its adjacency to residential properties, and no such use variance could be statutorily permissible under existing law. Schraepfer asked about the windows. Why does a new use require windows? He has never seen a big box store with multiple windows. Per Deming, when the Kmart building was built in 1991, windows were not required. A new use would require meeting of the existing UDC standards. Schraepfer asked if all new big box stores have to comply with 65% window transparency. Deming stated if there is a change in use.

Applicant: Not present.

Public: Mike Casey – 415 S 88th Ave W – addressed the commission. He is glad staff isn't recommending approval. Big box stores are only designed for a 12-year life span. He would like to prevent this from happening again. He noted the S-curve road (Bristol St.) nearby which is possibly the worst road in Duluth. He would like to see it improved. Janet Kennedy – lives right

around the corner in the Irving neighborhood. She is speaking as a public citizen and not as a city councilor. She stated Duluth can't afford another big box store that doesn't add anything to the community. She agrees with Casey that Bristol Street isn't safe. West Duluth needs development, but needs the right development. She wants to see businesses and the community connected. The neighborhood was never asked to engage in this project. She has lived in the neighborhood for over 40 years. This proposal does not meet UDC standards, or align with the City's Comprehensive Plan. She encouraged the planning commission to uphold staff's recommendation to deny. A letter from Danette Lynch was read to the commission by Deputy Director Adam Fulton. She stated the proposal does not meet UDC codes. A U-Haul storage facility is not a good fit, and limits future development. This huge space deserves so much better.

Commissioners: Wedul appreciates the many comments that were received. She is excited for the area and the prime location for redevelopment. This will be a vibrant community versus a blighted one. Commissioner Zandra Zwiebel also appreciates staff and the community comments. She referred to Schraepfer's comments about the 65% window transparency. When Shopko gets sold, will they need windows? Per Deputy Director Fulton, staff has not re-evaluated standards for big box stores. Self-storage facilities are different than big box stores.

MOTION/Second: Wedul/Eckenberg denied as per staff recommendations

VOTE: (6-0)

PL 21-210 UDC Text Amendment to Section 50-18.2, Airport Overlay District, by the City of Duluth

Staff: Steven Robertson gave an overview. This proposed ordinance amendment was discussed at the previous planning commission meeting on January 11, 2022. Additional city staff comments and suggestions were received following the meeting, and minor changes were incorporated into the proposed ordinance.

Commissioners: Zwiebel noted the new airport overlay map. Per Robertson, Zone C has been pulled back approximately one mile past the end of zone B.

Public: No speakers.

MOTION/Second: Eckenberg/Hollinday recommended approval as per staff recommendations.

VOTE: (6-0)

PL 22-010 UDC Text Amendments Related to New Land Uses; 50-19.8 Permitted Use Table; and 50-41 Definitions

Staff: Steven Robertson gave an overview. Staff is proposing a minor ordinance change to recognize three additional land uses: 1) car wash, 2) auto impound lot, and 3) commercial support services. The hotel item has been withdrawn for tonight's discussion. Staff recommends approval of the UDC updates to then go to the city council.

Commissioners: Eckenberg noted auto impound lots. Who can impound an auto? Police? Does the impound lot have to be certified by an authority? Per Robertson the city clerk's office issues licenses. There is clear language about screening, lighting. He appreciates the feedback regarding licensure.

MOTION/Second: Eckenberg/Wedul recommended approval as per staff recommendations noting auto impound lot licensure be included

VOTE: (6-0)

Old Business**PL 21-096 Minor Subdivision at Glen Place and W Michigan Street by Aaron Schweiger**

Item to remain on the table for more plat research.

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. Planning Manager Ben VanTassel is leaving his manager role with the planning office for a director role overseeing the Clerk's office, HR, and Information Technology Departments. The March planning commission will still most likely be virtual. He noted planning commissioner Eddie Ranum has resigned, and a few other commissioners terms are ending.

Heritage Preservation Commission – Commissioner Wisdorf noted they are meeting next Monday and will look at the Depot's design permit application, as well as the Duluth Historic Downtown Design Guidelines. Robertson stated they have received comment from SHPO.

Joint Airport Zoning Board – Commissioner Eckenberg noted the passage tonight of the text amendment for the Airport Overlay District by the planning commission was a big step.

Duluth Midway Joint Powers Zoning Board – No update.

Adjournment

Meeting adjourned at 6:43 p.m.

10 minutes recess before Annual Meeting

(Commissioner Zwiebel left before the annual meeting)

ANNUAL MEETING**Central Entrance Corridor Plan Presentation**

Ron Chicka, Director of the MIC, and James Gittemeier, City of Duluth Senior Transportation Planner, gave an overview. The DOT is now taking this into their design phase. It is a multi-modal system which plans on integrating transit and pedestrian traffic into automobile traffic. The Roadway system and utility system need major repairs.

Election of Officers

Planning Commissioner President

MOTION/Second: Eckenberg/Wedul nominate and elect Sarah Wisdorf as planning commission President

VOTE: (5-0)

Planning Commissioner Vice-President

MOTION/Second: Wedul/Schraepfer nominate and elect Gary Eckenberg as Planning Commission Vice-President

VOTE: (5-0)

Zenith Awards

Jenn Moses gave an overview. They city didn't give out zenith awards in 2021, but they want to bring it back and feel recognition is well-deserved for projects, events or programs that stand out as excellent. City staff came up with four suggestions, but the planning commission can add other ideas.

- 1) Enger Lofts – 1832 W. Superior St.
- 2) Central Entrance Vision Plan
- 3) Harbor Wall/Baywalk/Seawall Plan
- 4) Lakewalk Resiliency Program

Commissioner Shraepfer noted in the past the award has been given to something that was already built. He suggested the possibility of giving out two awards: one for private and one for public. The acknowledgement of both is important. Vice-President Wisdorf agrees, and feels hesitant to nominate something not in the ground yet. She also noted possibilities to include are the Downtown Design Guidelines and Old Central High School new development. Commissioner Eckenberg agrees with Wisdorf and Schraepfer, and would like to recognize stellar private enterprises. The Enger Loft project is complete and they did a great job.

MOTION/Second: Eckenberg/Wedul nominate the Enger Loft project for this year's Zenith Award

VOTE: (5-0)

Adjournment

Annual Meeting adjourned at 7:45 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PL 21-204	Contact	Chris Lee	
Type	Vacation of Utility Easement	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 11, 2021	60 Days	April 12, 2022
	Date Extension Letter Mailed	February 22, 2022	120 Days	June 11, 2022
Location of Subject	Near N. Hawthorne Road, 010-2121-00030			
Applicant	Julie Ann Kubat	Contact	On file at City Hall	
Agent	N/A	Contact	N/A	
Legal Description	See attached			
Site Visit Date	February 11, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 22, 2022	Number of Letters Sent	22	

Proposal

The applicant proposes to vacate an unimproved utility easement located on the rear of Lots 3 through 3, Block 1, HAWTORHNE DIVISION.

Recommendation: Staff recommends Planning Commission recommend the vacation, subject to conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

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

Governing Principle #12 – Create efficiencies in delivery of public service. As this utility easement is not needed, it can be vacated.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas

History: Hawthorne Division was platted in 2019, but this easement was never used for its intended purpose and is a carryover from a previous plat.

Review and Discussion Items:

- 1) This easement was platted as part of Hawthorne Division, and has never been developed with utility infrastructure.
- 2) Staff finds that this easement is not needed for the supply of utilities nor to promote the public health, safety, or welfare.
- 3) The applicant wants to vacate the easement for estate planning purposes.
- 4) No public or City comments have been received at the time of drafting this report.
- 5) Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, staff recommends that Planning Commission recommend to City Council approval of the petitioned utility easement vacation with the following condition:

- 1) The vacation must be recorded within 90 days of final approval by City Council, or such approval will lapse.



PL 21-204
Vacation of R/W
Hawthorne Rd

PC Packet 03-08-2022

Legend

Lots
Parcels

ROW
<all other values>

SUBTYPE, ROW_STATUS
Utility, Active
Railroad, Active
Access, Active - currently in use
Access, Vacated - vacated via recorded document
Road, Active - currently in use
Utility, Vacated - vacated via recorded document
Road, Vacated - vacated via recorded document
Conservation, Vacated - vacated via recorded document
Conservation, Active - currently in use
Railroad, Inactive - Dedicated, but not built

Subdivision Boundaries

Boundary Lines
<all other values>

Subtype, ROW_TYPE
Lot Line
Parcel Line
ROW (Road)
ROW (Not Road)
Subdivision Line
Water Line
Survey Line
Municipal Boundary

Road or Alley ROW
Zoning Boundaries



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

LEGAL DESCRIPTION OF VACATION OF SEWER RIGHT OF WAY

All that part of the 5.00 wide sewer right of way lying over, under and across Lot 20, Block 4, CONGDON PARK DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota and all that part of the 5.00 foot wide sewer right of way lying over, under and across Lot 14, Block 4, SECOND REARRANGEMENT IN CONGDON PARK, according to the recorded plat thereof, St. Louis County, Minnesota, said sewer right of way to be vacated is described as follows:

Commencing at the Southeast corner of said Lot 14, Block 4; thence on an assumed bearing of North 18 degrees 03 minutes 03 seconds East, along the Northeasterly line of said Lot 14 for a distance of 137.27 feet to the point of beginning of said sewer right of way to be vacated; thence North 90 degrees 00 minutes 00 seconds East 5.26 feet to a line parallel with and distant 5.00 feet Northeasterly of the Northeasterly line of said Lot 14; thence North 18 degrees 03 minutes 03 seconds West, along said parallel line 59.59 feet to the Northwesterly line of said Lot 20, Block 4; thence South 51 degrees 07 minutes 11 seconds West, along said Northwesterly line 5.35 feet to the North most corner of said Lot 14; thence Southwesterly 6.01 feet, along the Northwesterly line of said Lot 14, along a non-tangential curve, concave to the Southeast, said curve having a radius of 292.85 feet and a delta angle of 01 degrees 10 minutes 32 seconds, the chord of said curve bears South 38 degrees 16 minutes 17 seconds West for a chord distance of 6.01 feet to a line parallel with and distant 5.00 feet Southwesterly of the Northeasterly line of said Lot 14; thence South 18 degrees 03 minutes 03 seconds East, along said parallel line 50.99 feet; thence North 90 degrees 00 minutes 00 seconds East 5.26 feet to the point of beginning.

Said sewer right of way vacation contains 556 square feet.


SURVEYOR'S NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
3. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
4. THIS IS NOT A BOUNDARY SURVEY.

Approved by the City Engineer of the City of Duluth, MN this _____ day of _____ 20__

By _____

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

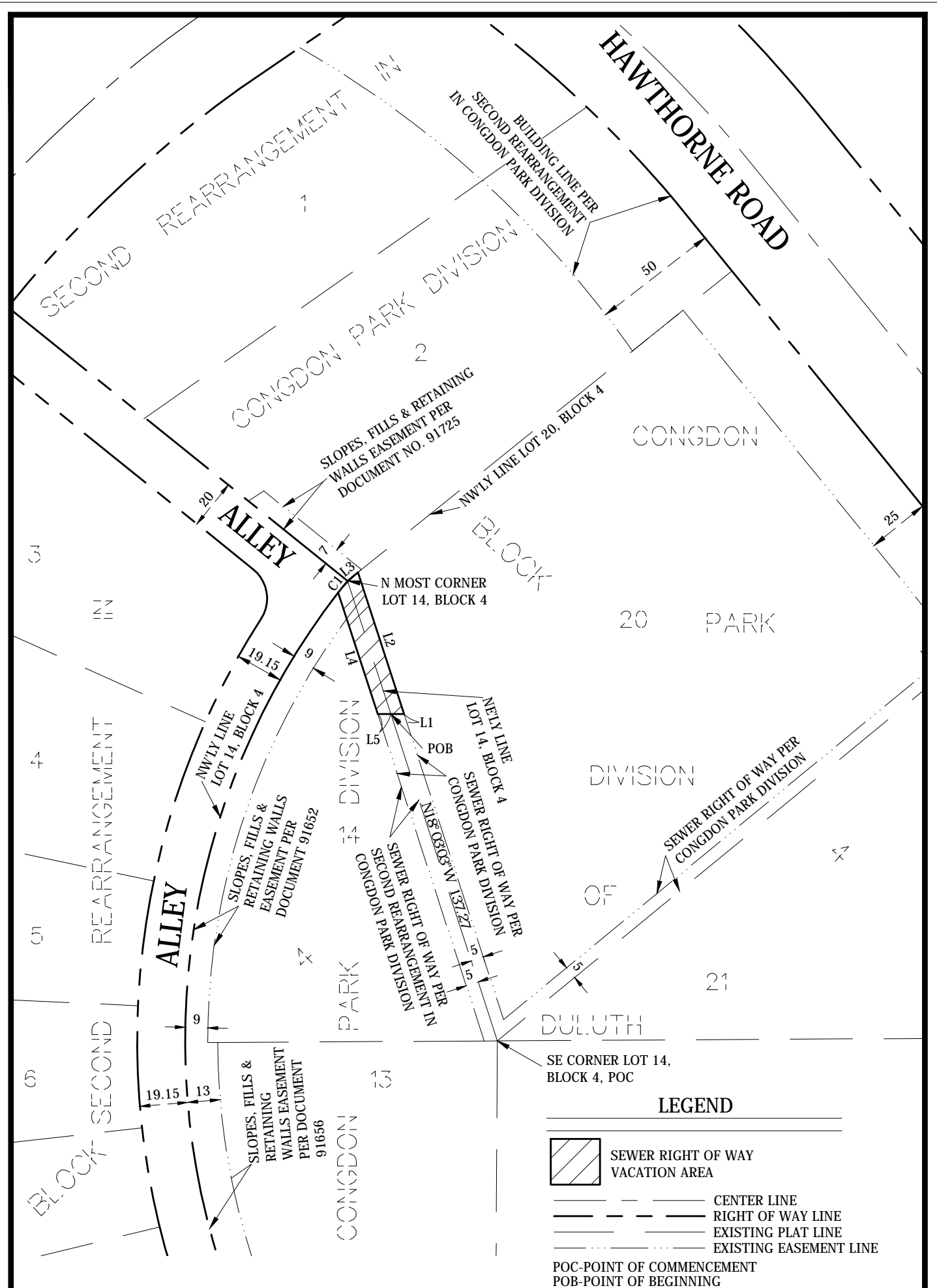

 David R. Evanson
 DATE: 02-04-2022 MN License #49505

VACATION EXHIBIT



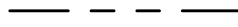


CLIENT: JULIE ANN KUBAT	REVISIONS:
ADDRESS: XXX N HAWTHORNE ROAD DULUTH, MN 55812	
DATE: 02-04-2022	JOB NO: 21-071 SHEET 1 OF 2



ALTA
 LAND SURVEY COMPANY
 PHONE: 218-727-5211
 LICENSED IN MN & WI
 WWW.ALTALANDSURVEYDULUTH.COM

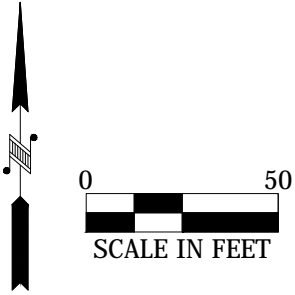


LEGEND

-  SEWER RIGHT OF WAY VACATION AREA
-  CENTER LINE
-  RIGHT OF WAY LINE
-  EXISTING PLAT LINE
-  EXISTING EASEMENT LINE
- POC-POINT OF COMMENCEMENT
- POB-POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	N90° 00'00"E	5.26
L2	N18° 03'03"W	59.49
L3	S51° 07'11"W	5.35
L4	S18° 03'03"E	50.99
L5	N90° 00'00"E	5.26

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	6.01	292.85	1° 10'32"	S38° 16'17"W	6.01



VACATION EXHIBIT

CLIENT: JULIE ANN KUBAT
 ADDRESS: XXX N HAWTHORNE ROAD
 DULUTH, MN 55812
 DATE: 02-04-2022

REVISIONS:
 JOB NO: 21-071 SHEET 2 OF 2

ALTA
 LAND SURVEY COMPANY
 PHONE: 218-727-5211
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 WWW.ALTALANDSURVEYDULUTH.COM



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-006	Contact	Jenn Reed Moses	
Type	Concurrent Use Permit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	January 14, 2022	60 Days	March 15, 2022
	Date Extension Letter Mailed	January 31, 2022	120 Days	May 14, 2022
Location of Subject	309 W Superior Street			
Applicant	Superior Street Property LLC	Contact	Scott Wallschlaeger	
Agent		Contact		
Legal Description	See Attached	Sign Notice Date	February 24, 2022	
Site Visit Date	March 1, 2022	Number of Letters Sent	N/A	

Proposal

The applicant is seeking a concurrent use permit to place a wall within an existing skywalk.

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the concurrent use permit to the City Council (via ordinance).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-8	Commercial	Central Business Primary
North	F-8	Commercial	Central Business Primary
South	F-8	Commercial	Central Business Primary
East	F-8	Commercial	Central Business Primary
West	F-8	Commercial	Central Business Primary

Summary of Code Requirements

UDC Section 50-37.7C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
2. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions (does not apply in this instance);
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

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

Governing Principle #7 – Create and maintain connectivity. This connectivity includes the downtown skywalks.

Governing Principle #9 – Support private actions that contribute to the public realm. This applicant is proposing to improve a public skywalk.

Future Land Use

Central Business Primary: Use encompassing a broad range of uses and intensities including retail, entertainment & lodging, and public spaces.

Review and Discussion Items:

- 1) The applicant is seeking a concurrent use permit to construct a wall in a second-floor skywalk located within their building at 309 W Superior Street. This wall would enclose a triangular space while leaving a clear space of 12' for pedestrians. This area will remain open to the public as usable space as required by the concurrent use permit ordinance.
- 2) The area proposed to be enclosed has a bench which is being removed due to safety and nuisance concerns. Because of the type of bench anchors, the area will also need remodeling and restoration. By adding a wall and doorway during this remodeling, applicant will be able to utilize the area for storage space while still maintaining the character and connectivity of the existing skywalk.
- 3) The area proposed for the concurrent use permit will not take away from the public's ability to use the skywalk, nor will it harm or inconvenience the health, safety and general welfare of the city.
- 4) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded with St. Louis County as they are voidable agreements between the City and property owners.
- 5) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public are typically included in the ordinance that is submitted for the City Council's review.
- 6) No comments were received from the public or other government agencies at the time this staff report was written.
- 7) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one-year.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission recommend to the City Council approval of the concurrent use permit with the following conditions:

- 1) Applicant construct and maintain the project as identified in the attached exhibit.
- 2) Applicant provide annual proof of liability insurance to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 3) The structure shall comply with any applicable engineering standards, or building or fire code requirements.
- 4) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL 22-006
CUP for wall
309 W Superior St

094001070

302 W 1ST ST

092000410

PC Packet 03-08-2022

092000420

092000422

303 W
SUPERIOR ST

W 1st Alley

092000421

305 W
SUPERIOR ST

092000440

307 W
SUPERIOR ST

092000450

309 W
SUPERIOR ST

092000460

313 W
SUPERIOR ST

315 W
SUPERIOR ST

092000470

317 W
SUPERIOR ST

319 W
SUPERIOR ST

092000480

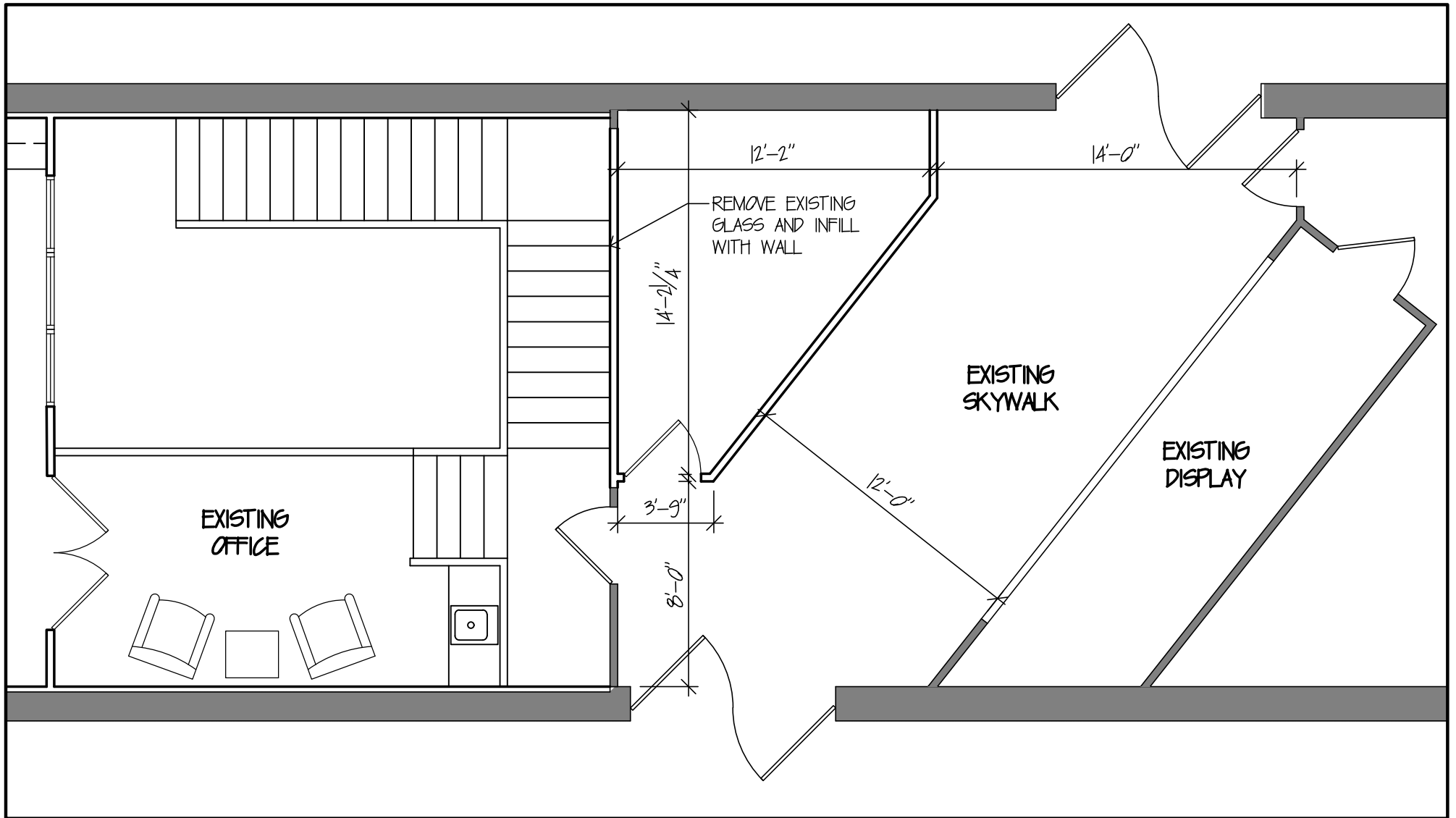
Aerial photography flown 2019

Legend

- Road or Alley ROW
- Easement Type**
 - Utility Easement
 - Other Easement

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5255 Maple Grove Road
Hermantown, MN 55811
(218) 391-7466
heather@hinerhomedesigns.com

MPPL Financial
309 W Superior Street
Duluth, MN

January 13, 2022
Page 20 of 157

Site Photos



Area to be enclosed will be in location of existing bench and gray flooring



Looking east through skywalk



Looking west through skywalk



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-009	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	January 18, 2022	60 Days	March 19, 2022
	Date Extension Letter Mailed	February 1, 2022	120 Days	May 18, 2022
Location of Subject	4123 W 7 th St			
Applicant	Mike and Laurie Casey	Contact		
Agent	N/A	Contact	N/A	
Legal Description	PID # 010-2030-02080			
Site Visit Date	February 21, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 18, 2022	Number of Letters Sent	75	

Proposal

Applicant proposes use of a 2-bedroom home as a vacation rental unit. The permit would allow maximum of 5 occupants.

Vacation dwelling units located in the R-1 zone district. This property was on the list of eligible properties from the 2021 drawing.

Recommended Action: Staff recommends that Planning Commission approve the permit with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single-family Residential	Traditional Neighborhood
North	R-1	Single-family Residential	Traditional Neighborhood
South	R-1	Single-family Residential	Traditional Neighborhood
East	R-1	Single-family Residential	Traditional Neighborhood
West	R-1	Single-family Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the R-1 zone district.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location;
2. The applicant agrees to sign a development agreement with the city.
3. There is a city-



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wide cap on vacation dwelling units or accessory vacation dwelling units; permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts.

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

Governing Principle #8 - Encourage mix of activities, uses, and densities.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The home is a single family structure built in 1923 and contains 935 square feet.

Review and Discussion Items:

- 1) Applicant's property is located at 4123 W 7th Street. The proposed vacation dwelling is a 2-bedroom single family home. The unit would allow for a maximum of 5 guests.
- 2) The applicant has noted on their site plan that there are 2 off street parking spaces, in a parking pad and the garage.
- 3) There will not be any campers or trailers parked on the property.
- 4) The site does not have any outdoor amenities. There is screening on two sides, but the applicant has provided the waiver to exempt them from any additional screening.
- 5) Permit holders must designate a managing agent or local contact who resides within 25 miles of the city and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the city. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Mark Baker as the managing agent, which meets the criteria.
- 6) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon



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change in ownership of the property or in six years, whichever occurs first.

7) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").

8) No comments from citizens, City staff, or any other entity were received regarding the application.

9) The permit will expire 6 years from the approval date. The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission deny the interim use permit based on the following:

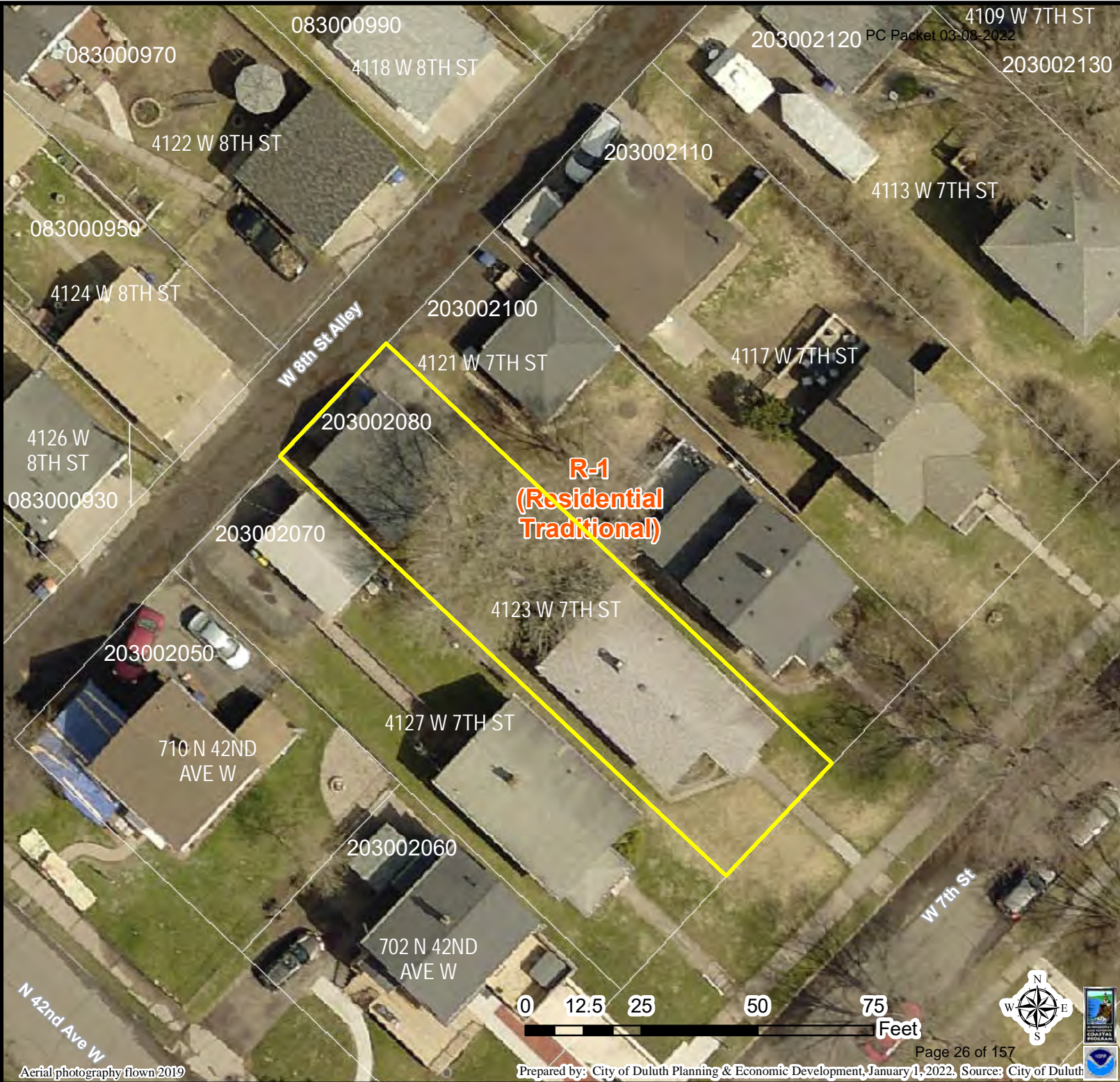
1. The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
2. The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.



PL 22-009
IUP
4123 W 7th St

Legend
Zoning Boundaries

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Aerial photography flown 2019



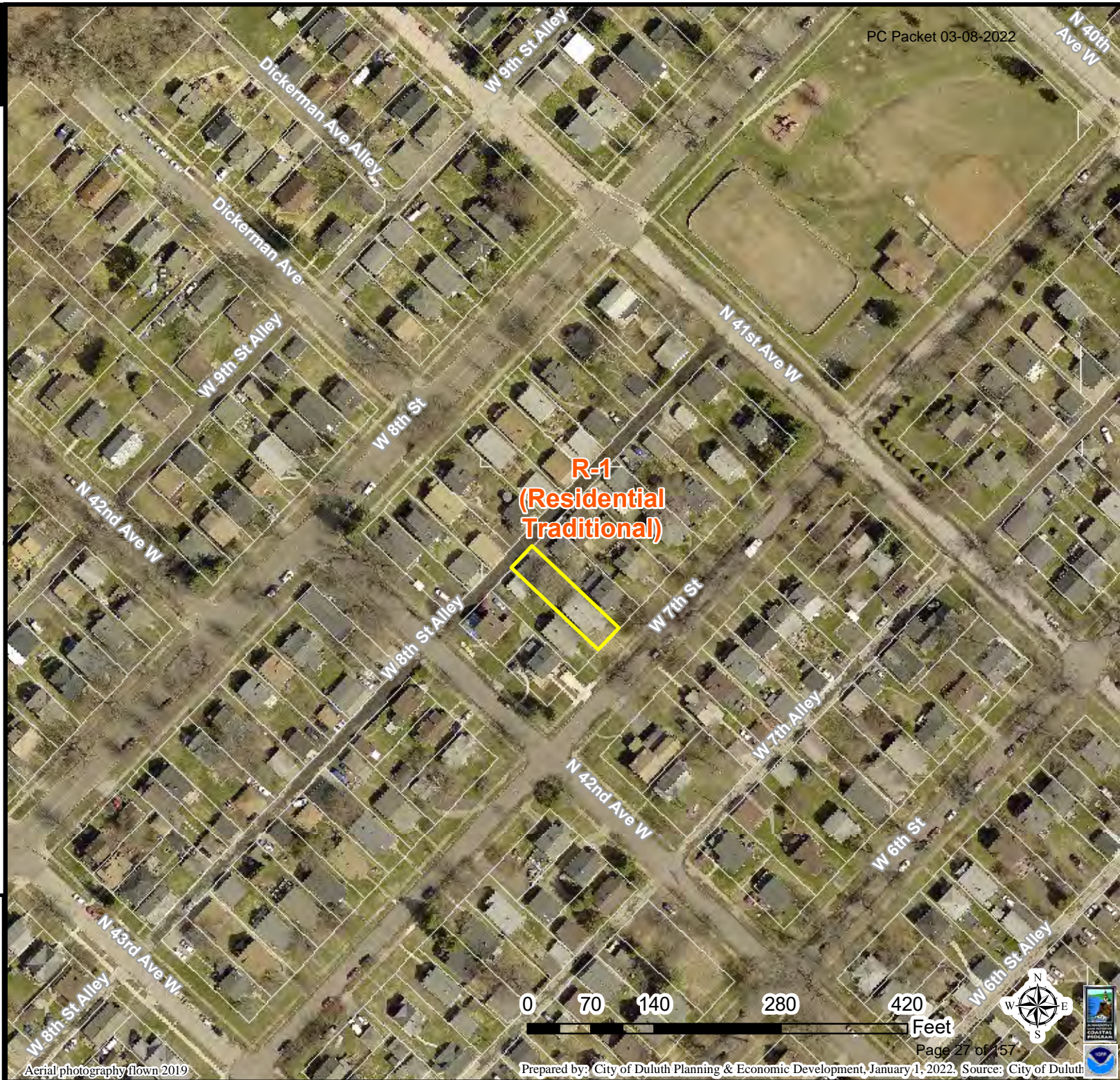
PL 22-009
IUP
4123 W 7th St

PC Packet 03-08-2022

Legend
Zoning Boundaries

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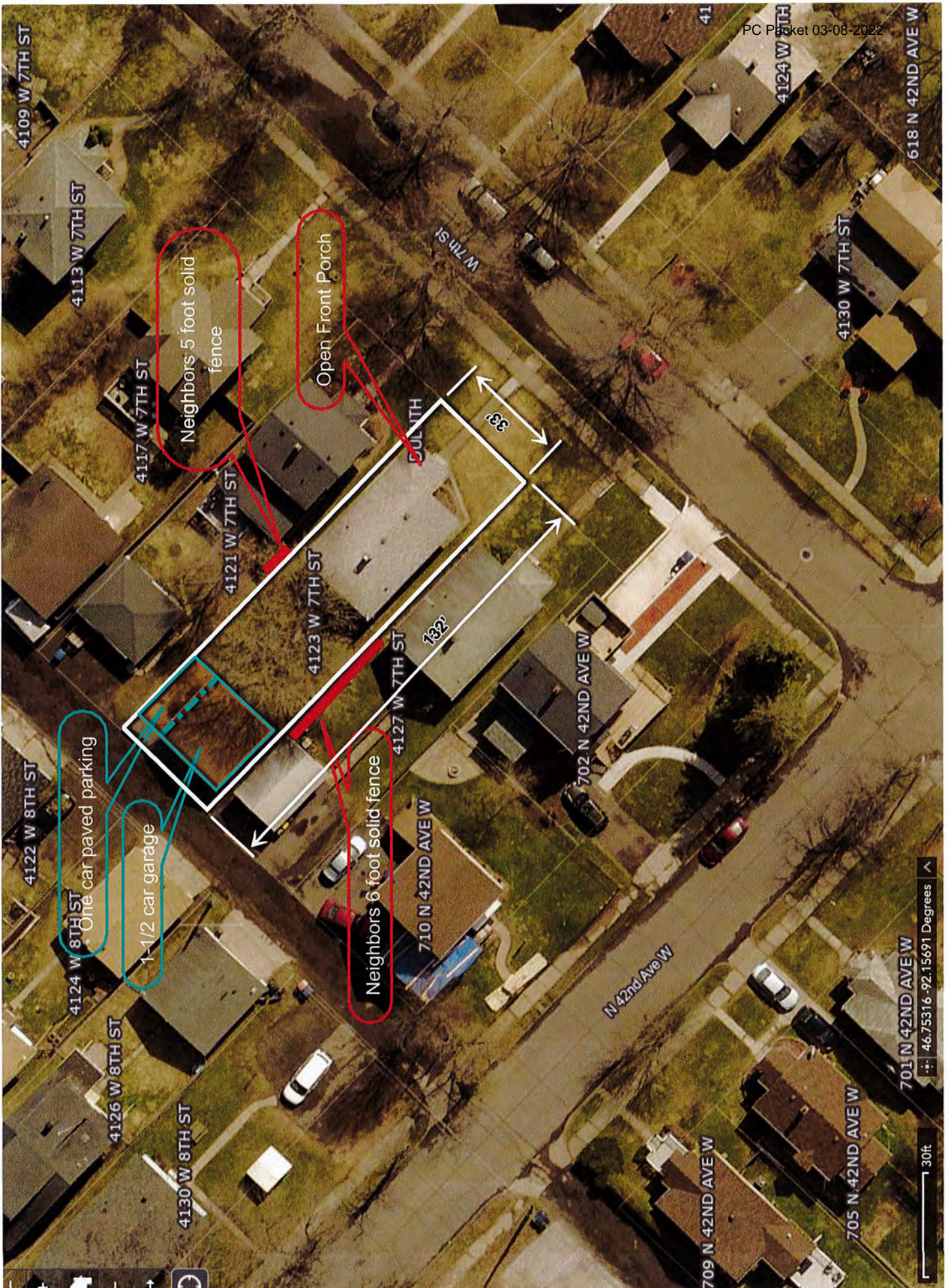
Aerial photography flown 2019



RE: Vacation Dwelling Fence Waiver for 4123 W 7th St.
Mike & Laurie Casey

I, the owner and resident at 4121 W 7th St, am comfortable without adding a dense urban screen or fence to the neighboring property and agree to a waiver of this requirement.

Print name: James Barton
Sign: James H Barton Date: 4-15-22



Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts). **What will be your minimum rental period?** 2 nights

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?
2

What will be your maximum occupancy?
6

3. Off-street parking shall be provided at the following rate:

- a. 1-2 bedroom unit, 1 space
- b. 3 bedroom unit, 2 spaces
- c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
- d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
- e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide? 2

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. **Will you allow motorhome or trailer parking? If so, where?** NO

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice. **Please explain how and where you will**

keep your guest record (log book, excel spreadsheet, etc):

Records in a spreadsheet located at our home 415 88th Ave W Duluth, MN

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

Mark Baker, 319-471-8877

10. Permit holder must disclose in writing to their guests the following rules and regulations:

- a. The managing agent or local contact's name, address, and phone number;
- b. The maximum number of guests allowed at the property;
- c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
- d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
- e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

Booklet located at rental property displayed on dining room table.

11. Permit holder must post their permit number on all print, poster or web advertisements. **Do you agree to include the permit number on all advertisements?** YES

12. **Prior to rental**, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.

4123 Photos Summer and Winter







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Planning & Economic Development Department

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 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-011	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	January 26, 2022	60 Days	March 27, 2022
	Date Extension Letter Mailed	February 17, 2022	120 Days	May 26, 2022
Location of Subject	207 Pittsburg Avenue			
Applicant	Linda Nervick	Contact		
Agent	N/A	Contact	N/A	
Legal Description	PID # 010-1280-00070			
Site Visit Date	February 21, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 18, 2022	Number of Letters Sent	33	

Proposal

Applicant proposes use of a 3 bedroom home as a vacation rental unit. The permit would allow maximum of 5 occupants. Vacation dwelling units located in the R-1 zone district. This property was on the list of eligible properties from the 2021 drawing.

Recommended Action: Staff recommends that Planning Commission approve the permit with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single-family Residential	Traditional Neighborhood
North	R-1	Single-family Residential	Traditional Neighborhood
South	R-2	Single-family Residential	Traditional Neighborhood
East	R-1	Street	Traditional Neighborhood
West	R-1	Single-family Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the R-1 zone district.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.



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

Governing Principle #8 - Encourage mix of activities, uses, and densities.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The home was built in 1896 and contains 1,300 square feet. The applicant currently has an accessory home share permit for the property.

Review and Discussion Items:

- 1) Applicant's property is located at 207 Pittsburg Avenue. The proposed vacation dwelling is a 3-bedroom single family home. The unit would allow for a maximum of 5 guests.
- 2) The applicant has noted on their site plan that there is 2 off street parking spaces. Upon review, staff has determined that these parking spaces are located in the street right of way for Pittsburg Avenue and are not the required off street spaces. Staff is recommending the applicant provide parking within 1-year of the approval, no later than March 8, 2023.
- 3) There will not be any campers or trailers parked on the property.
- 4) The site does have any outdoor amenities including a firepit, a patio, and a grill. The applicant does not have a dense urban screen to serve as a buffer nor have they provided a waiver to exempt themselves from the requirement.
- 5) Permit holders must designate a managing agent or local contact who resides within 25 miles of the city and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the city. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Donde Goldfine as the managing agent, which meets the criteria.
- 6) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 7) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").



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- 8) No comments from citizens, City staff, or any other entity were received regarding the application.
- 9) The permit will expire 6 years from the approval date. The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the interim use permit based on the following:

- 1) The applicant must provide 2 legal off street parking spaces prior to permit issuance.
- 2) The applicant will provide proof of a dense urban screen.



PL 22-011
IUP
207 Pittsburg Ave

Legend
Zoning Boundaries

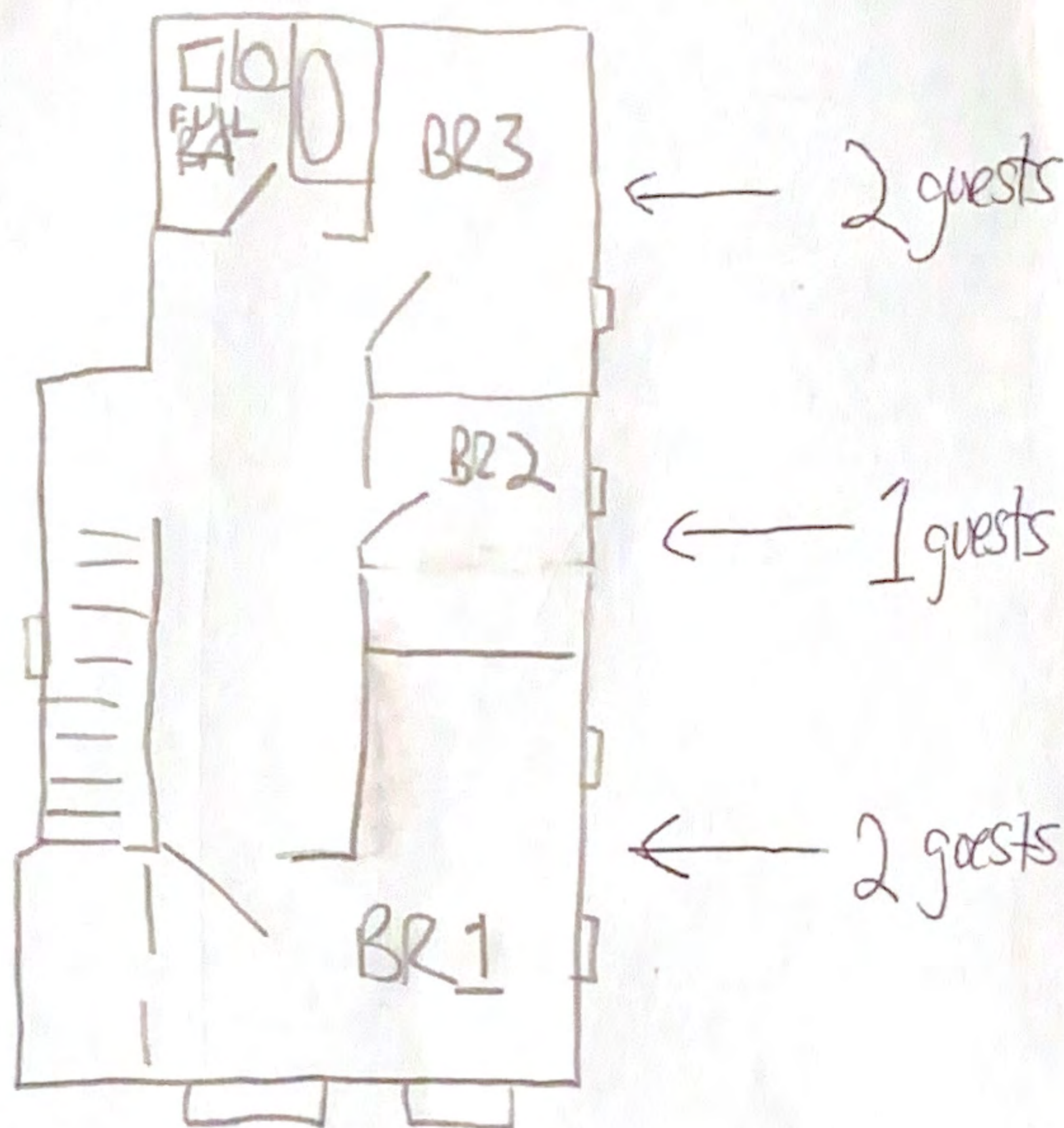
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MAIN FLOOR



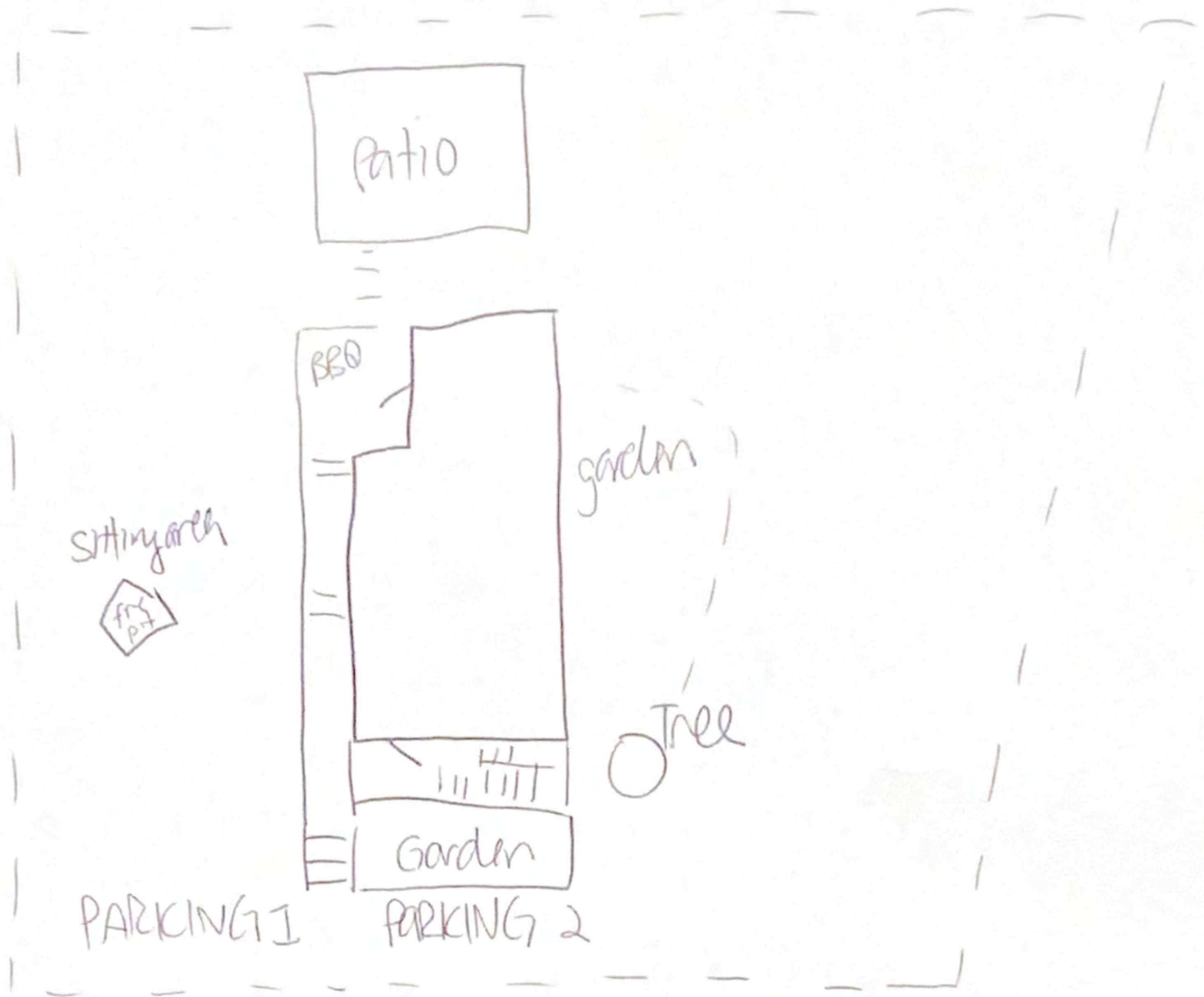
UPSTAIRS



207 PITTSBURG AVE
 DULUTH, MN 55806

Linda Neruick
 218 310.6838
 lindaneruick@gmail.com

LANDSCAPE



207 Pittsburg Ave

Linda Nervick 218310.6838
207 Pittsburg Ave
Duluth, MN 55806

Vacation Dwelling Unit Worksheet

- ✓ 1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts). What will be your minimum rental period? 2 nights
- ✓ 2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.
How many legal bedrooms are in the dwelling? 3 What will be your maximum occupancy? 5
- ✓ 3. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - ✓ b. 3 bedroom unit, 2 spaces
 - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
 - e. Form districts are not required to provide parking spaces.
 How many off-street parking spaces will your unit provide? 2
- ✓ 4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. Will you allow motorhome or trailer parking? If so, where? NO
- ✓ 5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
- ✓ 6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.
- ✓ 7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
- ✓ 8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice. Please explain how and where you will

keep your guest record (log book, excel spreadsheet, etc):

I will keep a notebook of info

- ✓ 9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

Donde Goldfine 218 348 4312

- ✓ 10. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets.

Please state where and how this information will be provided to your guests:

Next to the front door

- ✓ 11. Permit holder must post their permit number on all print, poster or web advertisements. Do you agree to include the permit number on all advertisements? yes

- ✓ 12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary, submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information. OK



Planning & Development Division
Planning & Economic Development Department

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218-730-5580



planning@duluthmn.gov

File Number	PL 22-012	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	January 31, 2022	60 Days	April 1, 2022
	Date Extension Letter Mailed	February 8, 2022	120 Days	May 31, 2022
Location of Subject	5808 London Road			
Applicant	5808 London Road LLC	Contact	Dean Jablonsky	
Agent		Contact		
Legal Description	PID # 010-2830-00170			
Site Visit Date	February 25, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 23, 2022	Number of Letters Sent	27	

Proposal

Applicant proposes to use a three-bedroom home as a vacation dwelling unit. Up to 7 people will be allowed to stay in the home.

The applicant was on the vacation dwelling unit eligibility list.

Recommended Action: Staff recommends that Planning Commission approve.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Lake	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.



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

Governing Principle #8 - Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income and provide a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This 2,023 sq ft home was built in 1901 and contains 3 bedrooms.

Review and Discussion Items:

- 1) Applicant's property is located at 5808 London Road (Parcel B as shown on attached site plan). The proposed vacation dwelling unit contains 3 bedrooms, which would allow for a maximum of 7 guests.
- 2) The applicant is proposing 2 off street parking spaces on a shared access drive and parking area with the adjacent property to the east. Access to the site and parking area will be from London Road.
- 3) The applicant has indicated there will not be a space for camper or trailer storage by VDU guests.
- 4) The applicant owns the adjacent properties to the east and west and has indicated in writing that a dense urban screen is not required between the properties.
- 5) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Bluewaterlodging, Darren Jablonsky, to serve as the managing agent.
- 7) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 8) Applicant must comply with Vacation (Dwelling Unit?) Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 9) No comments from citizens, City staff, or any other entity were received regarding the application.



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

10) The permit will expire 6 years from the approval date. The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

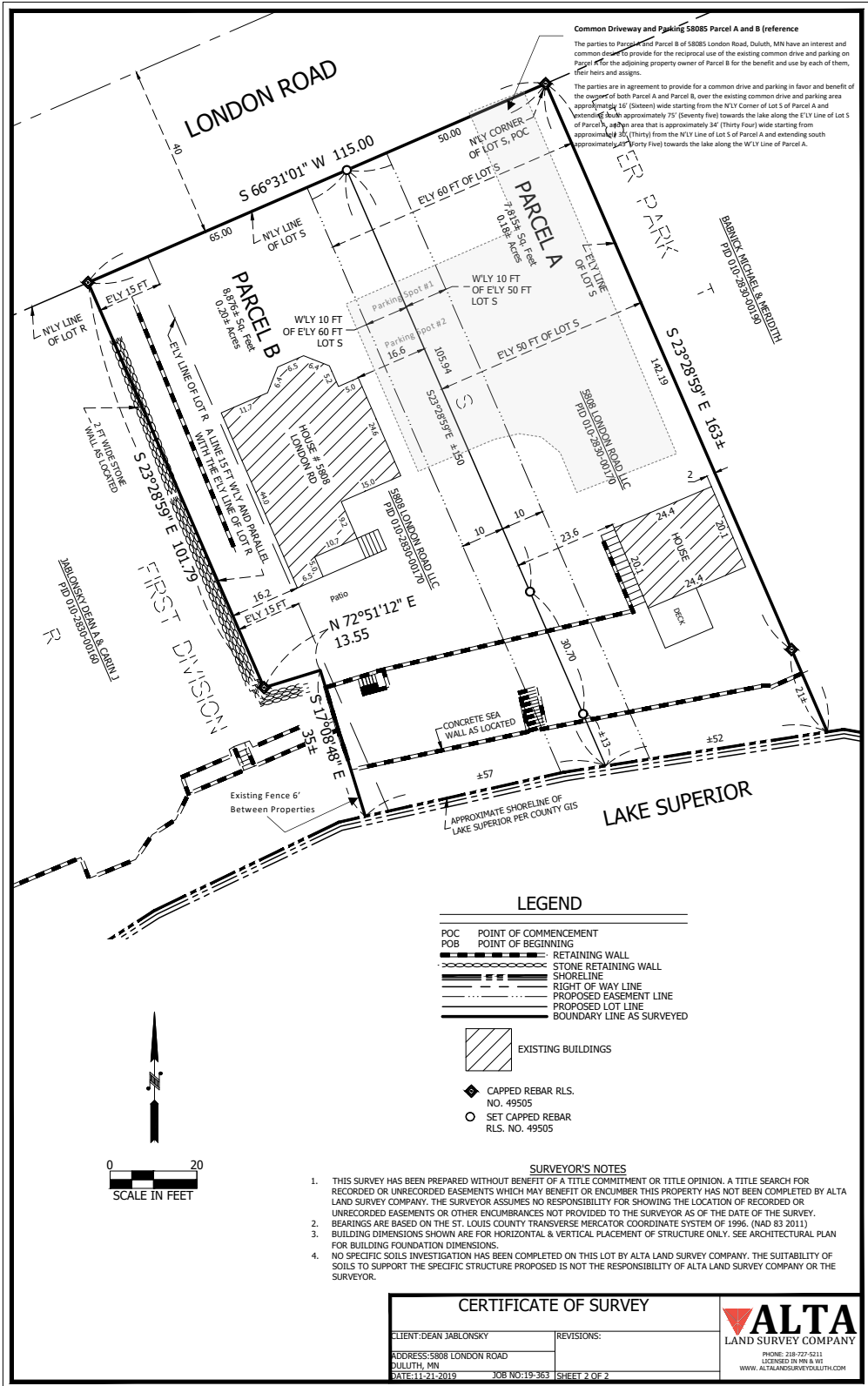
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 3) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



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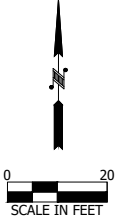
Common Driveway and Parking 5805 Parcel A and B (reference)

The parties to Parcel A and Parcel B of 5805 London Road, Duluth, MN have an interest and common goal to provide for the reciprocal use of the existing common drive and parking on Parcel A for the adjoining property owner of Parcel B for the benefit and use by each of them, their heirs and assigns.

The parties are in agreement to provide for a common drive and parking in favor and benefit of the owner of both Parcel A and Parcel B, over the existing common drive and parking area approximately 4' (Sixteen) wide starting from the WLY Corner of Lot 5 of Parcel A and extending south approximately 75' (Seventy five) towards the lake along the ELY Line of Lot 5 of Parcel A, and an area that is approximately 34' (Thirty four) wide starting from approximately 40' (Forty) from the WLY Line of Lot 5 of Parcel A and extending south approximately 40' (Forty five) towards the lake along the WLY Line of Parcel A.

LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- RETAINING WALL
- STONE RETAINING WALL
- SHORELINE
- RIGHT OF WAY LINE
- PROPOSED EASEMENT LINE
- PROPOSED LOT LINE
- BOUNDARY LINE AS SURVEYED
- EXISTING BUILDINGS
- ◆ CAPPED REBAR RLS. NO. 49505
- SET CAPPED REBAR RLS. NO. 49505



SURVEYOR'S NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
3. BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.
4. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.

CERTIFICATE OF SURVEY

CLIENT: DEAN JABLONSKY	REVISIONS:
ADDRESS: 5808 LONDON ROAD DULUTH, MN	
DATE: 11/21/2019	JOB NO: 19-363 SHEET 2 OF 2





95% if existing tree are evergreens.

Date: January 26th, 2022
Re: 5808 London Road Interim Use Permit
Topic: Dense Urban Screen

To Whom It May Concern

I, Dean Jablonsky, owner of property located at 5814 London Road, Duluth MN do not want my neighbor located 5808 London Road, Duluth, MN to add additional (or any) dense urban screening between our properties as part of his interim use permit. I'm fully supportive of my neighbor receiving his Vacation Dwelling Interim Use permit. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Dean Jablonsky".

Dean Jablonsky, Owner

Office of the Minnesota Secretary of State Certificate of Organization

I, Steve Simon, Secretary of State of Minnesota, do certify that: The following business entity has duly complied with the relevant provisions of Minnesota Statutes listed below, and is formed or authorized to do business in Minnesota on and after this date with all the powers, rights and privileges, and subject to the limitations, duties and restrictions, set forth in that chapter.

The business entity is now legally registered under the laws of Minnesota.

Name: 5808 London Road LLC

File Number: 1098685500023

Minnesota Statutes, Chapter: 322C

This certificate has been issued on: 08/28/2019



A handwritten signature in black ink that reads 'Steve Simon'.

Steve Simon
Secretary of State
State of Minnesota



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-014	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 1, 2022	60 Days	April 2, 2022
	Date Extension Letter Mailed	February 8, 2022	120 Days	June 1, 2022
Location of Subject	1916 West Superior Street, Unit 2 (Back)			
Applicant	DKM Ventures LLC	Contact	Meghan Butze	
Agent	N/A	Contact	N/A	
Legal Description	PID # 010-1120-02550			
Site Visit Date	February 25, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 23, 2022	Number of Letters Sent	25	

Proposal

Applicant proposes use of Unit 2 located on the second floor of an existing 7,000 square foot building as a vacation dwelling unit. The permit would allow for a 1,200 square foot studio unit with a maximum of 3 occupants.

Vacation dwelling units located in the F-5 Form District are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

Recommended Action: Staff recommends that Planning Commission approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5	Retail/Commercial	Central Business Secondary
North	F-5	Commercial	Central Business Secondary
South	MU-C	Commercial	Central Business Secondary
East	F-5	Commercial	Central Business Secondary
West	F-5	Commercial	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-6 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location . . .;
2. The applicant agrees to sign a development agreement with the city.
3. There is a



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city-wide cap on vacation dwelling units or accessory vacation dwelling units; permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts.

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

Governing Principle #8 - Encourage mix of activities, uses, and densities.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

Future Land Use – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets.

History: 1916 West Superior Street- The 7,000 square foot building was built in 1900.

Review and Discussion Items:

- 1) Applicant's property is located at 1916 West Superior Street, Unit 2. The proposed vacation dwelling is a studio loft space with sleeping area. The unit would allow for a maximum of 3 guests. Unit 2 is located on the second level with access from the rear common hallway entrance.
- 2) Vacation dwelling units located in Form districts are exempt from number of interim use permits issued, minimum night stays and parking requirements.
- 3) The applicant has noted that there is no proposed parking on site and that public parking is available at the rear of the building. Parking is not required for vacation dwelling units located in a Form District.
- 4) There will not be any campers or trailers parked on the property.
- 5) The site does not have any outdoor amenities.
- 6) Permit holders must designate a managing agent or local contact who resides within 25 miles of the city and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the city. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agent, which meets the criteria.
- 7) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses



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thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.

8) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").

9) No comments from citizens, City staff, or any other entity were received regarding the application.

10) The permit will expire 6 years from the approval date. The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the interim use permit subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.



SUPERIOR TRADING
PROPERTIES LLC

W Superior St

112002520

112002550

DKM
VENTURES
LLC

BAUER FAMILY
REVOC TRUST

**F-5 (Mid-Rise
Community Shopping
and Office)**

MIDWEST
PROPERTIES OF
DULUTH LLC

DULUTH
SOIL LLC

112002562

112002590

112002600

TPCRAFTDISTRICT1
LLC

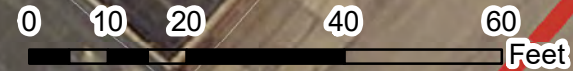
112002610

112002630

DULUTH ALL
AM CLUB OF

W Michigan St

**MU-C
(Mixed Use
Commercial)**

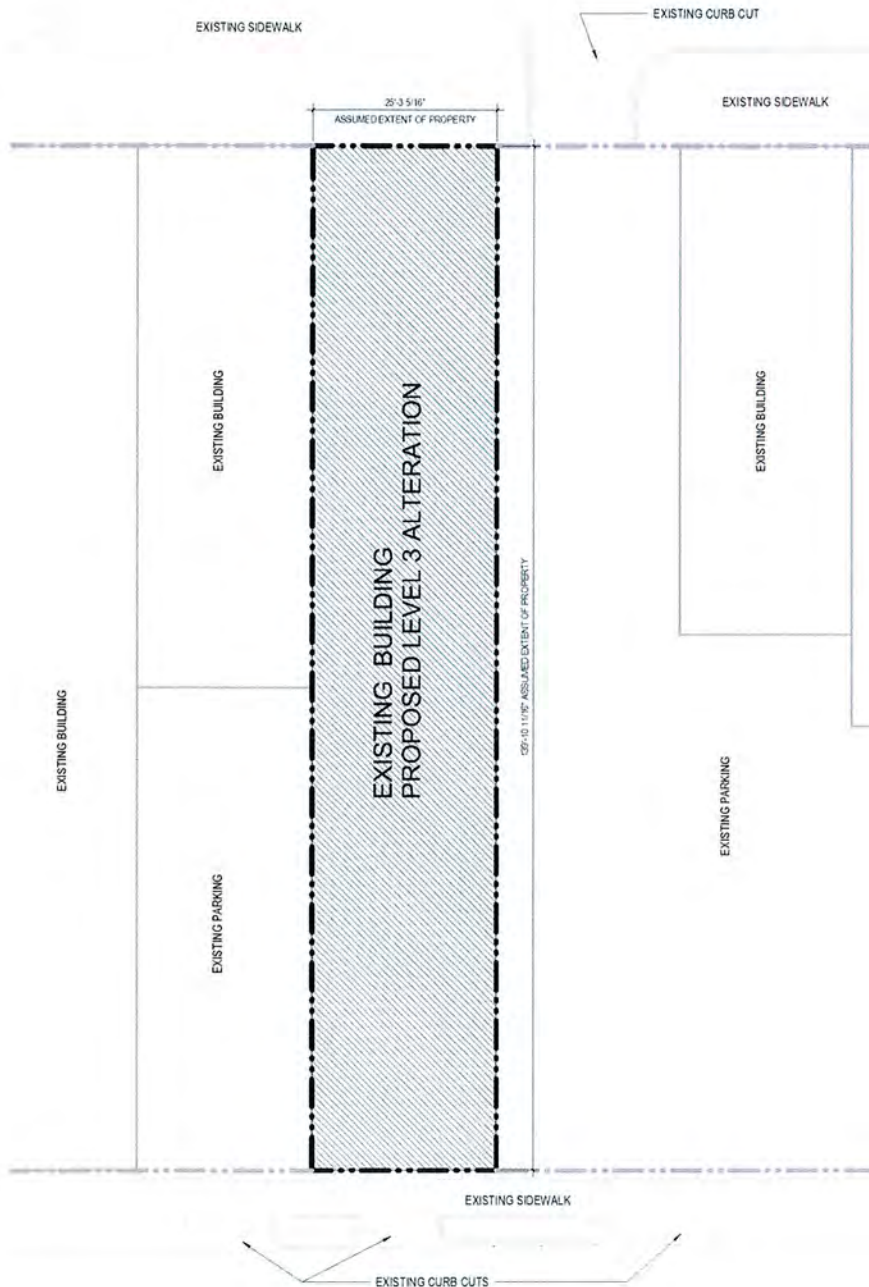


Legend
Zoning Boundaries

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WEST SUPERIOR ST



SITE DATA

SITE AREA 3,516 SF
 BUILDING SF- SAME AS PROPERTY
 SITE ZONED- F5
 SETBACK REQUIREMENTS=
 FRONT= 0 FT (EXISTING BUILDING)
 SIDE= 0 FT (EXISTING BUILDING)
 REAR= 0 FT (EXISTING BUILDING)
 MAX. BUILDING HT = EXISTING 26 FT

LEGAL DESCRIPTION

DEUVR PROPER SECOND DIVISION: East 1/2 of Lot 314, Block 36 EXCEPT part described as follows: Commencing at a point on the Northernly and Southernly center line of Lot 314, Block 36, a distance of 34.78 feet Southernly of the Southernly line of Superior Street, which is the Point of Beginning, and running thence Northernly along said center line a distance of 54.78 feet to a point on the Southernly line of Superior Street, thence Easternly along the Southernly line of Superior Street a distance of 0.27 feet to a point, thence Southernly 54.78 feet to the point of beginning AND all that part of the West 1/2 of Lot 314 commencing at a point on the Northernly and Southernly center line of Lot 314 a distance of 85.22 feet Northernly of the Northernly line of Michigan Street to the Point of Beginning, thence Southernly along said center line 85.22 feet to a point on the Northernly line of Michigan Street, thence Westernly 0.42 feet, thence Northernly 85.22 feet to the Point of Beginning.

PARCEL

010-1120-02550

GENERAL NOTES:

1. REFER TO LEGAL PLAT OF SURVEY FOR ADDITIONAL INFORMATION
2. REFER TO CHAPTER 1 FLOOR PLANS FOR COMPLETE BUILDING DIMENSIONS & ADDITIONAL INFORMATION
3. PROPOSED BENCHMARK ELEVATION OF -100.0' SET AT TOP OF FINISHED FLOOR @ FIRST FLOOR FOR PROJECT
4. SLOPE ALL NEW FINISHED GRADE AND HARDSCAPE WALKS AWAY FROM THE BUILDING
5. NO NEW HARDSCAPE WALK SHALL HAVE MORE THAN A 2% CROSS SLOPE AND SHALL HAVE A LONGITUDINAL SLOPE BETWEEN 2% & 33%, BUT SHALL BE AS SHALLOW AS FEASIBLE
6. NEW FINISHED GRADE SHALL BE 5% SLOPE AWAY FROM THE BUILDING

WEST MICHIGAN ST



1916 W Superior



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-015	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit 1	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 1, 2022	60 Days	April 2, 2022
	Date Extension Letter Mailed	January 10, 2022	120 Days	June 1, 2022
Location of Subject	1916 West Superior Street, Unit 2(Back)			
Applicant	DKM Ventures LLC	Contact	Meghan Butze	
Agent	N/A	Contact	N/A	
Legal Description	PID # 010-1120-02550			
Site Visit Date	February 25, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 23, 2022	Number of Letters Sent	25	

Proposal

Applicant proposes use of Unit 1 located on the second floor of an existing 7,000 square foot building as a vacation dwelling unit. The permit would allow for a 1,350 square foot, studio unit with a maximum of **3 occupants**.

Vacation dwelling units located in the F-5 Form District are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

Recommended Action: Staff recommends that Planning Commission approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5	Retail/Commercial	Central Business Secondary
North	F-5	Commercial	Central Business Secondary
South	MU-C	Commercial	Central Business Secondary
East	F-5	Commercial	Central Business Secondary
West	F-5	Commercial	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-6 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location . . .;
2. The applicant agrees to sign a development agreement with the city.
3. There is a



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city-wide cap on vacation dwelling units or accessory vacation dwelling units; permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts.

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

Governing Principle #8 - Encourage mix of activities, uses, and densities.

- Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages
S9: Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

Future Land Use – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets.

History: 1916 West Superior Street- The 7,000 square foot building was built in 1900

Review and Discussion Items:

- 1) Applicant's property is located at 1916 West Superior Street, Unit 1. The proposed vacation dwelling is a studio loft space with sleeping area. The unit would allow for a maximum of 3 guests. Unit 1 is located on the second level with access from the front common hallway entrance.
- 2) Vacation dwelling units located in Form districts are exempt from number of interim use permits issued, minimum night stays and parking requirements.
- 3) The applicant has noted that there is no proposed parking on site and that public parking is available at the rear of the building. Parking is not required for Short Term Rentals located in a Form District.
- 4) There will not be any campers or trailers parked on the property.
- 5) The site does not have any outdoor amenities.
- 6) Permit holders must designate a managing agent or local contact who resides within 25 miles of the city and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the city. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agent, which meets the criteria.
- 7) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon



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change in ownership of the property or in six years, whichever occurs first.

8) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").

9) No comments from citizens, City staff, or any other entity were received regarding the application.

10) The permit will expire 6 years from the approval date. The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the interim use permit subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.



SUPERIOR TRADING
PROPERTIES LLC

PC Packet 03-08-2022

W Superior St

112002520

112002550

DKM
VENTURES
LLC

BAUER FAMILY
REVOC TRUST

**F-5 (Mid-Rise
Community Shopping
and Office)**

MIDWEST
PROPERTIES OF
DULUTH LLC

DULUTH
SOIL LLC

112002562

112002590

112002600

TPCRAFTDISTRICT1
LLC

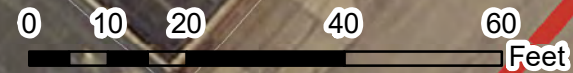
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112002630

DULUTH ALL
AM CLUB OF

W Michigan St

**MU-C
(Mixed Use
Commercial)**

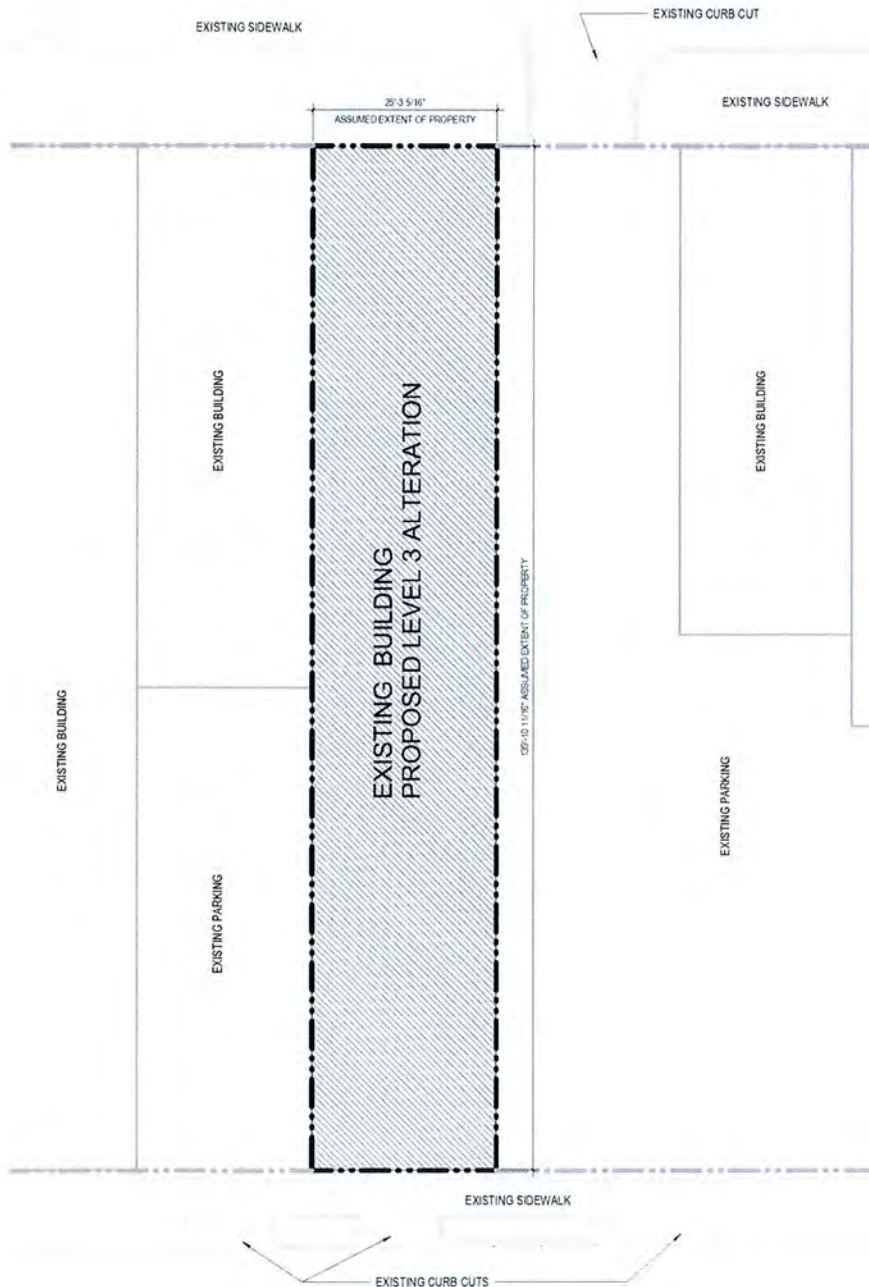


Legend
Zoning Boundaries

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WEST SUPERIOR ST



SITE DATA

SITE AREA 3,516 SF
 BUILDING SF- SAME AS PROPERTY
 SITE ZONED- F5
 SETBACK REQUIREMENTS=
 FRONT= 0 FT (EXISTING BUILDING)
 SIDE= 0 FT (EXISTING BUILDING)
 REAR= 0 FT (EXISTING BUILDING)
 MAX. BUILDING HT = EXISTING 26 FT

LEGAL DESCRIPTION

DEVELOP PROPER SECOND DIVISION: East 1/2 of Lot 314, Block 36 EXCEPT part described as follows: Commencing at a point on the Northernly and Southernly center line of Lot 314, Block 36, a distance of 34.78 feet Southernly of the Southernly line of Superior Street, which is the Point of Beginning, and running thence Northernly along said center line a distance of 54.78 feet to a point on the Southernly line of Superior Street, thence Easternly along the Southernly line of Superior Street a distance of 0.27 feet to a point, thence Southernly 54.78 feet to the point of beginning AND all that part of the West 1/2 of Lot 314 commencing at a point on the Northernly and Southernly center line of Lot 314 a distance of 85.22 feet Northernly of the Northernly line of Michigan Street to the Point of Beginning, thence Southernly along said center line 85.22 feet to a point on the Northernly line of Michigan Street, thence Westernly 0.42 feet, thence Northernly 85.22 feet to the Point of Beginning.

PARCEL

010-1120-02550

GENERAL NOTES:

- REFER TO LEGAL PLAT OF SURVEY FOR ADDITIONAL INFORMATION
- REFER TO CHAPTER 1 FLOOR PLANS FOR COMPLETE BUILDING DIMENSIONS & ADDITIONAL INFORMATION
- PROPOSED BENCHMARK ELEVATION OF -100.0' SET AT TOP OF FINISHED FLOOR @ FIRST FLOOR FOR PROJECT
- SLOPE ALL NEW FINISHED GRADE AND HARDSCAPE WALKS AWAY FROM THE BUILDING
- NO NEW HARDSCAPE WALK SHALL HAVE MORE THAN A 2% CROSS SLOPE AND SHALL HAVE A LONGITUDINAL SLOPE BETWEEN 2% & 33%, BUT SHALL BE AS SHALLOW AS FEASIBLE
- NEW FINISHED GRADE SHALL BE 5% SLOPE AWAY FROM THE BUILDING

WEST MICHIGAN ST



1916W Superior

35

35



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PL 21-205	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Minor Subdivision	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 1, 2022	60 Days	April 2, 2022
	Date Extension Letter Mailed	February 8, 2022	120 Days	June 1, 2022
Location of Subject	Joshua Avenue – PID 010-0530-00705			
Applicant	Van Staagen Design LLC	Contact	Michael Van Staagen	
Agent		Contact		
Legal Description	See Attached			
Site Visit Date	February 25, 2022	Sign Notice Date	N/A	
Neighbor Letter Date	N/A	Number of Letters Sent	N/A	

Proposal

Applicant is requesting a Minor Subdivision to divide one lot into two lots. The current parcel is approximately 23,203 square feet and the division will create two lots. Both Parcel A and Parcel B will be approximately 11,000+ square feet.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	MU-N	Vacant land	Neighborhood Mixed Use

Summary of Code Requirements

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1. The planning commission shall approve the application if it determines that: (a) The lot or lots to be subdivided or combined have frontage on an improved public street; (b) Each proposed lot meets the minimum zoning requirements of the district that it is in; (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new

nonconformity or increase any existing nonconformity between the requirements of this Chapter.

50-14.5.A. R-1 minimum lot area: 4,000 square feet; minimum lot frontage: 40 feet.

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

Governing Principle #5 Promote reinvestment in neighborhoods. Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Future Land Use: Traditional Neighborhood - Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The current parcel contains 23,300 square feet and is vacant land. The underlying plat is "City Home Acres;" the existing tax parcel consists of two previously platted lots with frontage on the platted Joshua Avenue.

Review and Discussion Items

1. Applicant is requesting a Minor Subdivision to divide a single lot into two lots. Both parcels will have frontage on Joshua Avenue. The exhibit shows a shared driveway easement for the parcels.
2. Proposed use of the lots are for single family dwellings, shared driveway, accessory dwelling units and shared parking between the principle and accessory dwellings.
3. Both parcels are zoned R-1, which has a minimum lot size of 4,000 square feet and have the required street frontage along Joshua Avenue. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. The City Engineering Department will require sewer and water extensions for future use of the parcels. No public, agency, or other City comments were received.
5. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
6. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. Applicant must provide the City with proof of recording.

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

1. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
2. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL 22-016
Minor Subdivision

LARSEN
ERIC A ETUX
223007370

**RR-1 (Rural
Residential 1)**

223007330

LARSEN
ERIC A
ETUX

ST OF MN
C278 L35

223007300

ARIO
JASON A

223007280

**MU-N
(Mixed Use
Neighborhood)**

ARIO JASON A
223007255

MONSON
BRANDON R

053000790

PC Packet 03-08-2022

MONSON
BRANDON R

053000720

053000705

1 LLC

PETERSON
RONALD L

PETERSON
RONALD L

Legend
Zoning Boundaries

DEDICATED ROW

Joshua Ave

**R-1 (Residential
Traditional)**

053000690

053000680

DULUTH HRA

DOWNES GERARD

053000710

053000700

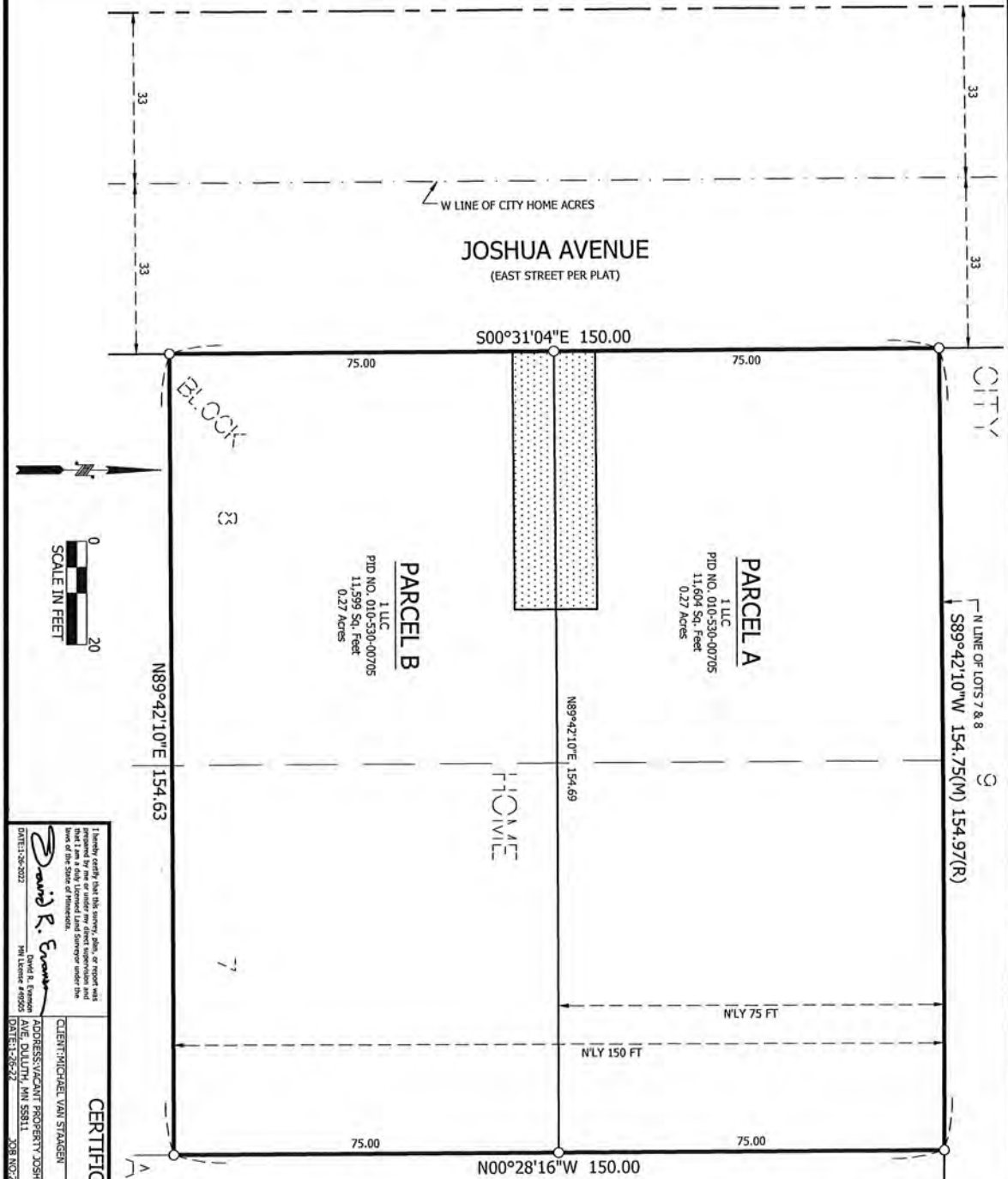


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, May 3, 2019. Source: City of Duluth.

HOME ACRES 1ST DIVISION OF DULUTH



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and based on a study of original land survey records under the laws of the State of Minnesota.

David R. Evans
 David R. Evans
 Professional Land Surveyor
 License # 49905
 Date: 05-06-2022

CERTIFICATE OF SURVEY

CLIENT: MICHAEL VAN STAAGEN
 ADDRESS: 2124 JOSHUA AVENUE, DULUTH, MN 55811
 DATE: 05-06-2022
 JOB NO: 22-013

ALTA
 LAND SURVEY COMPANY
 PHONE: 218-292-5211
 LICENSED IN MN AND WI
 WWW.ALTA-SURVEYING.COM

- LEGEND**
- (M)-FIELD MEASURED DIMENSION
 - (R)-RECORD DIMENSION
 - DIVISION LINE
 - CENTER LINE
 - RIGHT-OF-WAY LINE
 - BOUNDARY LINE AS SURVEYED
 - EXISTING PLAT LINE
 - PROPOSED PARCEL LINE
 - SET OFFED REBAR ILS. NO. 49505
 - PROPOSED SHARED DRIVEWAY

SURVEYOR'S NOTES

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED ENCUMBRANCES WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED ENCUMBRANCES OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR ON THE DATE OF THE SURVEY. THIS SURVEY IS BASED ON THE BEST AVAILABLE CITY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1986. (NAD 83 2011)

LEGAL DESCRIPTION FOR PARCEL A

The Northernly 75 feet of the Northernly 150 feet of Lots 7 and 8, Block 4, CITY HOMES ACRES, according to the recorded plat thereof, St. Louis County, Minnesota. Said parcel contains 11,604 Sq. Feet or 0.27 Acres.

LEGAL DESCRIPTION FOR PARCEL B

The Northernly 150 feet of Lots 7 and 8, Block 4, CITY HOMES ACRES, according to the recorded plat thereof, St. Louis County, Minnesota. Except: The Northernly 75 feet thereof. Said parcel contains 11,599 Sq. Feet or 0.27 Acres.



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-013	Contact	Chris Lee	
Type	Variance – corner side yard structure setback	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 1, 2022	60 Days	April 2, 2022
	Date Extension Letter Mailed	February 15, 2022	120 Days	June 1, 2022
Location of Subject	2533 Minnesota Avenue			
Applicant	Kimberly Anderson	Contact		
Agent	Jody Keppers	Contact		
Legal Description	Parcel 010-3110-00730, 010-3120-02850			
Site Visit Date	February 21, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 18, 2022	Number of Letters Sent	20	

Proposal: Applicant is requesting a variance from the corner side yard setback to 5’ build an entry stop and deck. This is a reduction of 10’ from the standard 15’.

Recommended Action: Staff is recommending approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential - Duplex	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Harbor	Traditional Neighborhood

Summary of Code Requirements:

Sec. 50-37.9.C – General Variance Criteria (paraphrased): 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 exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That the landowner is proposing to use the property in a reasonable manner, b) that the need for relief for 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 5 – Promote reinvestment in neighborhoods through land use and transportation that foster neighborhood reinvestment. This homeowner will be reinvesting in their home by constructing an addition to expanding the existing duplex.

Future Land Use, Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas

History: The duplex was constructed in 1896. The house is a two-story residential structure containing 2,000 square feet. There is an existing garage located in the right of way that is permitted as a concurrent use via Ord. 7411.

Review and Discussion Items:

Staff finds that:

- 1) The applicant is requesting a corner side yard setback variance for an approximate 5.5’ x 55’ deck addition onto the south side of the existing home. The other proposed addition (attached garage) to the home is exempt from the variance due to the reduced setbacks of other houses on the block face.
- 2) The deck addition will provide shelter to the entry of the structure.
- 3) The property was platted, and the house constructed, prior to the current zoning regulations. The exceptional narrowness of the lot and its location as a corner results in a practical difficulty to the homeowner. The applicant also expresses that 26th Street does not get utilized by public and acts essentially as a driveway for the adjacent properties. This property sits outside the shoreland setbacks for the harbor.
- 4) The addition is a modest size and a reasonable use in the R-1 district.
- 5) The proposal will not alter the essential character of the neighborhood as it is a modest size addition on the side of the house. The design is consistent with other structures in the area and with the intent of neighborhood layout and design as described in the UDC and Comprehensive Plan.
- 6) Section 50-37.9.L of the UDC requires buffering for setback variances. Staff is not proposing any additional buffer requirements.
- 7) No agency or City comments have been received. One comment was received from the public in support of the variance.
- 8) Per UDC Section 50-37.1. N. approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission grant the Variance with the following conditions:

- 1) The project be limited to, constructed, and maintained based on the site plan submitted with the application, dated 1/31/22.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL 22-013
 Variance
 2533 Minnesota Ave

Legend
 Zoning Boundaries

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Aerial photography flown 2019





Registered Architect in Minnesota & Wisconsin

January 31, 2022

620 Ridgewood Rd
 Duluth, Minnesota 55804
 jkeppers@keppersdesign.com
 Phone 218-409-6409

City of Duluth
 Planning & Development Division
 Room 160
 411 West First Street
 Duluth, MN 55802

Re: Kim Anderson Addition (2533 Minnesota Avenue) Variance Request

This is a request for a variance from UDC Section 50-14.5 - front side yard setback in an R-1 district.

Existing Conditions:

The property consists of two parcels (010-3110-00730 & 010-3120-02850) between Minnesota Avenue and the Duluth harbor. A concurrent use permit was established by ordinance 7411 on August 31, 1964 to allow construction of a garage. The parcels are 40 ft wide.

The parcels contain the following **existing structures**:

- An **existing two-family home**.
 - Description:
 - Duluth city records indicate an original construction year of 1896.
 - Two-story configuration with one unit on the ground floor and a second unit on the upper floor.
 - The entry door faces Minnesota Avenue.
 - Existing Home size:
 - 1046 sq. ft. ground level
 - 967 sq. ft. upper level
 - 106 sq. ft. upper level deck
 - Lowest ground floor elevation is 606.43
 - Existing Building setbacks:
 - Side Yard (at north): 3.4 ft
 - Front Yard: 42.2 ft
 - Front Side Yard (to exterior walls) 7.3 ft
 - Front Side Yard (to existing deck) 6 ft
 - To Ordinary High Water elevation (to exterior walls): 60 ft
 - Construction is wood frame on a concrete block foundation with a shallow crawl space.
 - No mechanical systems are contained within the crawl space.
- **Original Structure Adherence to shoreland regulations:**
 - **Floor Elevation:** Existing home lowest floor elevation is approximately 606.5, which is under the required elevation for new construction (607 ft). However, the existing structure is not required to be brought into compliance with this requirement unless improvements costing more than 50% of the appraised value are performed.

- **Shoreland Setback:** The existing home is set back 60 feet from the ordinary high water mark of the Duluth Harbor, which is compliant with the required setback.
- **Original Structure Adherence to the Building Code:** Ms. Anderson has only owned the property for about two years, and she is not aware of any non-permitted construction having been performed on the home. The home appears to be in compliance with building codes which would have been in effect as of the time of construction.
- **An existing one-car garage.** Description:
 - Probably built in 1964 or 1965.
 - Garage is a single story, wood frame garage on a floating slab foundation.
 - Size is 24.3 ft x 18 ft.
 - The garage extends partially outside of the platted parcels 010-3110-00730 & 010-3120-02850, but this is a concurrent use permitted by Duluth city ordinance 7411 as noted above.

Proposed work:

The client proposes the following work:

- **Add an attached two-car garage and additional living space** to the existing home.
 - Location of the addition:
 - At east of the existing home
 - Size of the addition:
 - Adds 670 sq. ft. at ground level for the garage and a new upper level entry
 - Adds 670 sq. ft. at upper level to create a unit of approx. 1,637 sq. ft. size
 - Setbacks of proposed addition:
 - Side Yard: 6.1 ft
 - Front Yard: 12.1 ft (this is greater than the 11 ft setback of the adjacent home to the north and therefore does not require a variance)
 - Front Side yard: 10.8 ft (allowable with administrative adjustment)
- **Enlarge the existing upper level deck** to extend along the west and south sides of the home.
 - The proposed **deck extension at the west** (the harbor side)
 - Setback is more than 50 feet from the Ordinary High Water location, so no variance is required.
 - The proposed **deck extension at the south**
 - Would provide shelter for the unit entrances below and act similarly to a front stoop.
 - Would extend no farther from the main body of the home than the existing deck.
 - Setback from property line would be 5.2 ft., **requiring a variance.**
- **Adherence to Shoreland Regulations**
 - Both the original home and proposed additions are more than 50 feet from the Ordinary High Water level of the Duluth Harbor, so they are in compliance with setback requirements from the harbor.
 - Floor of the proposed addition would be at elevation 607.5, which is above the floor elevation required by shoreland regulations.
 - Cost of proposed improvements is anticipated to be less than 50% of the appraised value of the existing home, so the existing home is not required to be brought into full compliance with shoreland rules.

Explanation of practical difficulties:

The narrow nature of the lot does not allow for adequate shelter at the proposed entrances of the home without having an entry porch that extends past the 10 foot front side yard setback line that is allowed by administrative adjustment. The entry porch is necessary to provide shelter over the entry doors.

Ms. Anderson wants to add an attached garage to the existing duplex so that both units of the duplex have interior vehicle parking. Due to the narrowness of the lot, the only feasible place to add a garage is by extending the structure in the direction of Minnesota Avenue.. The garage is modestly sized at a depth of 23 feet, which would only allow about 2 feet of interior clearance at the front and back of a moderately sized SUV such as a Chevrolet Traverse.

Unlque Circumstances creating the need for relief:

The special circumstances are due to the narrowness of the lot and the unusual nature of 26th Street South in this location. The current and previous owners of the property did not create this condition.

Special Circumstances or conditons applying to the bulding or land In question:

26th Street, which is being used to access the garage in this case, is unusual in that, although it is platted as a street, it is actually treated more like a shared drive than a normal street. It is not maintained or plowed by the City of Duluth and is not constructed to normal city standards for a street. The paved area is only about 140 feet long and is highly unlikely to ever be upgraded to city standards for a street. This is not typical of properties in the area, which typically are accessed through fully improved and maintained streets.

How the Application proposes to use the property In a reasonable manner, which would not ber permitted by this code except for a varlance:

Since 26th Street is not treated as a normal street in construction or maintenance, and is unlikely to ever be so, it seems inappropriate to apply all of the standards for a front side yard to this property. If the setback for a normal side yard was applied to this project, the proposed project would be permissible without a variance. In addition, per UDC Table 50-21-1, an open-sided porch, deck, or paved terrace is permitted to extend up to 10 feet into a front yard (though no closer than 5 feet). So what is being requested is not much different from what would be allowed in a normal front yard.

If the Varlance Is granted, It will not Impair an adequate supply of llght and air to adjacent property, or unreasonably Increase the congestion In public streets... or Imperll the public safety, etc.

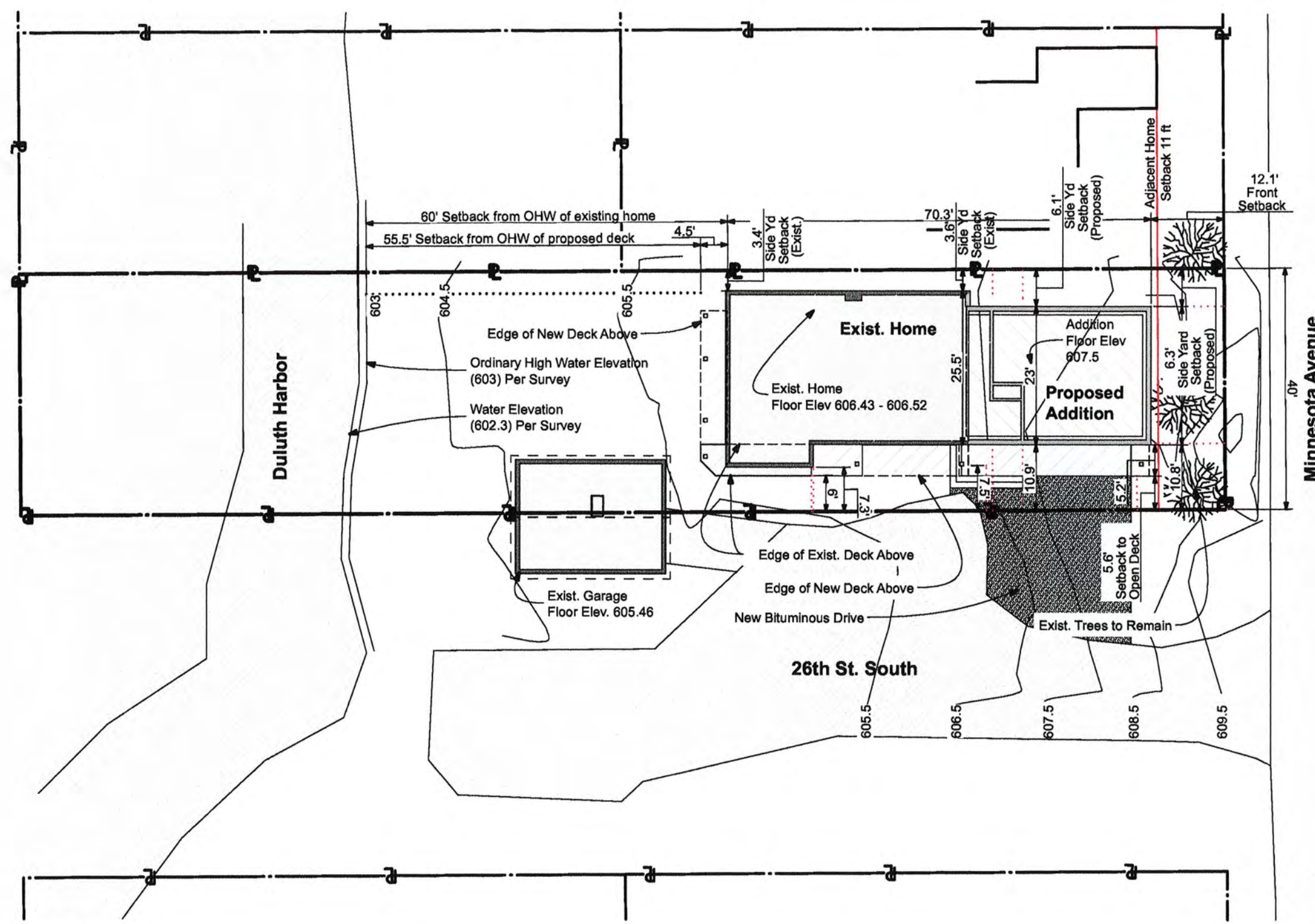
The variance will not increase vehicle traffic to the property or otherwise affect use of the public streets. Far from reducing property values, it will increase them due to the improved appearance of the proposed home. Upper level decks are quite common in the area and provide a highly valued amenity. Due to the large amount of open space in front of the home, proximity of the proposed deck to the property line will not be noticeable.

How, if the variance is granted, it will not substantially impair the intent of zoning code and the official zoning map, and will not alter the essential character of the neighborhood:

The intent of the zoning code setback requirement for front side yards is to maintain an attractive streetscape which provides consistent appearance of building setbacks at street intersections. In this case, 26th Street effectively functions as a driveway and will continue to do so for the foreseeable future. And this portion of Minnesota Avenue is primarily perceived as a long string of homes rather than a typical grid with intersections every 500 feet or so. Allowing a deck which does not protrude farther from the home than an existing deck and is consistent with a normal side yard setback will not significantly change the character of the neighborhood. See page A203 on the attached plan set for photos of some nearby homes.

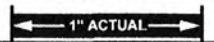
Specific Criteria in UDC Section 50-37.9, Subsections D through M:

The variance does not need to meet the specific criteria in this section.



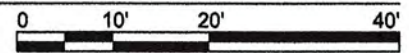
Copyright 2022 Keppers Design

IF THE BAR BELOW DOES NOT MEASURE EXACTLY 1", REVISE ALL SCALES ACCORDINGLY



Anderson Addition
 2533 Minnesota Avenue Duluth MN 55802

1
A001
Site Plan - Proposed
 SCALE: 1" = 20'



ISSUED:
 January 31, 2022
 Variance Application

Site

Anderson MN Ave pin
A001
 Page 74 of 157
 ID: 2021001 Printed: 1/31/22



Anderson Additon
2533 Minnesota Avenue Duluth MN 55802

ISSUED:
January 31, 2022
Variance Application

Aerial Photo

Anderson MN Ave.pln

A002



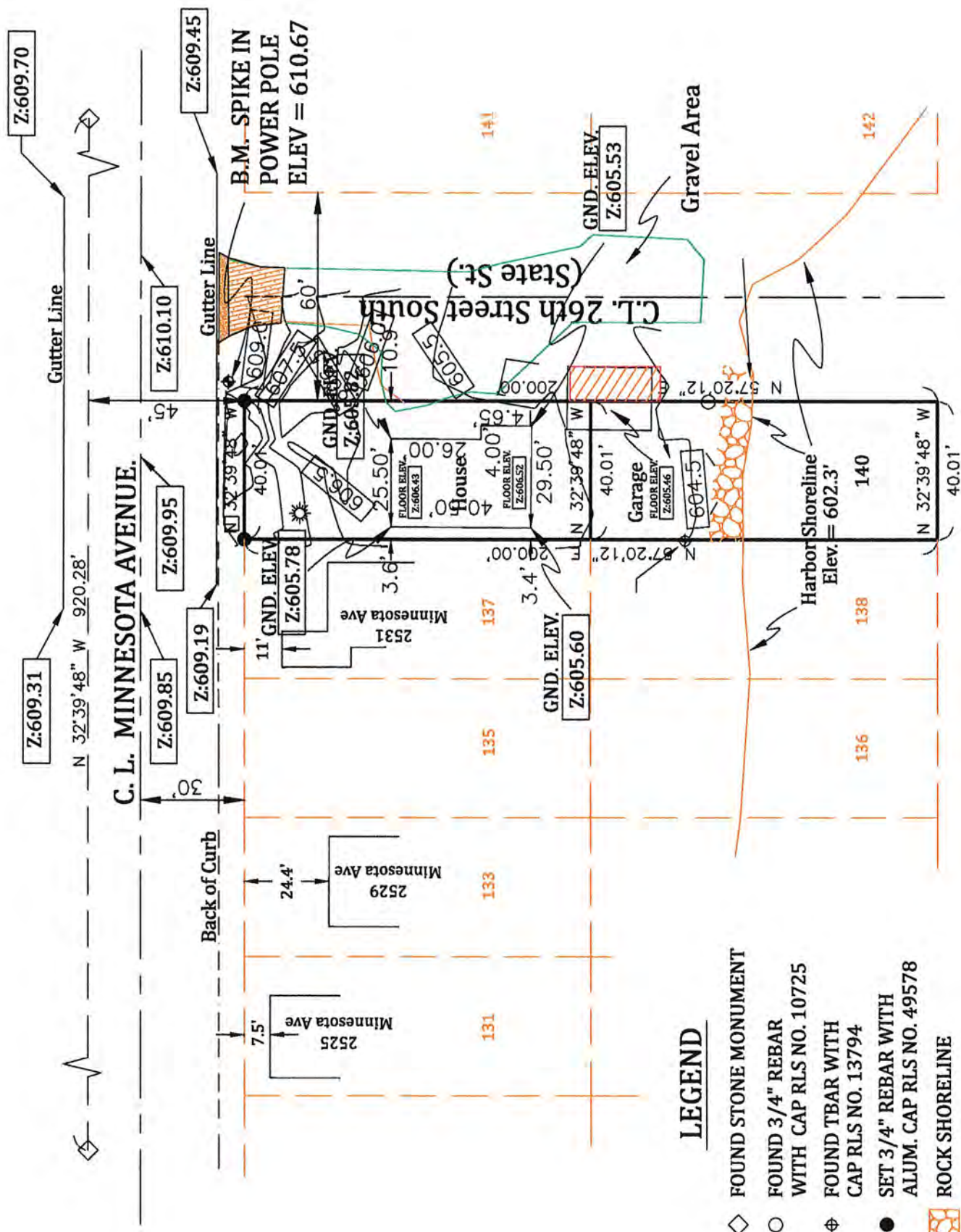
1
A002

Aerial Photo - Existing Conditions

NOT TO SCALE

CERTIFICATE OF SURVEY
 LOTS 139 AND 140
 LOWER DULUTH MINNESOTA AVENUE
 CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

Bearings Referenced to
 St. Louis County Transverse
 Mercator 96 Coordinate System



LEGEND

- ◇ FOUND STONE MONUMENT
- FOUND 3/4" REBAR WITH CAP RLS NO. 10725
- ⊕ FOUND T BAR WITH CAP RLS NO. 13794
- SET 3/4" REBAR WITH ALUM. CAP RLS NO. 49578
- ▨ ROCK SHORELINE
- ▩ GRAVEL DRIVE
- TELEPHONE JCT. BOX
- ▨ ASPHALT AREA
- ▨ CONCRETE AREA
- ▨ CONCURRENT USE PERMIT AREA ISSUED BY ORDINANCE 7411 AUG. 31, 1964 FOR GARAGE CONSTRUCTION.
- ☼ 16 IN. DIA. SPRUCE TREE.
- ⎓ ELEV. CONTOUR LINES NAVD88 ELEV. SHOWN.

NOTES: Gross property area (to shoreline) = 5,800 +/- Sq. Feet
 High-water mark elev. as seen on rock rip-rap shoreline = 603.6' +/-
 603.0' Elev. line is: 1 ft. +/-; inland of harbor shoreline.
 Distance from existing house to 603.0 ft. Elev. line is = 60 ft. +/-



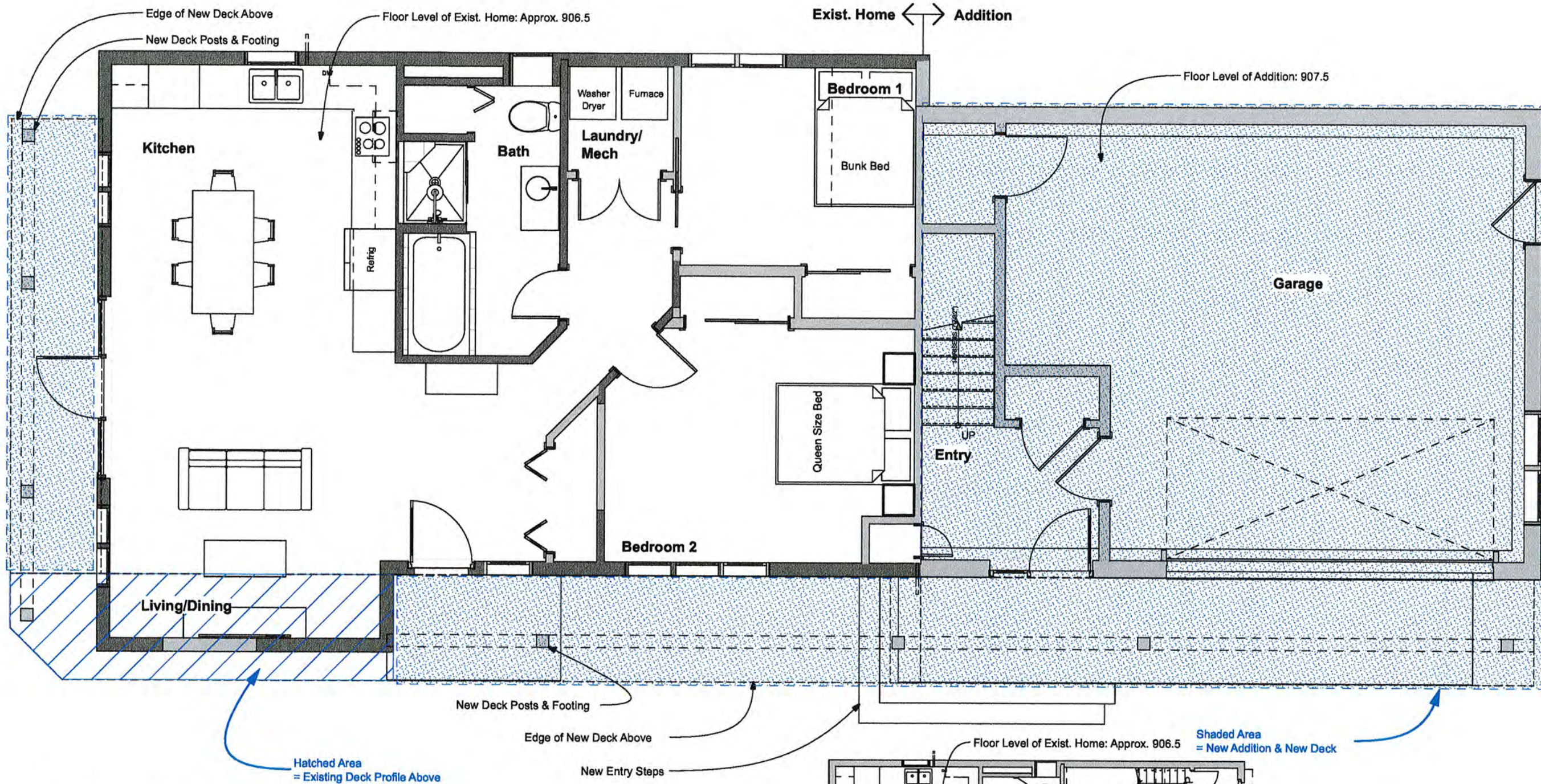
1 In. = 40 Ft.

Survey for: Kimberly Anderson
 2533 Minnesota Ave
 Duluth, Minnesota

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

SurveyScience Land Surveying, LLC
 Duluth, Minnesota
 (218) 428-4327

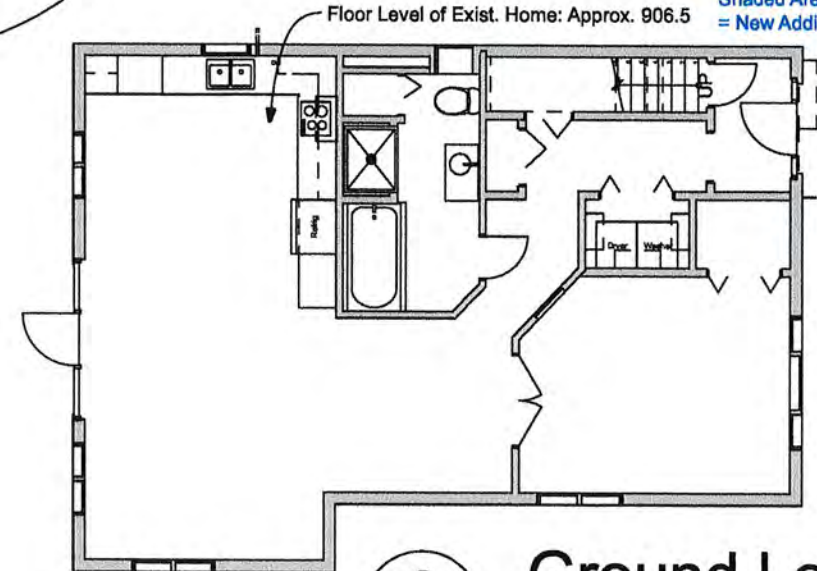
James T. Nelson
 Revised: Jan. 28th, 2022
 Date: March 16th, 2021
 License Number: 49578



1
A101

Ground Level (Proposed)

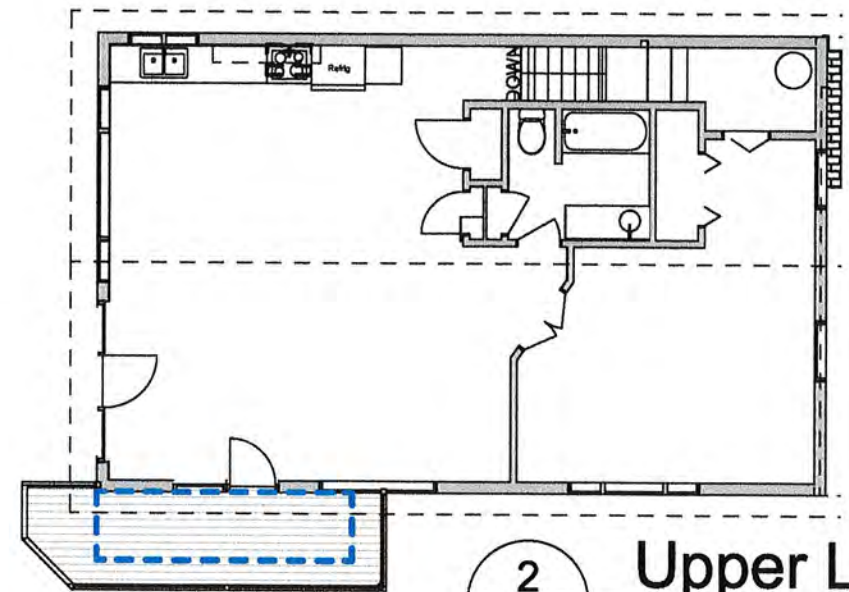
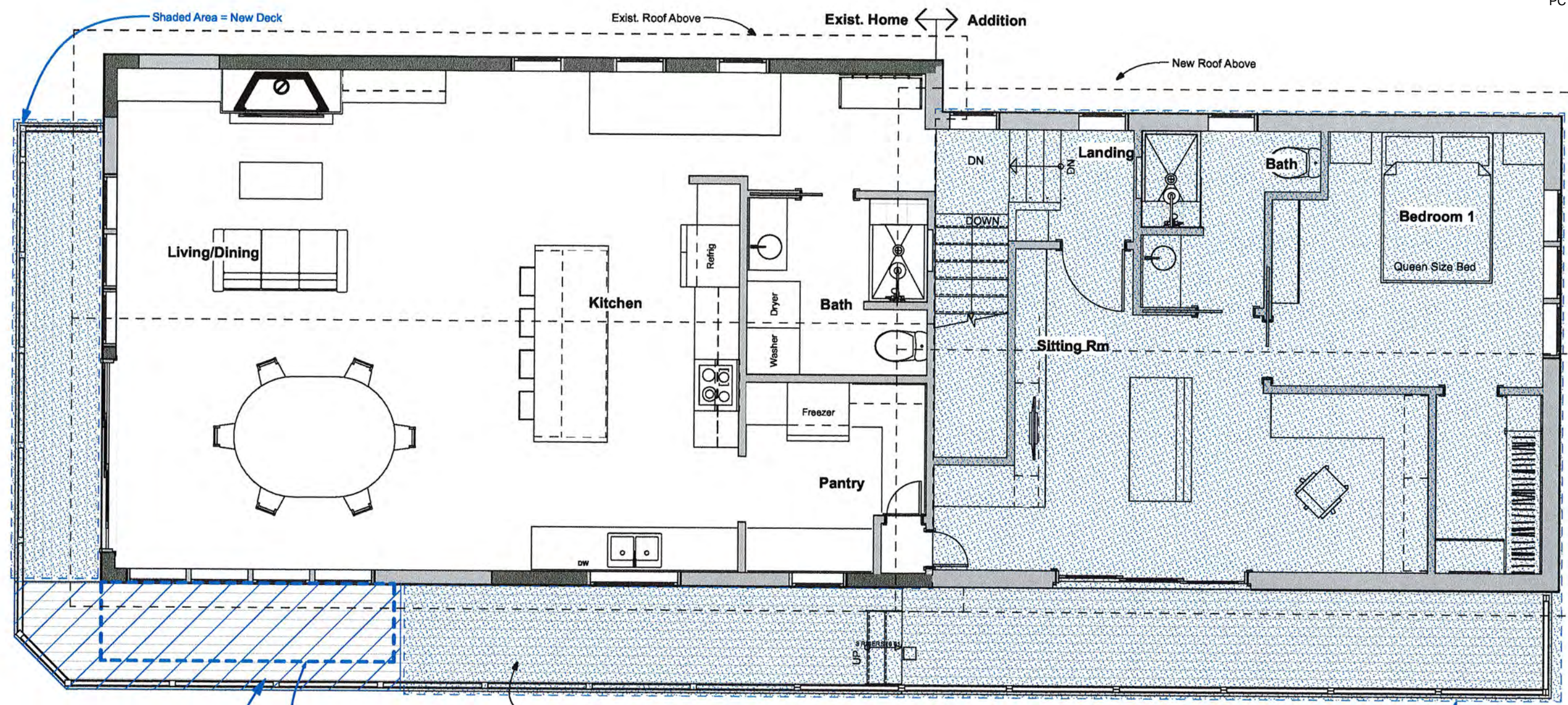
SCALE: 3/16" = 1'-0"



2
A101

Ground Level (Existing)





1
A102

Upper Level (Proposed)

SCALE: 3/16" = 1'-0"



2
A102

Upper Level (Existing)



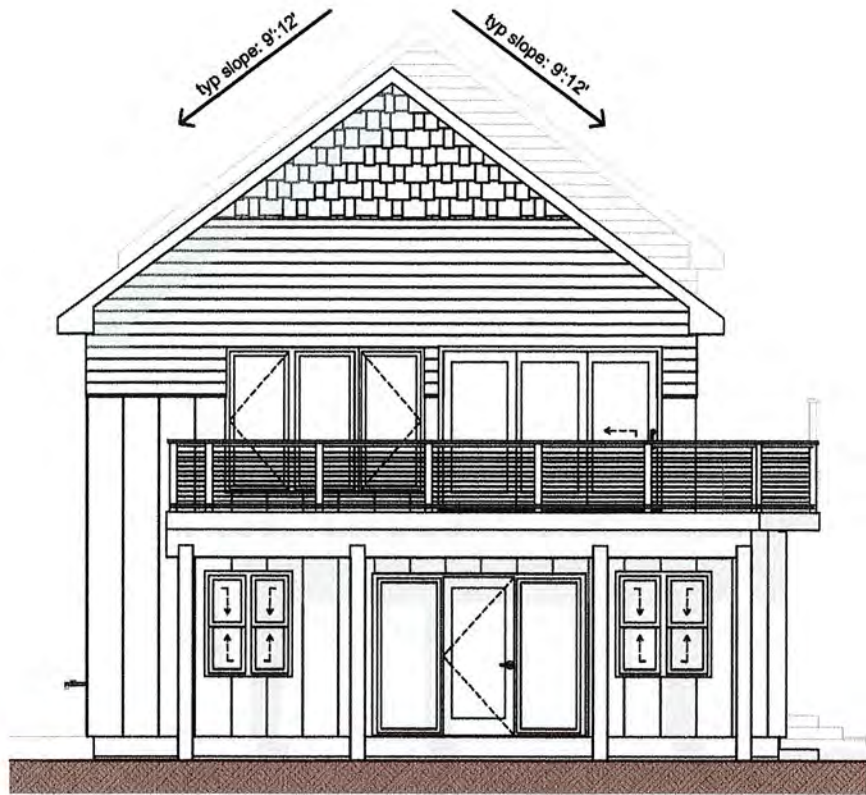
Anderson Additon
2533 Minnesota Avenue Duluth MN 55802

ISSUED:
January 31, 2022
Variance Application

Exterior Elevations

Anderson MN Ave.dgn

A201



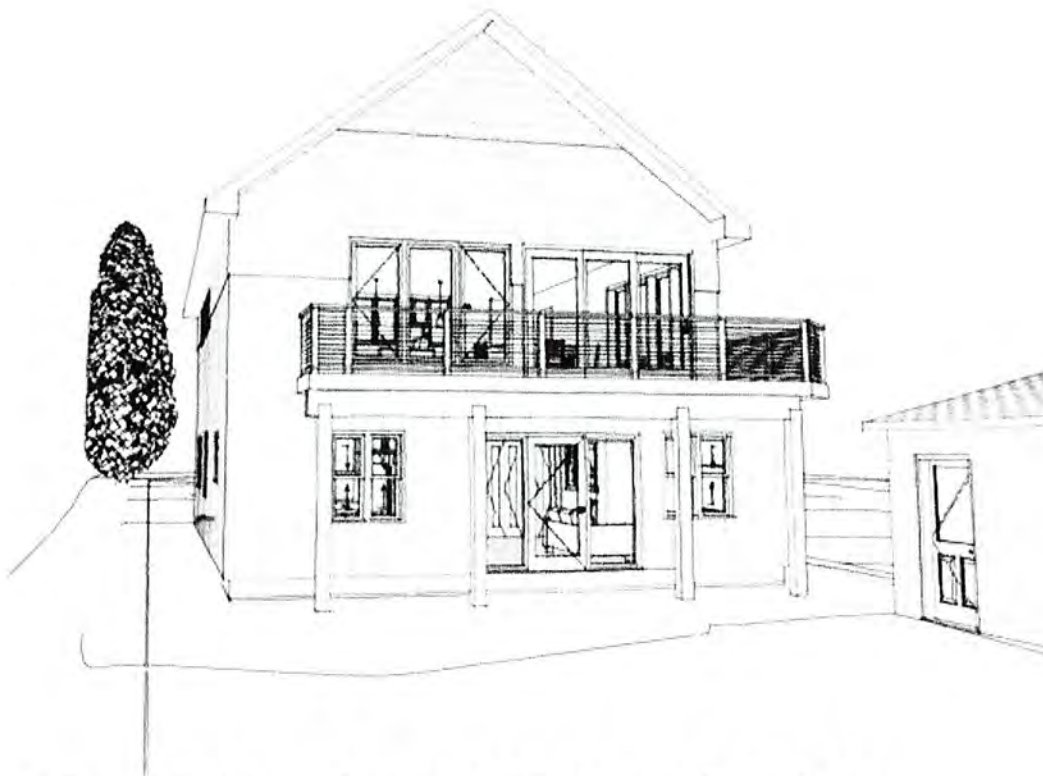
1 West Elevation

A201 SCALE: 1/8" = 1'-0"



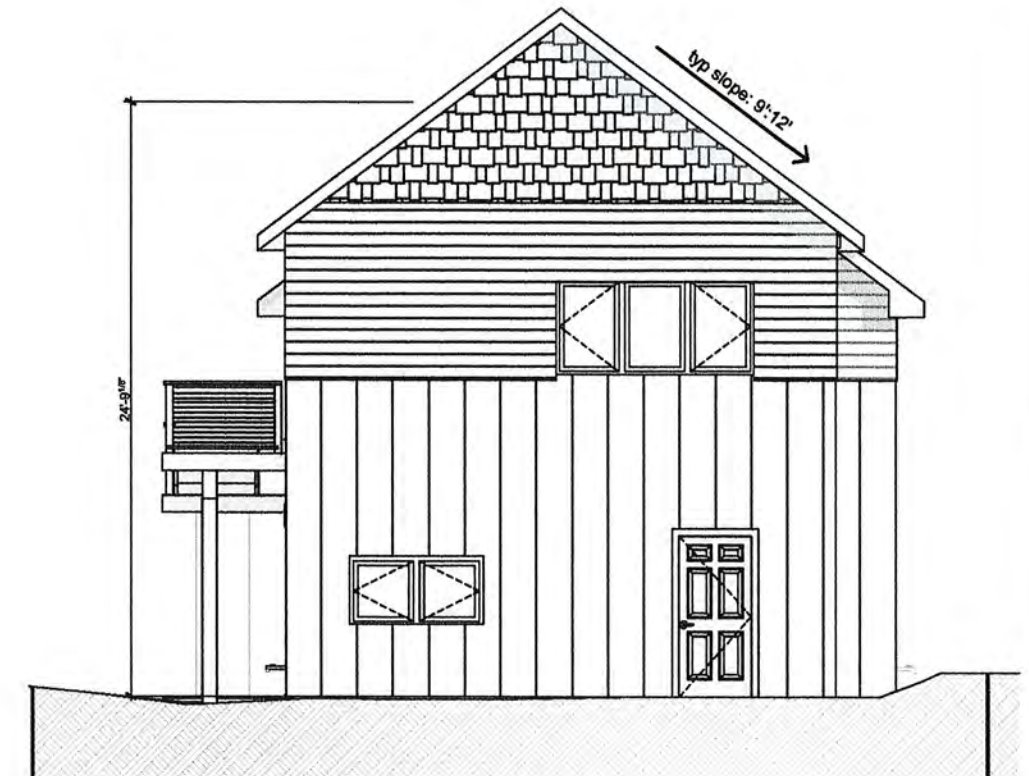
2 South Elevation

A201 SCALE: 1/8" = 1'-0"



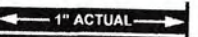
3 View from Harbor Sketch

A201 NOT TO SCALE



4 East Elevation

A201 SCALE: 1/8" = 1'-0"



Anderson Additon
2533 Minnesota Avenue Duluth MN 55802

ISSUED:
January 31, 2022
Variance Application

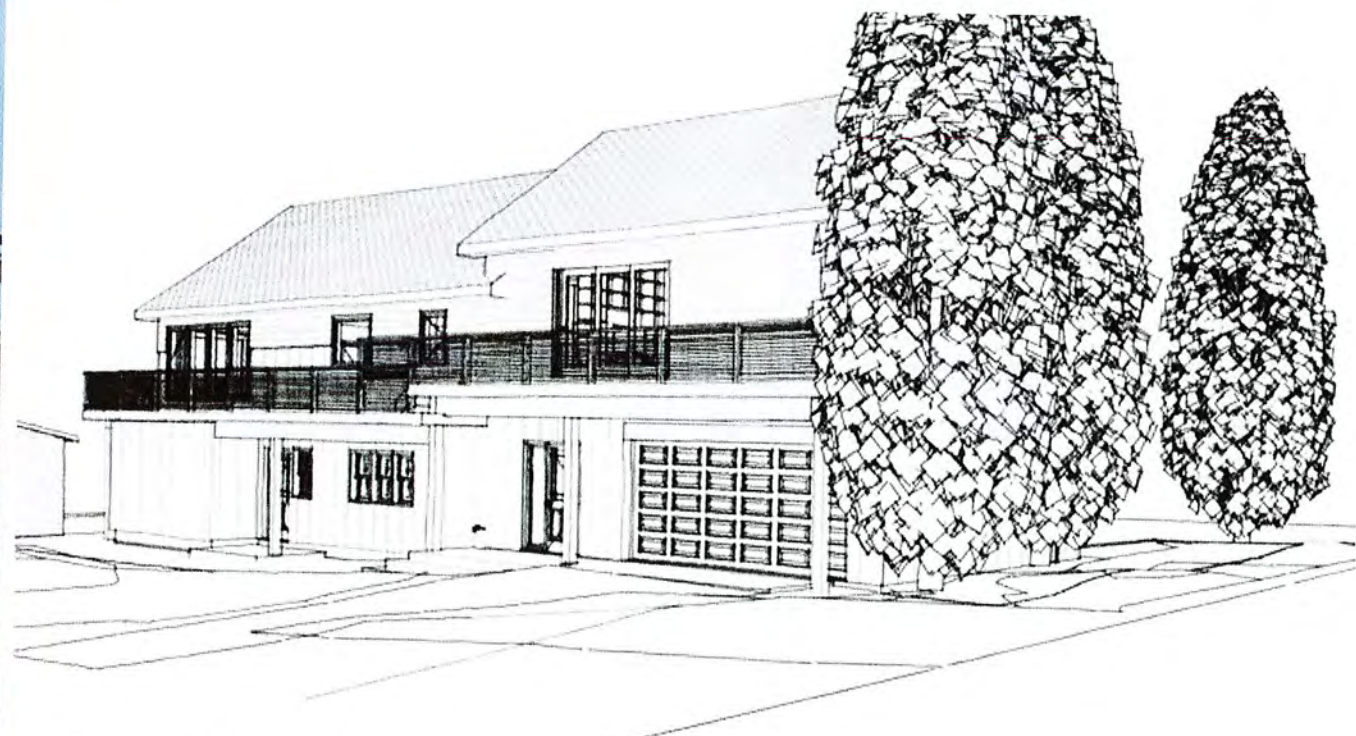
Exterior Perspectives



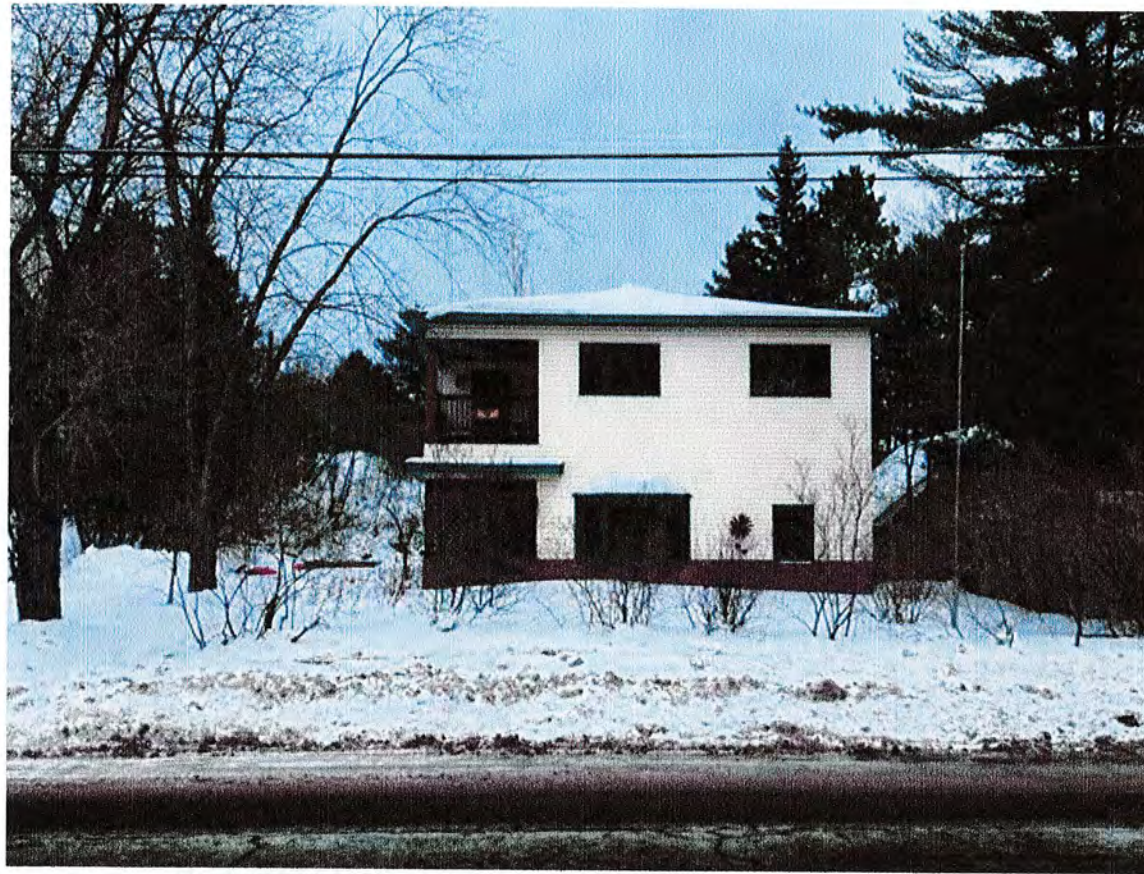
1
A202 **Exist View from East**
NOT TO SCALE



2
A202 **Exist View from SE**
NOT TO SCALE



3
A202 **View from SE Sketch - Proposed**
NOT TO SCALE



1
A203 **2602 MN Avenue**
NOT TO SCALE



2
A203 **2525 MN Avenue**
NOT TO SCALE



3
A203 **2615 MN Avenue**
NOT TO SCALE

Anderson Additon
2533 Minnesota Avenue Duluth MN 55802

ISSUED:
January 31, 2022
Variance Application

Nearby Homes

Anderson MN Ave.pln

A203

February 7, 2022

Regarding: property 2533 Minnesota Ave
owned by Kim Anderson

Concerns regarding her property construction

- I have no concerns regarding
the construction and addition to
the property at 2533 Minnesota Ave.

- I have no concerns regarding
use of 26th street south by
the property owner adjacent to
that street

- There are no concerns regarding
parking on 26th street south,
there are adequate garages
and driveway space.

Sincerely Patricia C. Fisher
property owner: 214-026 St. S,
Park Point, Duluth





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-018	Contact	Kyle Deming, kdeming@duluthmn.gov	
Type	Special Use Permit – Car Wash (primary use)	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 1, 2022	60 Days	April 2, 2022
	Date Extension Letter Mailed	February 17, 2022	120 Days	June 1, 2022
Location of Subject	South side of 600 block of W. Central Entrance (Mall Area)			
Applicant	CWP West Corp.	Contact	Emma Skidmore	
Agent	Kimley-Horn	Contact	Arik Lokensgard	
Legal Description	Lot 1, Block 1, Jigsaw Division (010-2589-00010)			
Site Visit Date	February 24, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 23, 2022	Number of Letters Sent	14	

Proposal

A single-bay automatic car wash with 3 drive-up pay stations, 14 stalls for vehicle vacuuming, and 3 parking spaces located in the Jigsaw Division.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Undeveloped	Neighborhood Mixed Use
North	MU-C	Auto Repair and Bank	Large-Scale Commercial
South	R-1	Open Space/Residential	Open Space/Traditional Neighborhood
East	MU-N	Dwelling	Neighborhood Mixed Use
West	MU-N	Vacant	Neighborhood Mixed Use

Summary of Code Requirements

Sec. 50-37.10 – Special Use Permits: Planning Commission shall approve the application or approve it with modifications, if it is determined that the application meets the following criteria:

1. The application is consistent with the Comprehensive Land Use Plan;
2. The application complies with all applicable provisions ... including any use-specific standards ..., and is consistent with any approved district plan for the area.
3. The Commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts.

Sec. 50-20.3.W – Car Wash (primary use) Use Specific Standards, paraphrased here:

1. All driving and parking surfaces surfaced in a dust free, hard surface material;
2. The vehicle exit door(s) shall be at least twenty (25) feet from the street property line or public sidewalk;
3. No displays or storage closer than ten feet from any public right-of-way;
4. A dense urban screen along all side and rear property lines abutting a residential or mixed-use district;
5. The car wash must be at least 50 feet from any property line containing a residential structure; all outdoor speakers within 150 feet of any residential structure shall be muted daily between 10:00 p.m. and 6:00 a.m.;
6. In a mixed-use neighborhood (MU-N district), the following additional standards apply:
 - a. Curb cuts located a minimum of 50 feet from street intersections, with number and width evaluated to ensure pedestrian safety and walkability;
 - b. Vehicle stacking lanes located away from adjacent uses. Landscaping and fencing used to buffer potential impacts;
 - c. Noise-generating areas, including car wash openings, vacuum stations, garbage storage, and vehicle stacking lanes, shall be located away from adjacent residential areas and outdoor amenity areas and buffered with landscaping, berming, or fencing to reduce impacts;
 - d. Site illumination designed to avoid glare/light spillover toward adjacent land uses.

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

Governing Principle #8 – Encourage mix of activities, uses, and densities. Project is part of a mixed commercial development with restaurants and other services.

Governing Principle #9 – Support private actions that contribute to the public realm. The larger Jigsaw development project will extend 350 feet of sidewalk along Anderson Rd. from Central Entrance to the project's entrance.

Zoning –Mixed Use-Neighborhood (MU-N) - a mix of neighborhood-scale, neighborhood serving non-residential uses and a range of residential uses located in close proximity. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood.

Future Land Use – Neighborhood Mixed Use - A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets. Site design should maintain a largely residential building character. Commercial-only uses should be adjacent to non-residential or other mixed-use areas.

History:

1. Site was zoned R-1 prior to 2012 when it was rezoned MU-N in implementation of the Central Entrance Small Area Plan that was adopted by City Council in 2009.
2. The site is part of the 3.5-acre Jigsaw Division plat that was approved by the Planning Commission 10/9/2018.
3. A 1950s era home on the site was removed in 2020.
4. Planning Commission approved a Special Use Permit for a 2,287 sq. ft. restaurant on Lot 2 (immediately east of the car wash site) on May 11, 2021 (file number PL 21-047).

Review and Discussion Items

Staff finds the following:

1. With a UDC amendment currently being proposed, a car wash would be a Special Use in MU-N. Staff recommends approval of this special use permit be conditioned on the City Council approving the UDC amendment.
2. Applicant is proposing a single-bay automatic car wash with 3 drive-up pay stations, 14 stalls for vehicle vacuuming, and 3 parking spaces. The approximately 5,400 sq. ft. building consists primarily of a 130-foot-long car wash tunnel and related mechanical spaces and approximately 900 sq. ft. of space for car wash employees and customer restrooms.
3. Below are staff responses to Car Wash Use Specific Standards from Sec. 50-20.3.W (see text above):
 - a. Driving surfaces are paved, as required.
 - b. Vehicle exit doors meet the required 25-foot distance to the street.
 - c. No displays are shown near the street right of way.
 - d. The car wash exit is approximately 90 feet from the nearest residential property line (required distance is 50

- feet) and approximately 300 feet from the nearest residential structure (required distance for additional speaker box limitations is 150 feet).
- e. Curb cuts for the Jigsaw project on Anderson Rd. and Central Entrance meet the required size and spacing.
 - f. Vehicle stacking lanes are located on the Central Entrance side of the site away from residential and outdoor amenity areas.
 - g. Noise sensitive areas to the south (residences along Anderson Rd.) are separated from noise generating area of the car wash by a large retaining wall. Landscape plans show 4 white pines and 3 quaking aspens to be planted above the wall near the car wash exit. However, this amount of planting will not be sufficient for noise attenuation. Staff recommends that a double-row of evergreen trees be added to this area to provide more year-round sound absorption. Due to space constraints, staff recommends only a single row of evergreen trees be added along the west property boundary and a single row of evergreen trees be added to the south property boundary on Lot 2 to the east of the subject site. There is one site developer for the entire Jigsaw Division and, therefore, this off-site requirement could be accomplished.
 - h. Staff recommends a photometric plan be provided at time of building permit application.
4. Sec. 50-23. Connectivity and Circulation. Sidewalks connect the fronts of the buildings in the Jigsaw Division. Staff recommends applicant connect the car wash office entrance to the sidewalk planned for the front of the restaurant on Lot 2.
 5. Sec. 50-24. Parking. The site plan shows three parking spaces, which is within the maximum allowed. Additionally, it provides spaces for 14 vehicles utilizing their vacuums which are part of the car wash services provided and not parking spaces that count toward the maximum allowed. All parking is compliant with the required dimensions and locations on site.
 6. Sec. 50-25. Landscaping.
 - a. If additional planting along the south property line is installed as recommended in paragraph 3g above, the site will comply with Sec. 50-25.5.B, landscaping required between commercial and residential properties.
 - b. The landscape plans calculation for tree canopy coverage does not include all areas required by Sec. 50-25.4.B.6. All parking and drive lanes, including the vacuum spaces, should be included.
 - c. The landscape plan indicates rock mulch around plantings; however, this practice raises the soil temperature and reduces moisture retention thereby increasing mortality of plantings. Therefore, staff recommends that no rock mulch be used.
 - d. Staff recommends species selection be reviewed for hardiness of climate and survival from deer browsing; species to be evaluated at time of building permit.
 7. Sec. 50-26. Screening. No exterior mechanical units are shown. Trash screening includes gates as well as a location for vacuum equipment, but details have not been provided to evaluate consistency with UDC requirements.
 8. Sec. 50-27. Signs. The building plans show signs on building walls that will be evaluated in a separate sign permit application. This project is part of the Jigsaw Division development that will need to submit a Master Sign Plan to the Planning Commission before sign permits can be granted.
 9. Sec. 50-28. Storm Water and Erosion. The City Engineering office has been working with the Jigsaw developer on plans for storm water treatment for the entire Jigsaw Division. The utility plan submitted with this car wash site development shows connections to this system. A building permit for this project will not be approved by City Engineering unless the storm water plans are finalized.
 10. Sec. 50-29. Sustainability. Does not apply because the building is less than 10,000 sq. ft.
 11. Sec. 50-30. Building Design. The car wash is part of an overall development exceeding 10,000 sq. ft., and so building design standards apply. The building meets the transparency requirement for the Central Entrance side as well as façade articulation and entryway design requirements.
 12. Sec. 50-31. Exterior Lighting. As stated in paragraph 3h above, staff recommends a photometric plan be provided at time of building permit application.
 13. No comments from City departments, other agencies, or the general public have been received as of the drafting of this report. Additional comments received will be forwarded to the Planning Commission.
 14. Approved special use permits shall lapse if the project or activity authorized by the permit or variance is not begun within one year of the permit date. The building official may extend this period one time for a period of up to one year if the property owner presents a written request showing the reasons for the delay was outside the owner's control.

Staff Recommendation:

Based on the above findings, staff recommends that Planning Commission approve the special use permit with the following conditions:

- 1) The City Council approve the UDC amendment to allow a primary use car wash as a Special Use in MU-N zones.
- 2) The project be limited, constructed, and maintained consistent with plans titled "MCW-Duluth, Mister Car Wash" by Kimley-Horn, dated 1/21/2022, including Sheet C400 – Site Plan, Sheet C500 – Grading Plan, Sheet L100 – Landscape Plan, and their amendments as approved by the Land Use Supervisor as listed below.
 - a. Site plan be amended to include a sidewalk connection from the office side of the car wash to the sidewalk connection in front of the restaurant in Lot 2.
 - b. Landscape plan be amended to include a double-row of evergreen trees along the south property line and a single-row of evergreen trees along the west property line and the south property line of Lot 2.
 - c. Landscape plan be amended to include in tree canopy coverage calculations all area of parking spaces and related drive lanes and required trees be added.
 - d. Landscape plan be amended to prohibit the use of rock mulch around shrub, flower, native grasses, and tree plantings.
 - e. The vacuum mechanical equipment be located within a structure that provides significant noise attenuation.
 - f. A photometric plan be provided showing lighting levels in compliance with Sec. 50-31.
- 3) Storm water treatment plans be approved by the City Engineer.
- 4) Developer submit a master sign plan for building and free-standing signs to the Planning Commission for approval before sign permits can be issued.
- 5) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL 22-018
 Special Use Permit -
 Car Wash
 604 W. Central Entrance

**MU-C
 (Mixed Use
 Commercial)**

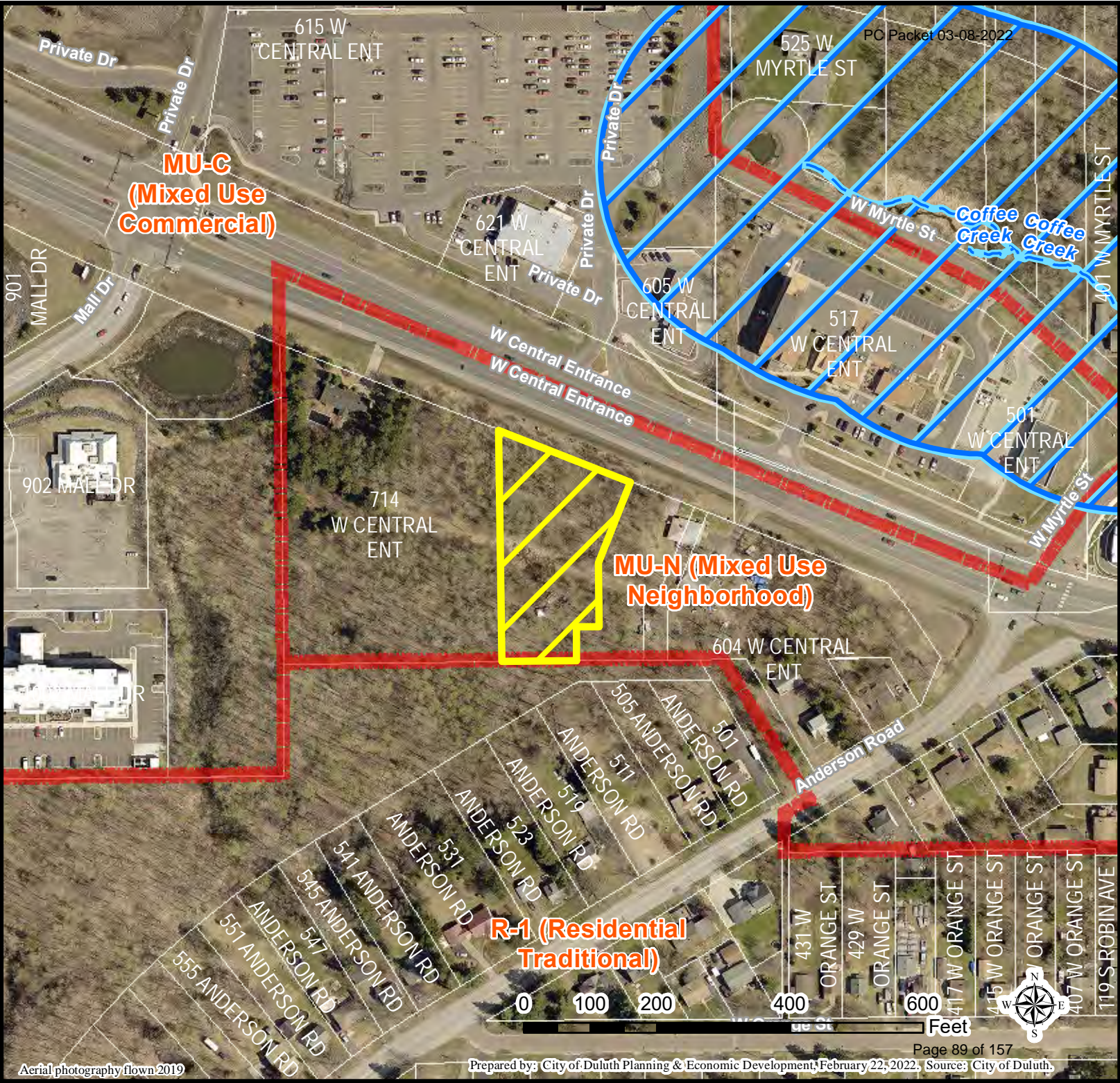
**MU-N (Mixed Use
 Neighborhood)**

**R-1 (Residential
 Traditional)**

Legend

-  Zoning Boundaries
-  Shoreland (UDC)
-  Cold Water
-  Trout Stream (GPS)

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

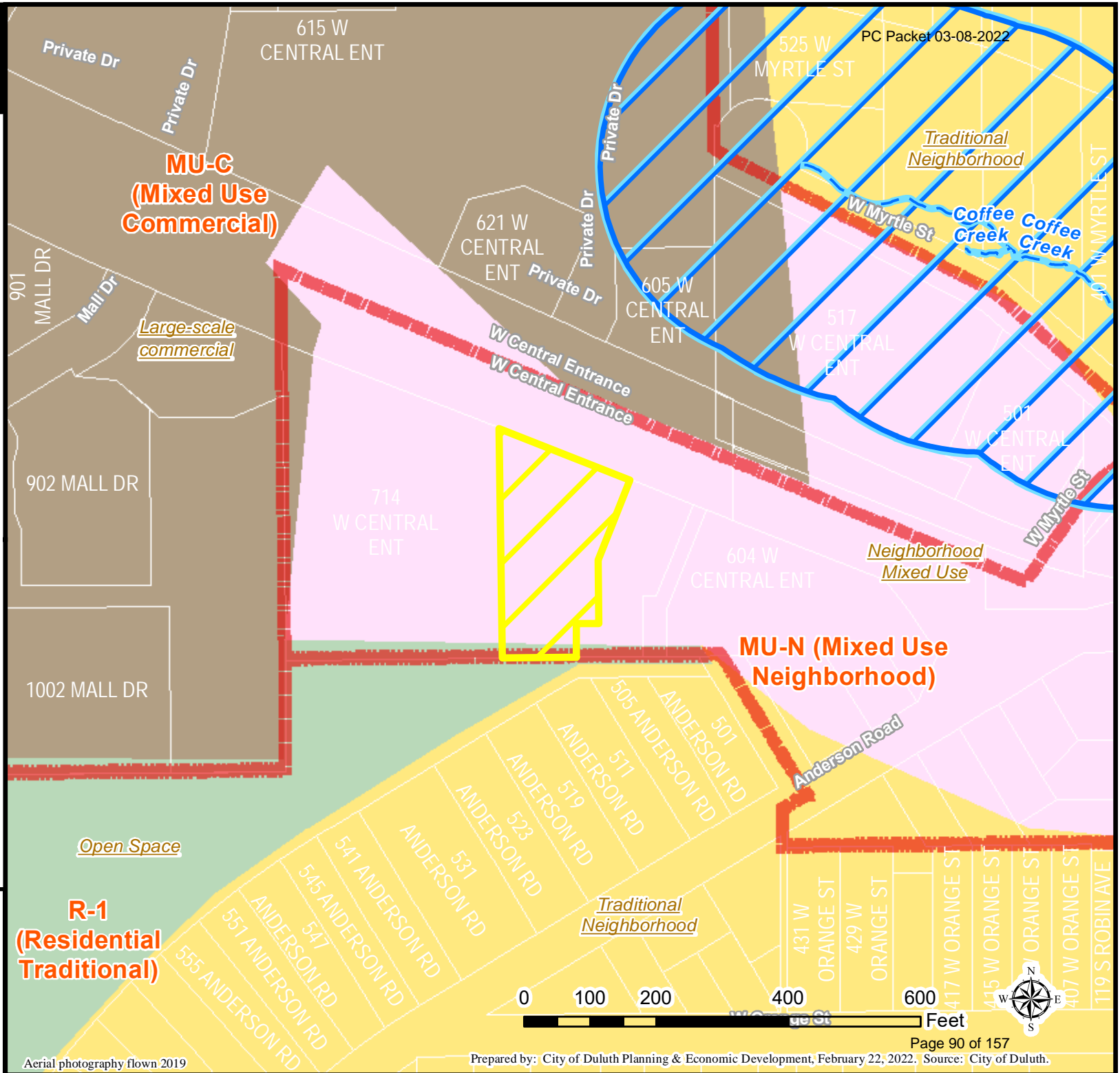


Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 22, 2022. Source: City of Duluth.



PL 22-018
 Special Use Permit -
 Car Wash
 604 W. Central Entrance



Legend

- Zoning Boundaries
- Shoreland (UDC)**
- Cold Water
- Trout Stream (GPS)
- Open Space
- Traditional Neighborhood
- Large-scale commercial
- Neighborhood Mixed Use

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To: City of Duluth Planning Commission

From: Arik Lokensgard, Kimley-Horn
Emma Skidmore, CWP West Corp.

Date: January 31, 2022

Subj: MCW – Duluth, MN
Land Use / Project Narrative
SWC W Central Entrance and Anderson Road, Duluth, MN

CWP West Corp. is proposing a car wash redevelopment located at the westernmost portion of the Jigsaw Site at the southwest corner of the W Central Entrance and Anderson Road intersection. The overall Jigsaw development is approximately 3.5 acres and will remain under the current Mixed Use-Neighborhood (MU-N) zoning. The specific Car Wash site is approximately 1.1 acres. Launch Properties is proposing to redevelop the overall project which would include construction of new sidewalks/trails, parking, landscaping, utilities, stormwater management, retaining walls, signage, and lighting to support the proposed development. One right-in only driveway is proposed along W Central Entrance and one full access driveway is proposed along Anderson Road. The Car Wash is proposed to be served via an access internal to the overall development.

Below are examples of how the proposed development will achieve the City's Governing Principles and thus create a positive impact on the community. By achieving these principles; the City will receive a creative, economically viable, and marketable development.

1. Reuse previously developed lands
 - a. The proposed overall development will redevelop the currently under-utilized property. The proposed development will provide a high quality, aesthetically appealing development along W Central Entrance.
 - b. The proposed redevelopment will provide a tax benefit for the City of Duluth by redeveloping the under-utilized property.
2. Support traditional economic base
 - a. The proposed redevelopment will provide a tax benefit for the City of Duluth by redeveloping the under-utilized property.
3. Support emerging economic growth sectors
 - a. The overall redevelopment land use memo mentioned tenant spaces with outdoor patios. While the Car Wash does not have a market for outdoor customer spaces, free vacuums are offered for customer use along the west side of the property.

4. Strengthen neighborhoods
 - a. The proposed overall redevelopment proposes a sidewalk extension along Anderson Road and the construction of a multi-use path along the western edge of the property. These connections will promote pedestrian/bicycle travel between the neighborhood and local businesses.
 - b. The proposed redevelopment is located at the corner of an intersection, maintaining the social integrity of the neighborhood and upholding its identity.

5. Reinforce the place-specific
 - a. The proposed overall redevelopment features a development sign, tiered retaining walls, and high-quality landscape plantings to provide an aesthetically pleasing development.

6. Create and maintain connectivity
 - a. The proposed overall redevelopment proposes a sidewalk extension along Anderson Road and the construction of a multi-use path along the western edge of the property. These connections will promote pedestrian/bicycle travel between the neighborhood and local businesses.

7. Encourage mix of activities, uses, and densities
 - a. The overall redevelopment land use memo mentioned variety of uses. A Car Wash helps the overall redevelopment provide a wide mix of uses to best serve the community.

8. Support private actions that contribute to the public realm
 - a. The proposed development will redevelop the currently under-utilized property. The proposed development will provide a high quality, aesthetically appealing development along W Central Entrance and Anderson Road.
 - b. The proposed redevelopment contains retaining walls, landscaping, and fencing that will, in turn, provide an aesthetically pleasing screen to the adjacent residential property. The redevelopment will preserve as many of the existing significant trees on-site as possible to provide a buffer to the neighboring properties.
 - c. The proposed redevelopment offers setbacks along the adjacent right-of-way, as well as along the residential property.

9. Take sustainable actions
 - a. The proposed overall redevelopment features an underground filtration basin (which the Car Wash development will utilize), as well as high-quality landscape plantings.
 - b. The proposed overall redevelopment utilizes sidewalks/trails along W Central Entrance and Anderson Road to promote pedestrian traffic from the neighborhood to the local businesses.

10. Create efficiencies in delivery of public services
 - a. The proposed overall redevelopment makes use of the existing utility and roadway infrastructure adjacent to the Site. Public roadway/utility improvements are not anticipated to accommodate the proposed redevelopment.

CWP West Corp. and Kimley-Horn will work diligently with City staff on the proposed project such that it meets the City's vision of the Site.

Please contact me at (612) 503-8547 if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Arik Lokensgard

K:\TWC_LDEV\Mister Car Wash\Duluth, MN\3 Design\CAD\PlanSheets\C4-SITE PLAN.dwg January 31, 2022 - 3:51pm
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LEGEND

	PROPERTY LINE
	PROPOSED FENCE
	SETBACK LINE
	PROPOSED CURB AND GUTTER
	PROPOSED CONCRETE PAVEMENT
	PROPOSED CONCRETE SIDEWALK

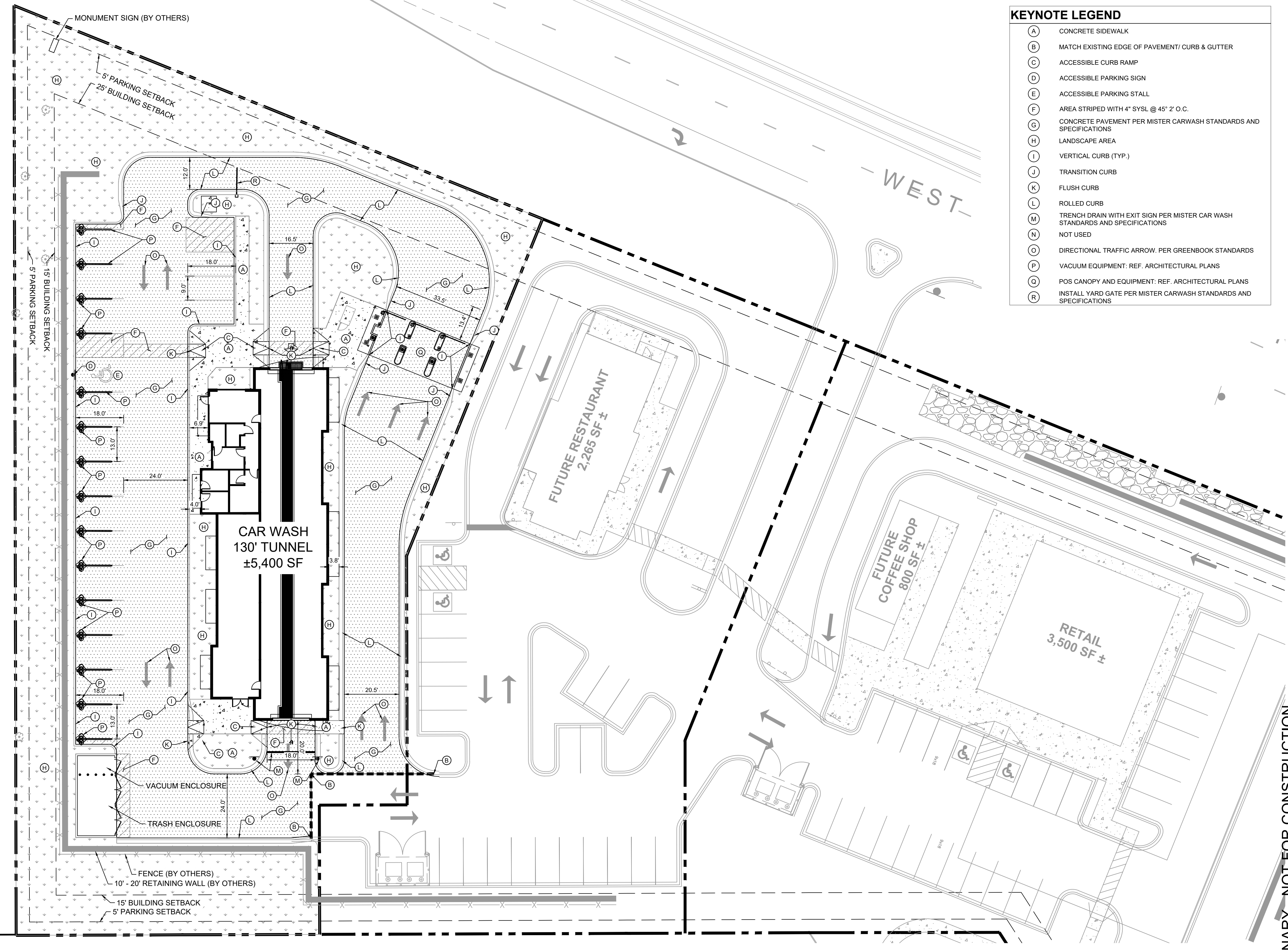
PROPERTY SUMMARY

DULUTH, MN MISTER CAR WASH	
TOTAL PROPERTY AREA	1.12 AC
ZONING SUMMARY	
EXISTING ZONING	MU-N
PROPOSED ZONING	MU-N
PARKING SETBACKS	5'
BUILDING SETBACKS	WEST CENTRAL ENTRANCE = 25' INTERNAL = 15'

BUILDING DATA SUMMARY

AREAS	
PROPOSED PROPERTY	1.12 AC
BUILDING AREA	5,400 SF
PARKING	
REQUIRED PARKING	4 SPACES PER 1,000 SF
PROPOSED PARKING	17 SPACES
ADA STALLS REQ'D / PROVIDED	1 STALLS / 1 STALLS

- SITE PLAN NOTES**
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
 - CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 - ALL INNER CURBED RADII ARE TO BE 2' AND OUTER CURBED RADII ARE TO BE <10' UNLESS OTHERWISE NOTED. STRIPED RADII ARE TO BE 5'.
 - ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 - EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
 - SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY EGAN, FIELD & NOWAK, INC.
KIMLEY-HORN ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES, OR OMISSIONS CONTAINED THEREIN.
 - TOTAL LAND AREA IS 1.12 ACRES.
 - PYLON / MONUMENT SIGNS SHALL BE CONSTRUCTED BY OTHERS. SIGNS ARE SHOWN FOR GRAPHICAL & INFORMATIONAL PURPOSES ONLY. CONTRACTOR TO VERIFY SIZE, LOCATION AND ANY REQUIRED PERMITS NECESSARY FOR THE CONSTRUCTION OF THE PYLON / MONUMENT SIGN.
 - CONTRACTOR SHALL REFERENCE ARCH / MEP PLANS FOR SITE LIGHTING AND ELECTRICAL PLAN.
 - NO PROPOSED LANDSCAPING SUCH AS TREES OR SHRUBS, ABOVE AND UNDERGROUND STRUCTURES, OR OTHER OBSTRUCTIONS SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHTS OF WAY UNLESS SPECIFICALLY NOTED ON PLANS OTHERWISE.
 - REFERENCE ARCHITECTURAL PLANS FOR DUMPSTER ENCLOSURE DETAILS.
 - REFER TO FINAL PLAT OR ALTA SURVEY FOR EXACT LOT AND PROPERTY BOUNDARY DIMENSIONS.
 - ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
 - ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.
 - ALL PARKING STALLS TO BE 13' IN WIDTH AND 18' IN LENGTH UNLESS OTHERWISE INDICATED.



KEYNOTE LEGEND

(A)	CONCRETE SIDEWALK
(B)	MATCH EXISTING EDGE OF PAVEMENT/ CURB & GUTTER
(C)	ACCESSIBLE CURB RAMP
(D)	ACCESSIBLE PARKING SIGN
(E)	ACCESSIBLE PARKING STALL
(F)	AREA STRIPED WITH 4" SYSL @ 45° 2" O.C.
(G)	CONCRETE PAVEMENT PER MISTER CARWASH STANDARDS AND SPECIFICATIONS
(H)	LANDSCAPE AREA
(I)	VERTICAL CURB (TYP.)
(J)	TRANSITION CURB
(K)	FLUSH CURB
(L)	ROLLED CURB
(M)	TRENCH DRAIN WITH EXIT SIGN PER MISTER CAR WASH STANDARDS AND SPECIFICATIONS
(N)	NOT USED
(O)	DIRECTIONAL TRAFFIC ARROW. PER GREENBOOK STANDARDS
(P)	VACUUM EQUIPMENT: REF. ARCHITECTURAL PLANS
(Q)	POS CANOPY AND EQUIPMENT: REF. ARCHITECTURAL PLANS
(R)	INSTALL YARD GATE PER MISTER CARWASH STANDARDS AND SPECIFICATIONS

PRELIMINARY - NOT FOR CONSTRUCTION

MW - DULUTH, MN

PREPARED FOR MISTER CAR WASH

SITE PLAN

DULUTH MINNESOTA

SHEET NUMBER **C400**

DATE: 01/21/2022

SCALE: AS SHOWN

DESIGNED BY: [Signature]

DRAWN BY: [Signature]

CHECKED BY: [Signature]

KHA PROJECT: 160284003

DATE: 01/21/2022

SCALE: AS SHOWN

DESIGNED BY: [Signature]

DRAWN BY: [Signature]

CHECKED BY: [Signature]

BRIAN W. WURDEMAN, P.E.
 MN LIC. NO. XXXXXXXX
 DATE: XXXXXXXX

Kimley»Horn

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 787 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
 PHONE: 651-454-1197
 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE	BY

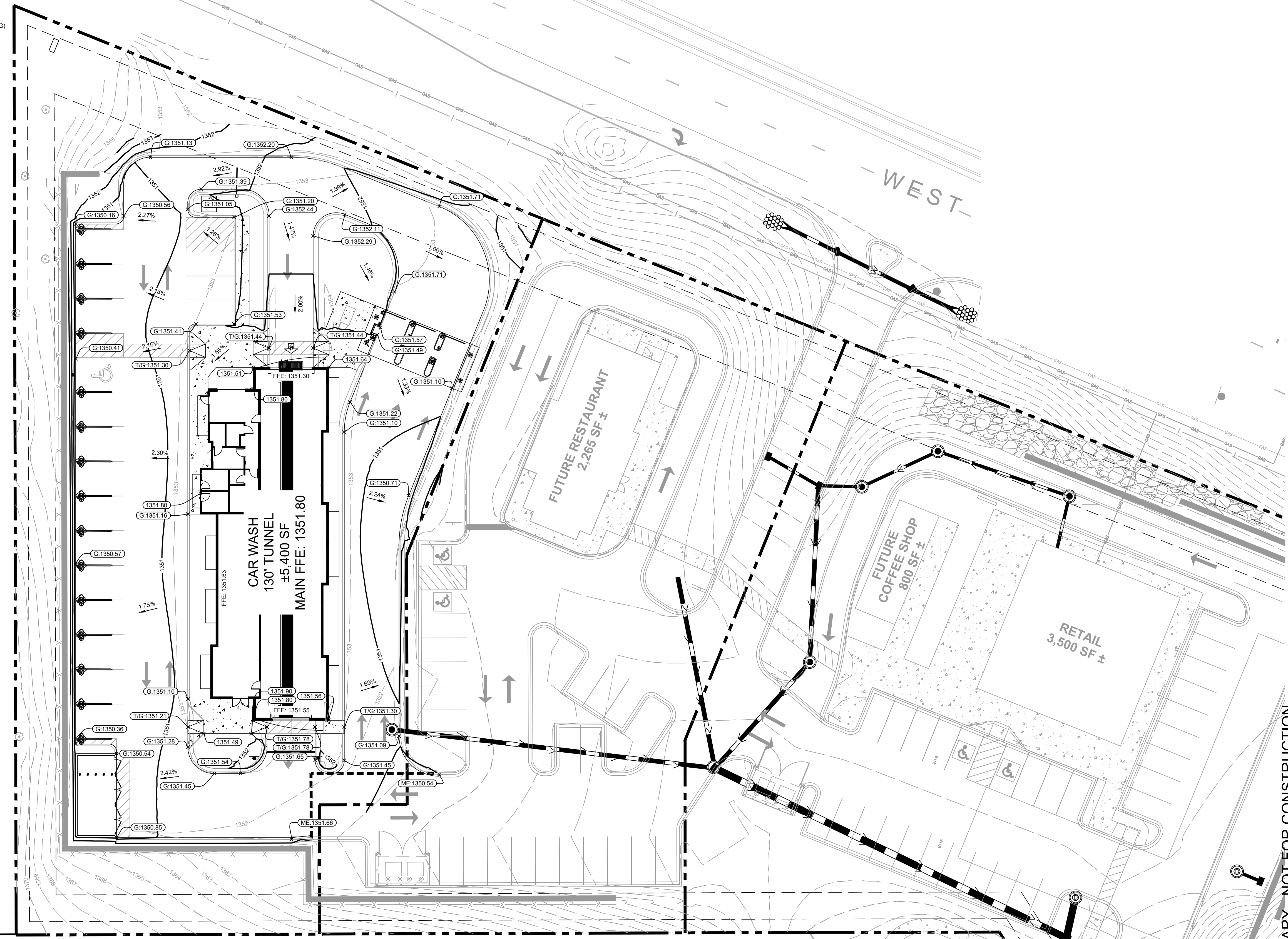
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LEGEND

	PROPERTY LINE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPOSED STORM MANHOLE (SOLID CASTING)
	PROPOSED STORM MANHOLE (ROUND INLET CASTING)
	PROPOSED STORM MANHOLE/ CATCH BASIN (CURB INLET CASTING)
	PROPOSED STORM SEWER CLEANOUT
	PROPOSED FLARED END SECTION
	PROPOSED RIPRAP
	PROPOSED STORM SEWER
	PROPOSED STORM SEWER
	PROPOSED SPOT ELEVATION
	PROPOSED HIGH POINT ELEVATION
	PROPOSED LOW POINT ELEVATION
	PROPOSED GUTTER ELEVATION
	PROPOSED TOP OF CURB ELEVATION
	PROPOSED FLUSH PAVEMENT ELEVATION
	MATCH EXISTING ELEVATION
	PROPOSED EMERGENCY OVERFLOW
	PROPOSED DRAINAGE DIRECTION

GRADING PLAN NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF DULUTH, SPECIFICATIONS AND BUILDING PERMIT REQUIREMENTS.
- CONTRACTOR TO CALL GOPHER STATE CALL ONE @ +1-800-252-1166* AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION/CONSTRUCTION FOR UTILITY LOCATIONS.
- STORM SEWER PIPE SHALL BE AS FOLLOWS:
RCP PER ASTM C-76
HDPE: 0" - 10" PER AASHTO M-252
HDPE: 12" OR GREATER PER ASTM F-2306
PVC SCH. 40 PER ASTM D-1785
STORM SEWER FITTINGS SHALL BE AS FOLLOWS:
RCP PER ASTM C-76, JOINTS PER ASTM C-361, C-990, AND C-443
HDPE PER ASTM 3212
PVC PER ASTM D-3054, JOINTS PER ASTM D-3212
- CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OR EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES OR VARIATIONS.
- SUBGRADE EXCAVATION SHALL BE BACKFILLED IMMEDIATELY AFTER EXCAVATION TO HELP OFFSET ANY STABILITY PROBLEMS DUE TO WATER SEEPAGE OR STEEP SLOPES. WHEN PLACING NEW SURFACE MATERIAL ADJACENT TO EXISTING PAVEMENT, THE EXCAVATION SHALL BE BACKFILLED PROMPTLY TO AVOID UNDERMINING OF EXISTING PAVEMENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL HORIZONTAL AND VERTICAL CONTROL.
- CONTRACTOR SHALL EXCAVATE DRAINAGE TRENCHES TO FOLLOW PROPOSED STORM SEWER ALIGNMENTS.
- GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL ROUGH GRADE TO SUBGRADE ELEVATION AND LEAVE STREET READY FOR SUBBASE.
- ALL EXCESS MATERIAL, BITUMINOUS SURFACING, CONCRETE ITEMS, ANY ABANDONED UTILITY ITEMS, AND OTHER UNSTABLE MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF OFF THE CONSTRUCTION SITE.
- REFER TO THE UTILITY PLAN FOR SANITARY SEWER MAIN, WATER MAIN SERVICE LAYOUT AND ELEVATIONS AND CASTING / STRUCTURE NOTATION.
- CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION OF PAVEMENTS AND CURB AND GUTTER WITH SMOOTH UNIFORM SLOPES TO PROVIDE POSITIVE DRAINAGE.
- INSTALL A MINIMUM OF "4" CLASS 5+ AGGREGATE BASE UNDER CURB AND GUTTER AND CONCRETE SIDEWALKS.
- UPON COMPLETION OF EXCAVATION AND FILLING, CONTRACTOR SHALL RESTORE ALL STREETS AND DISTURBED AREAS ON SITE. ALL DISTURBED AREAS SHALL BE RE-VEGETATED WITH A MINIMUM OF "4" OF TOPSOIL.
- ALL SPOT ELEVATIONS/CONTOURS ARE TO GUTTER / FLOW LINE UNLESS OTHERWISE NOTED.
- GRADING FOR ALL SIDEWALKS AND ACCESSIBLE ROUTES INCLUDING CROSSING DRIVEWAYS SHALL CONFORM TO CURRENT ADA STATEMENTAL STANDARDS. IN NO CASE SHALL ACCESSIBLE RAMP SLOPES EXCEED 1 VERTICAL TO 12 HORIZONTAL. IN NO CASE SHALL SIDEWALK CROSS SLOPES EXCEED 2%. IN NO CASE SHALL LONGITUDINAL SIDEWALK SLOPES EXCEED 5%. IN NO CASE SHALL ACCESSIBLE PARKING STALLS OR AISLES EXCEED 2% (1.5% TARGET) IN ALL DIRECTIONS. SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS AND GATES SHALL BE ADA COMPLIANT. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET IN ANY LOCATION PRIOR TO PAVING. NO CONTRACTOR CHANGE ORDERS WILL BE ACCEPTED FOR A.D.A COMPLIANCE ISSUES.
- MAINTAIN A MINIMUM OF 0.5% GUTTER SLOPE TOWARDS LOW POINTS.
- CONTRACTOR TO PROVIDE 3" INSULATION BY 5" WIDE CENTERED ON STORM PIPE IF LESS THAN 4" OF COVER IN PAVEMENT AREAS AND LESS THAN 3" OF COVER IN LANDSCAPE AREAS.
- ROOF DRAIN INVERT CONNECTIONS AT THE BUILDING SHALL BE AT ELEVATION <XXX.XXX> OR LOWER UNLESS NOTED OTHERWISE. REFERENCE MEP PLANS FOR ROOF DRAIN CONNECTION.
- ALL STORM SEWER CONNECTIONS SHALL BE GASKETED AND WATER TIGHT INCLUDING MANHOLE CONNECTIONS.
- ALL STORM SEWER PIPE SHALL BE AIR TESTED IN ACCORDANCE WITH THE CURRENT PLUMBING CODE.
- MAINTAIN A MINIMUM OF 1.25% SLOPE IN BITUMINOUS PAVEMENT AREAS, 0.5% SLOPE IN CONCRETE PAVEMENT AREAS.
- CONTRACTOR SHALL REVIEW PAVEMENT GRADIENT AND CONSTRUCT "INFALL CURB" WHERE PAVEMENT DRAINS TOWARD GUTTER, AND "OUTFALL" CURB WHERE PAVEMENT DRAINS AWAY FROM GUTTER.



PRELIMINARY - NOT FOR CONSTRUCTION

MCW - DULUTH, MN
 PREPARED FOR
MISTER CAR WASH
 DULUTH, MINNESOTA

GRADING PLAN

KHA PROJECT	160284003
DATE	01/21/2022
SCALE	AS SHOWN
DESIGNED BY	ACL
DRAWN BY	ACL
CHECKED BY	BMW

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

BRIAN M. WURDEMAN, P.E.
 LIC. NO. XXXXXXXX
 DATE: XXXXXXXX, MN XXXXX

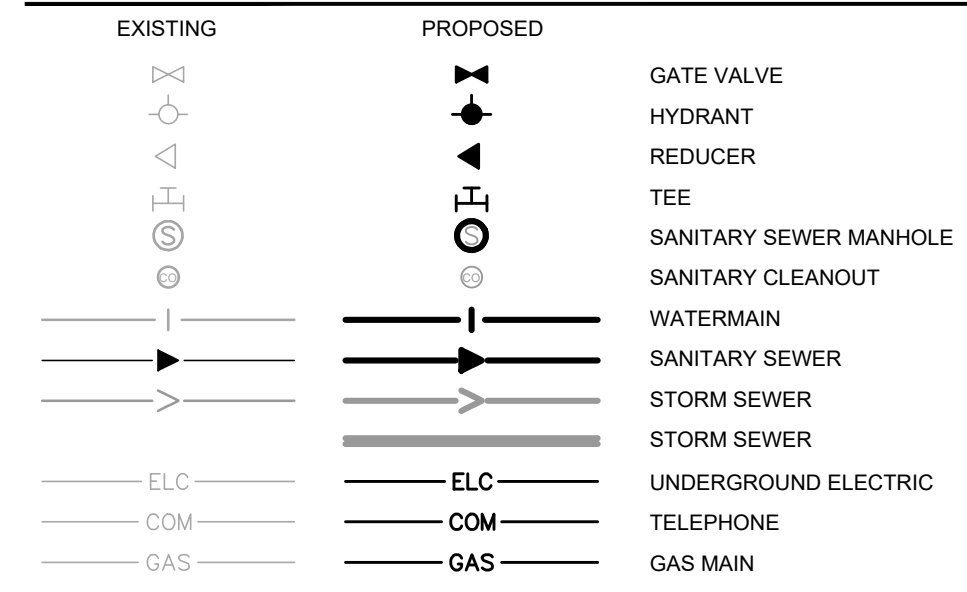
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No.	REVISIONS	DATE	BY

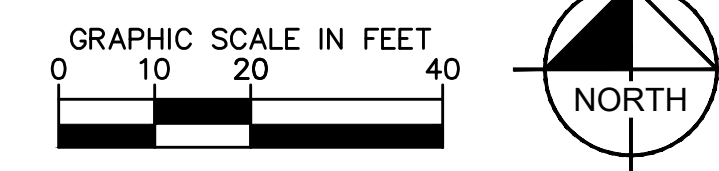
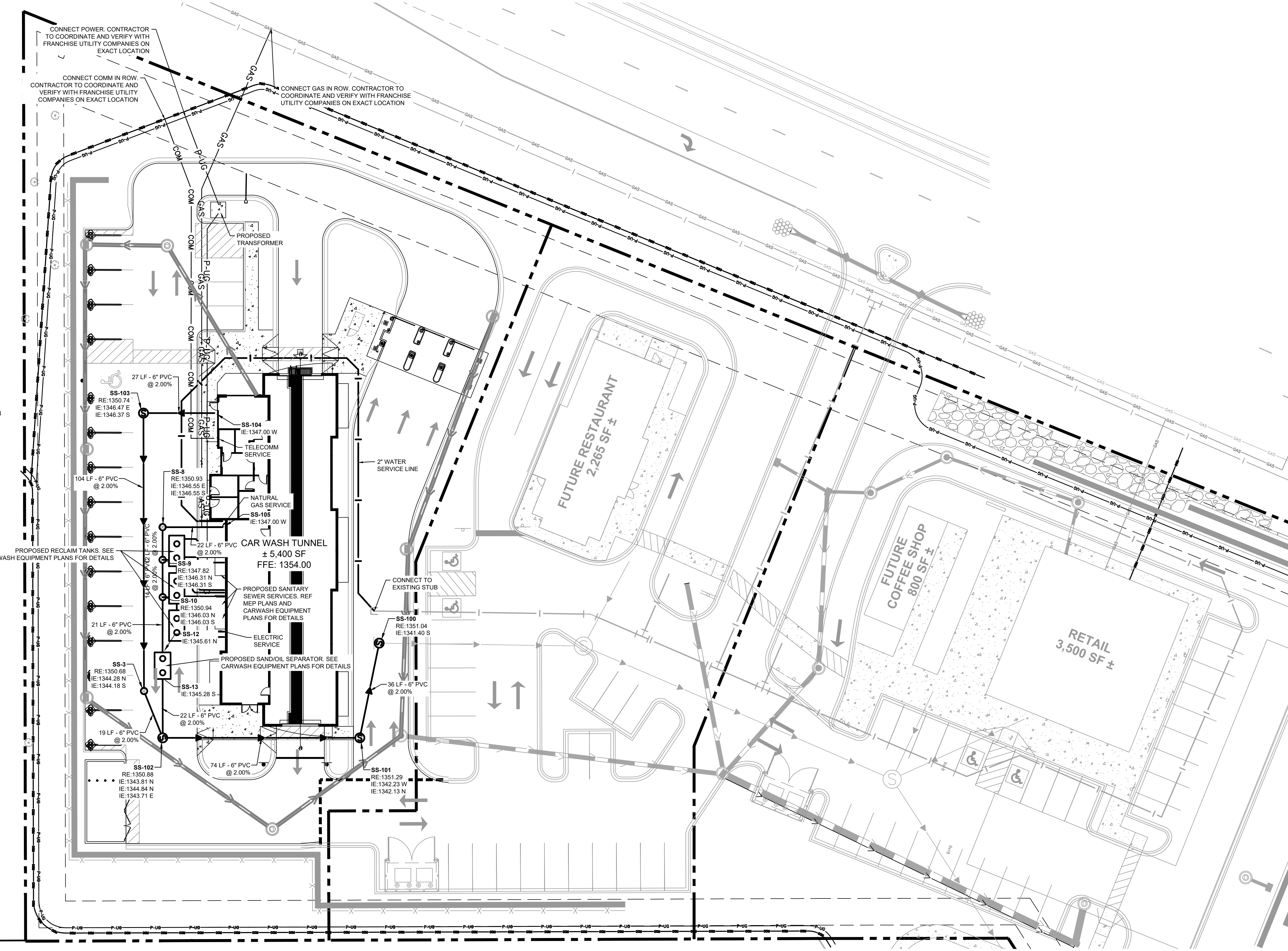
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LEGEND



UTILITY PLAN NOTES

- 1. ALL FILL MATERIAL IS TO BE IN PLACE, AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES.
2. SANITARY SEWER PIPE SHALL BE AS FOLLOWS:
3. WATER LINES SHALL BE AS FOLLOWS:
4. MINIMUM TRENCH WIDTH SHALL BE 2 FEET.
5. ALL WATER JOINTS ARE TO BE MECHANICAL JOINTS WITH RESTRAINTS SUCH AS THRUST BLOCKINGS...
6. ALL UTILITIES SHOULD BE KEPT TEN (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL CLEARANCE...
7. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 7'-5" COVER ON ALL WATERLINES.
8. IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATER LINES, SANITARY LINES, STORM LINES AND GAS LINES...
9. LINES UNDERGROUND SHALL BE INSTALLED, INSPECTED AND APPROVED BEFORE BACKFILLING.
10. TOPS OF MANHOLES SHALL BE RAISED AS NECESSARY TO BE FLUSH WITH PROPOSED PAVEMENT ELEVATIONS...
11. ALL CONCRETE FOR ENCASEMENTS SHALL HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH AT 3000 P.S.I.
12. EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
13. REFER TO INTERIOR PLUMBING DRAWINGS FOR TIE-IN OF ALL UTILITIES.
14. CONTRACTOR IS RESPONSIBLE FOR COMPLYING TO THE SPECIFICATIONS OF THE CITY OF DULUTH AND/OR STATE OF MINNESOTA...
15. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES...
16. CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES.
17. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
18. CONTRACTOR SHALL REFERENCE ARCH / MEP PLANS FOR SITE LIGHTING AND ELECTRICAL PLAN.
19. BACKFLOW DEVICES (DDCV AND PRZ ASSEMBLIES) AND METERS ARE LOCATED IN THE INTERIOR OF THE BUILDING. REF. ARCH / MEP PLANS.
20. ALL ONSITE WATERMANS AND SANITARY SEWERS SHALL BE PRIVATELY OWNED AND MAINTAINED.
21. ALL WATERMAIN STUBOUTS SHALL BE MECHANICALLY RESTRAINED WITH REACTION BLOCKINGS.



PRELIMINARY - NOT FOR CONSTRUCTION

MCW - DULUTH, MN
PREPARED FOR MISTER CAR WASH
DULUTH MINNESOTA

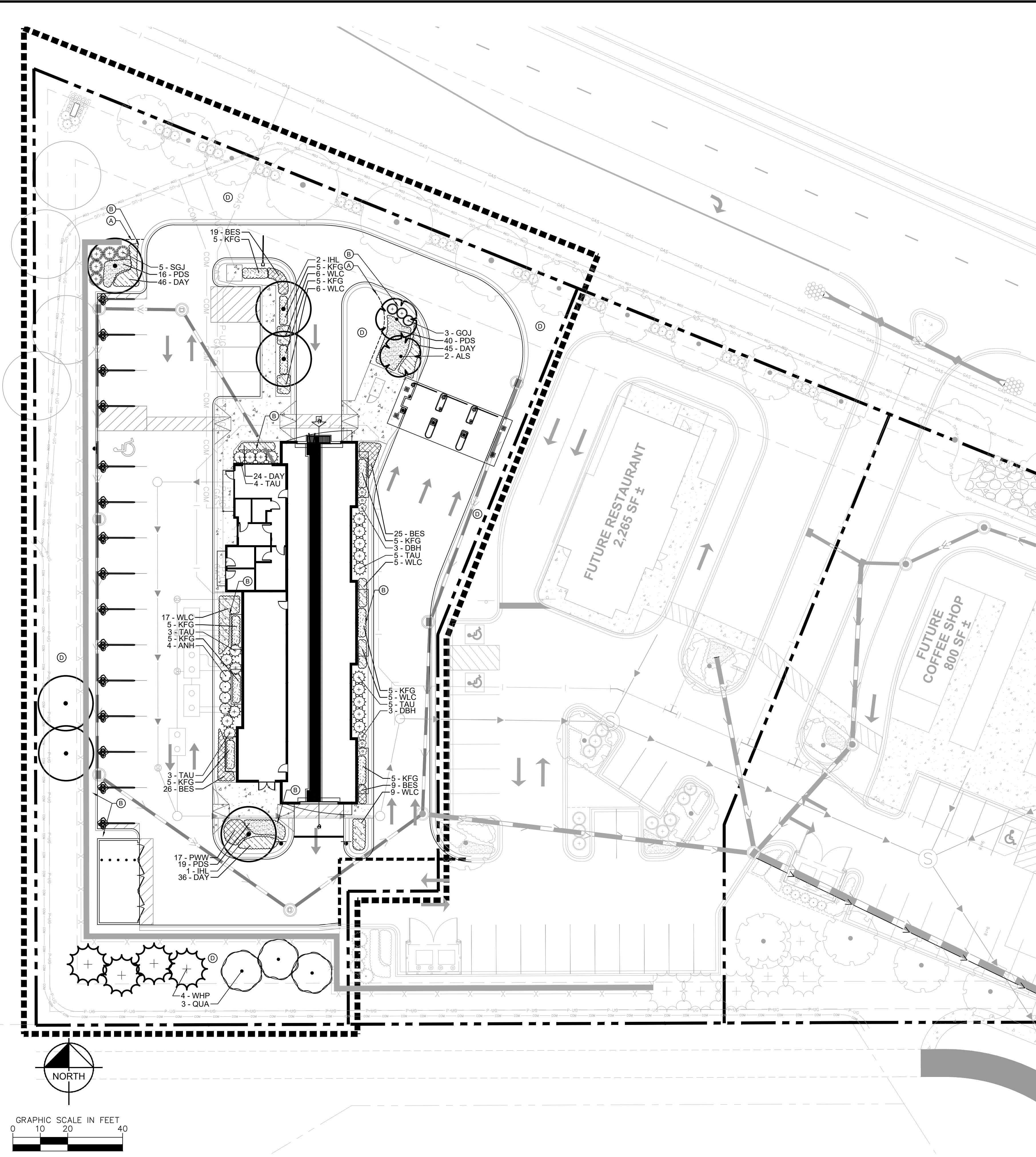
UTILITY PLAN

KHA PROJECT 160284003
DATE 01/21/2022
SCALE AS SHOWN
DESIGNED BY ACL
DRAWN BY ACL
CHECKED BY BMW

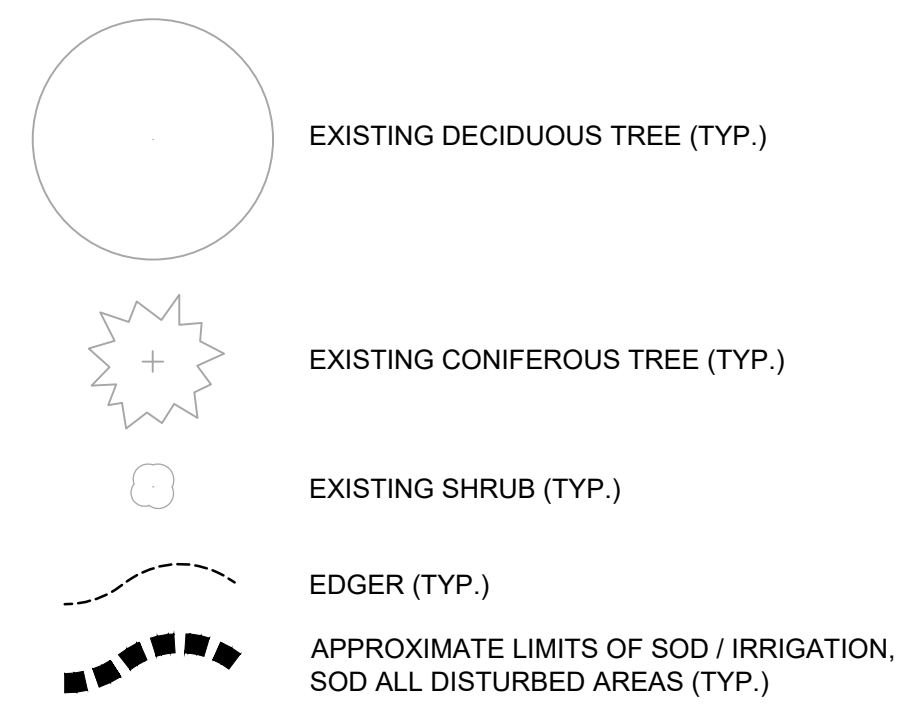
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Table with columns: No., REVISIONS, DATE, BY.



LANDSCAPE LEGEND



LANDSCAPE KEYNOTES

- (A) EDGER (TYP.)
- (B) DOUBLE SHREDDED HARDWOOD MULCH (TYP.)
- (C) ROCK MULCH (TYP.)
- (D) SOD (TYP.)

LANDSCAPE REQUIREMENTS

CODE DESCRIPTION	REQUIRED	PROPOSED
REGULAR STREET FRONTAGE: 1 TREE PER 35 L.F. (+/- 214 / 35) 1 LARGE SHRUB PER 25 L.F. (+/- 214 / 25)	214 LF 7 TREES 9 +/- SHRUBS	7 EXISTING TREES 37 EXISTING SHRUBS
INTERIOR PARKING LOT LANDSCAPING: 15% OF INTERNAL PARKING LOT AREA TO BE LANDSCAPED (9,147 X 0.15) 1 TREE PER 300 S.F. OF INTERNAL LANDSCAPE AREA (1,372 / 300)	PAVED PARKING AREA: 9,147 SF INTERNAL LANDSCAPING REQUIRED: 1,372 SF	PROPOSED INTERNAL LANDSCAPING: 2,150 SF* INTERNAL PARKING LOT LANDSCAPE AREA TO BE CODE COMPLIANT AT TIME OF FINAL DEVELOPMENT
TREES IN INTERNAL LANDSCAPE AREAS SHALL PROVIDE A MINIMUM OF 30% CANOPY COVERAGE OF PARKING AREAS. (9,147 X 0.30)	INTERNAL LANDSCAPING TREES REQUIRED: 5 CANOPY COVERAGE REQUIRED: 2,744 SF	PROPOSED INTERNAL LANDSCAPING TREES: 5 CANOPY COVER AREA: 3,213 SF** APPROX 35% OF TOTAL PARKING AREA
REPLACEMENT TREES FOR ALL 3 SITES	TREES REQUIRED: 46 SPECIAL TREES*	TREES PROPOSED: 46 (7 PROPOSED + 39 EXISTING)

*SPECIAL TREES: White pines (Pinus strobus), red (Norway) pines (Pinus resinosa), white cedars (Thuja occidentalis), white spruces (Picea glauca), eastern hemlocks (Tsuga canadensis), sugar maples (Acer saccharum), American basswoods (Tilia americana), American elms (Ulmus americana), yellow birches (Betula alleghaniensis) and all oak species (Quercus).
 **CANOPY COVER AREA: The parking lot canopy cover area was calculated by finding the area of parking lot trees mature spread that overlaps the paved parking lot area.

PLANT KEY

CONIFEROUS TREE	CODE	BOTANICAL NAME	COMMON NAME
	WHP	PINUS STROBUS	WHITE PINE
ORNAMENTAL TREE	CODE	BOTANICAL NAME	COMMON NAME
	ALS	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLANCE'	AUTUMN BRILLANCE SERVICEBERRY CLUMP
	QUA	POPULUS TREMULOIDES	QUAKING ASPEN
OVERSTORY TREE	CODE	BOTANICAL NAME	COMMON NAME
	IHL	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPERIAL'	IMPERIAL HONEYLOCUST
CONIFEROUS SHRUBS	CODE	BOTANICAL NAME	COMMON NAME
	GOJ	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER
	SGJ	JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER
	TAU	TAXUS X MEDIA 'TAUNTONII'	TAUNTON YEW
DECIDUOUS SHRUBS	CODE	BOTANICAL NAME	COMMON NAME
	ANH	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA
	DBH	DIERVILLA LONICERA	DWARF BUSH HONEYSUCKLE
PERENNIALS	CODE	BOTANICAL NAME	COMMON NAME
	BES	RUDBECKIA FULGIDA 'GOLDSTURM'	BLACK-EYED SUSAN
	DAY	HEMEROCALLIS X 'APRICOT SPARKLES'	APRICOT SPARKLES DAYLILY
	KFG	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS
	PDS	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED
	PWW	ECHINACEA X 'POW WOW WILDBERRY'	POW WOW WILDBERRY CONEFLOWER
	WLC	NEPETA X FAASSENII 'WALKERS LOW'	WALKERS LOW CATMINT

PRELIMINARY - NOT FOR CONSTRUCTION
 MCW - DULUTH, MN
 PREPARED FOR MISTER CAR WASH
 DULUTH, MINNESOTA
 SHEET NUMBER L100

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 PHONE: 651-454-1197
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No.	REVISIONS	DATE	BY

KHA PROJECT: 160284003
 DATE: 01/21/2022
 SCALE: AS SHOWN
 DESIGNED BY: CBK
 DRAWN BY: CBK
 CHECKED BY: RAH
 RYAN A. HYLLESTED, P.L.A.
 MN LIC. NO. XXXXX
 DATE: XXXXXXXX, LIC. NO. XXXXX



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PL 22-024 (Amendment to PL 21-115)		Contact	Steven Robertson	
Type	MU-I Planning Review, Amendment		Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 4, 2022	60 Days	April 5, 2022	
	Date Extension Letter Mailed	February 25, 2022	120 Days	June 4, 2022	
Location of Subject	East First Street, Between North 3rd and 4th Avenues East				
Applicant	Essentia Health (City of Duluth, Owner)		Contact	On file	
Agent	LHB		Contact	Evan Aljoe, Healthcare Studio Lead	
Legal Description			Sign Notice Date	February 21, 2022	
Site Visit Date	July 27, 2021		Number of Letters Sent	96	

Proposal

Applicant is seeking an amendment to a previously approved MU-I Planning Review (PL 21-115), related to exterior façade elements.

PL 21-115 was approved by the Planning Commission on September 14, 2021. The zoning application was for an approximately 800-space, 6 story, 290,000 square foot parking ramp within the Regional Exchange District as a third-party contractor-agent for the City of Duluth, pursuant to the terms of the Parking Ramp Development Agreement dated March 30, 2020.

Staff Recommendation

Staff is recommending Planning Commission approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-I	Medical	Medical District
North	MU-I	Medical	Medical District
South	MU-I	Medical	Medical District
East	F-7	Residential/Commercial	Central Business Primary
West	F-5/F-7	Residential/Commercial	Central Business Secondary/Primary

Summary of Code Requirements

50-15.4 MU-I Planning Review

50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.

50-24 Parking and Loading – Addresses required parking spaces, loading docks, and snow storage.

50-25 Landscaping and Tree Preservation – Landscaping requirements and tree preservation

50-29 Sustainability Standards – Sustainability point system for new development.

50-30 Design Standards – Building standards for multi-family, commercial, institutional, and industrial buildings.

50-37.11 Planning Review – Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of this Chapter.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):Governing Principle #4-Support economic growth sectors.

Emerging and growing economic sectors, including medical, add economic, cultural, and social diversity.

Governing Principle #5 -Promote reinvestment in neighborhoods.

Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Governing Principle #8 - Encourage mix of activities, uses and densities

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Economic Development Policy #2—Foster growth of existing employers and strategically recruit new employers to Duluth.

Strategy #1- Prioritize redevelopment efforts in the Core Investment Areas. Encourage collaboration between existing businesses in individual Core Investment Areas to support increased business activity overall and to improve their aesthetic and social environments. Recognize Core Investment Areas as hubs of the sharing and remote-work economy (Hillside CIA/Downtown Duluth)

Future Land Use

Institutional: applicable to medical, university/college, public school, religious, or governmental campuses. Can include adjacent areas that support them, with related commercial and/or office uses, and residential uses in the fringe areas of the district.

Recent History

This site was previously zoned as part of a Form District, which would have required active spaces (such as retail or service uses) along the 1st Street façade of the structure. The site was rezoned in 2019 to be MU-I campus for Essentia Health.

Staff Recommendation

Review and Discussion Items:

1) The applicant is seeking an amendment to a previously approved MU-I Planning Review (PL 21-115), related to exterior façade elements. The original approval was for an approximately 800-space, 6 story, 290,000 square foot parking ramp. The ramp is part of Duluth's medical district "Regional Exchange District," established by the Minnesota State Legislature. It is one of several projects within the Regional Exchange District, and is being established to provide parking services to the Regional Medical District and surrounding areas.

2) PL 21-115 was approved by the Planning Commission on September 14, 2021. One of the conditions of approval was: "Staff recommends approval with the conditions listed in the staff report, noting that staff recommend that any future change to the exterior facade or similar elements come back to the Planning Commission for a new public hearing and a new review".

3) The cover letter from the applicant's representative dated February 4, 2022, lists eight amendments to the previously approved site plan. The most significant of the eight change include: changing the width of the parking ramp above the alley to 10 feet from the west property line, eliminating the extra parking stalls located above the alley on level 3, replacing perforated metal panels above the first floor to a mill finish aluminum panel, reducing the amount of street trees near the entrance/exists of 1st Street, and shifting parking lanes on 1st Street and adding turn lanes.

Planning staff do not have concern with the majority of the changes proposed. Moving the ramp further away from adjacent property owners will be an improvement and will provide more of an open feel. The reduction in parking spaces is very minor (to 782, not including 25 motorcycle stalls). The reduction of the landscape trees near the curb cuts/vehicle access points is reasonable. The one concern that staff may have relates to potential reflection/shine issues of the mill finish aluminum panels.

4) The primary vehicle access will still be off of Second Street, with the secondary vehicle access will be off of First Street. A skywalk will be located on the 6th floor of the ramp, to connect it to the adjacent medical facility to the east (currently under construction) and the City Skyway system.

5) Lighting plans are not available at this time. Applicant is aware that the proposed ramp must comply with UDC lighting standards (as well as signage, etc) when they submit for a building permit. LED lighting should not exceed 2700K, to match similar lighting standards and appearance for the nearby Vision Northland medical facility currently under construction.

6) This project is identified in the plans as the Blue Ramp, but this is a placeholder name only. The City will more formally name the ramp in the near future.

7) According to UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized by the permit is not begun within 1 year. There is not a MU-I district plan for this site, nor the larger Essentia Health Campus.

Staff Recommendation

Staff recommended Planning Commission approve the amendment to the previously approved MU-I planning review, with the following conditions that must be met (initially proposed and approved as part of PL 21-115). Conditions can be contingent upon either: issuance of a building permit, a certificate of occupancy, or a development agreement .

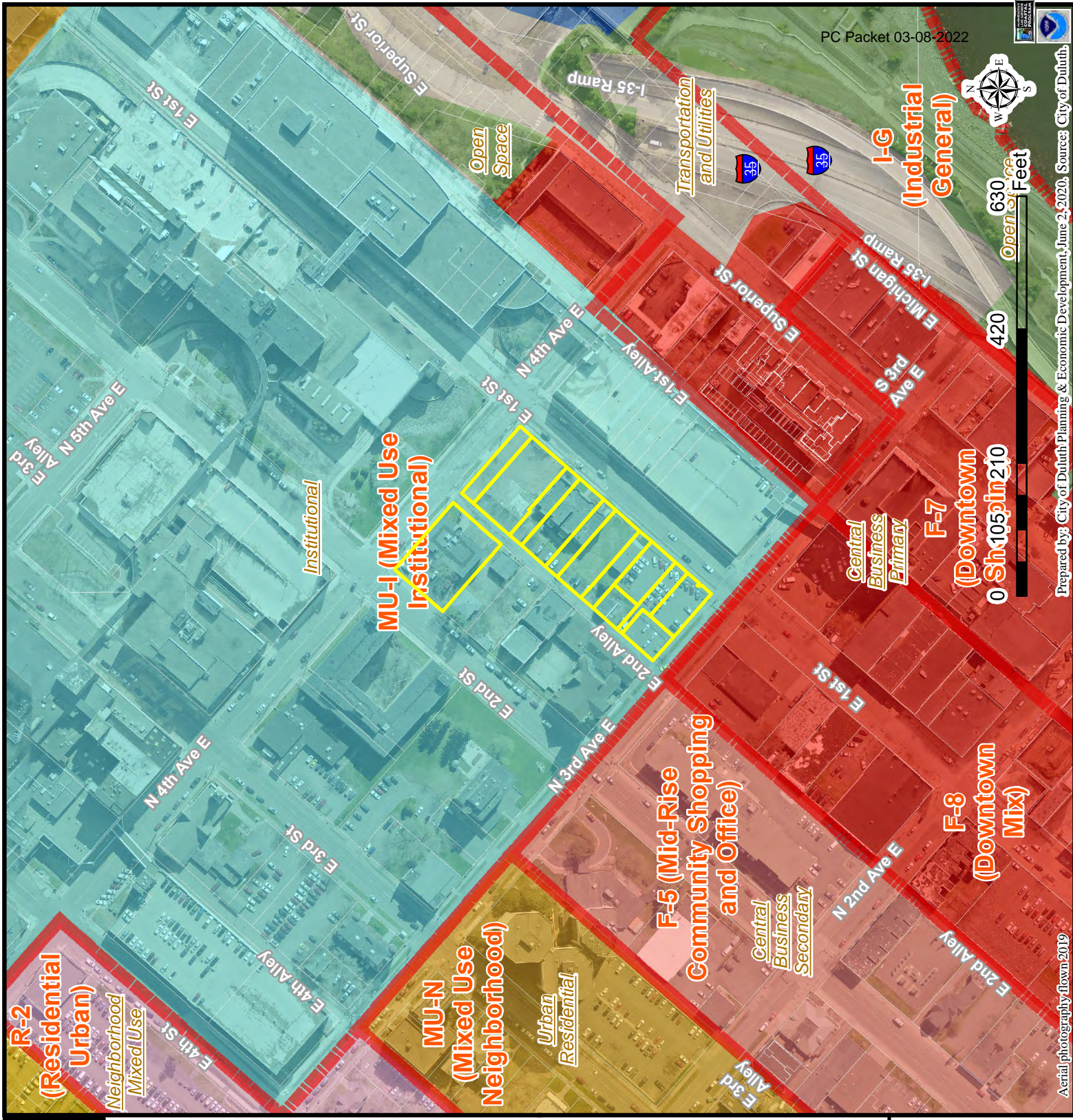
- 1) Applicant must identify and post/sign locations for contractor and temporary construction employee parking;
- 2) Applicant shall submit a lighting plan with photometric plan that fully conforms to the requirements of the UDC;
- 3) City and Applicant shall collaborate to ensure the ramp is included and incorporated into any district plan adopted for the medical district.
- 4) Any alterations to the approved plans that do not alter major elements of the plans may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.



PL 21-113, 114, 115

Legend

- Zoning Boundaries
- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional



Prepared by: City of Duluth Planning & Economic Development, June 2, 2020. Source: City of Duluth.

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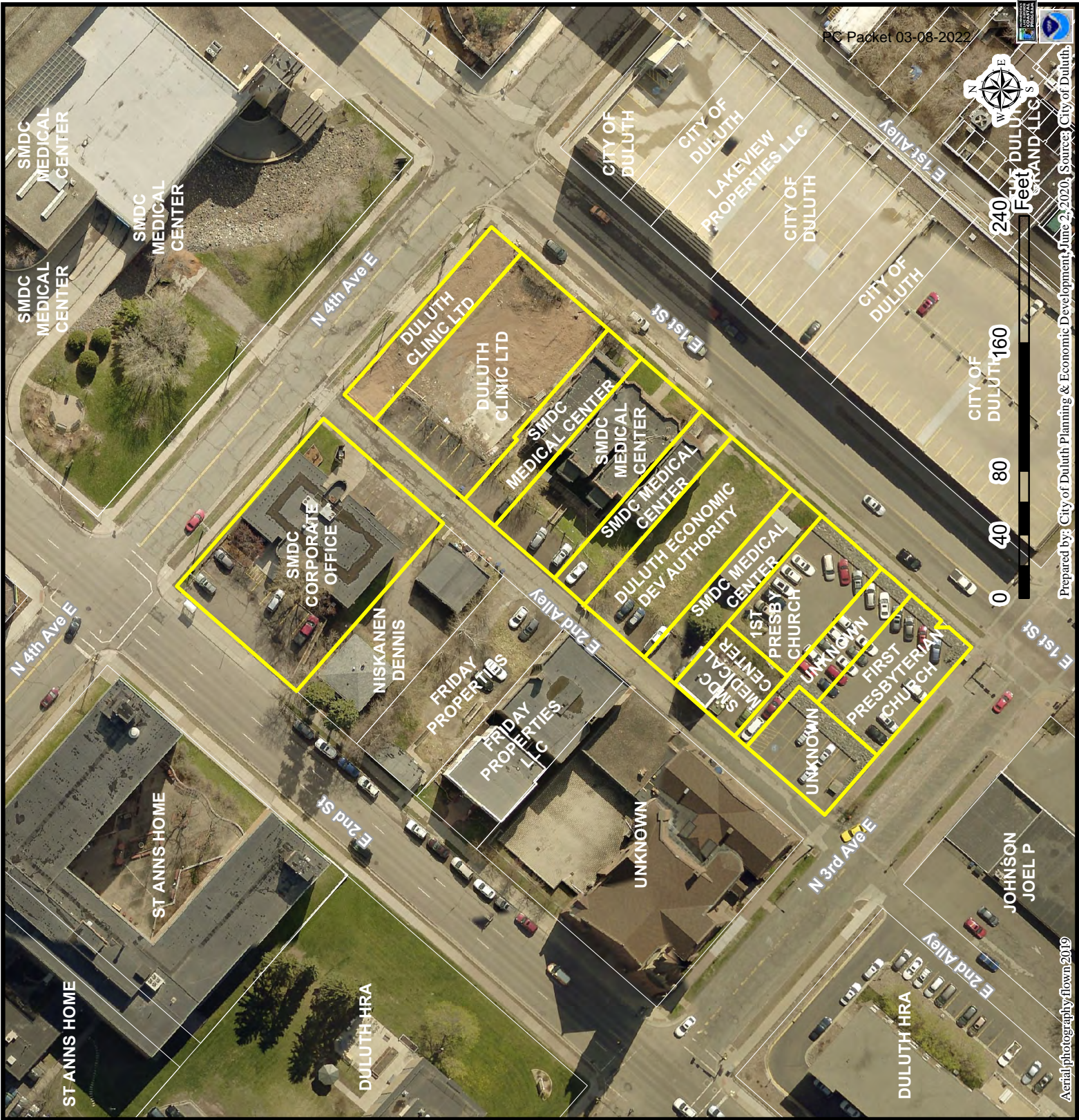
PL 21-113, 114, 115

Legend

Easement Type

- Utility Easement
- Other Easement

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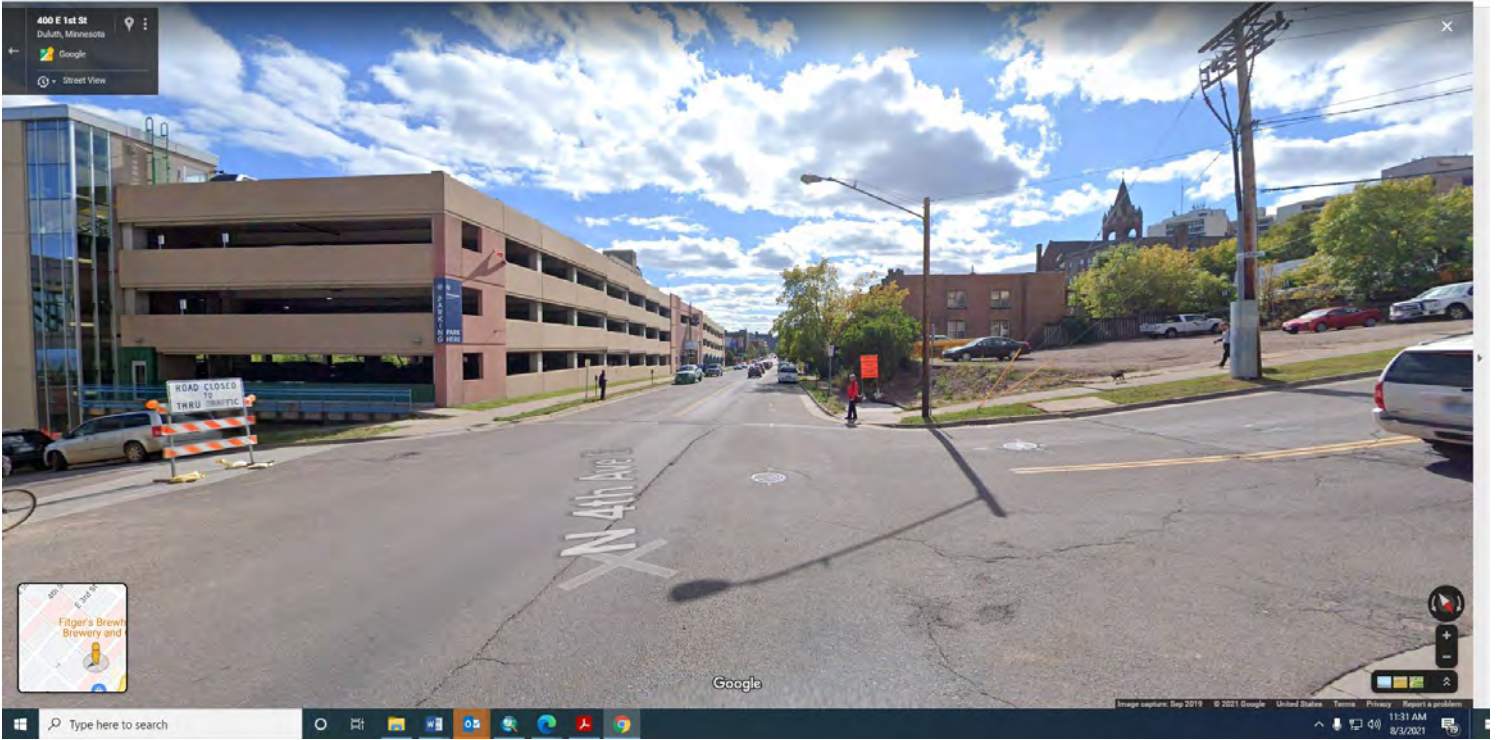
PL 21-115



PL 21-115









February 4, 2022

Community Planning Division – City Hall
 c/o Adam Fulton
 411 West 1st Street
 Duluth, Minnesota 55802

RE: Planning Review Application – Design Changes

Dr. Mr. Fulton,

On behalf of Essentia Health, attached please find information related to design changes for the 6 story multi-model parking structure in Duluth's Downtown Medical District originally submitted in July 2021. Since our original submittal several changes have been made to the exterior of the project that we want you to be aware of. These changes are enumerated below.

- 1) The width of the parking structure north of the alley has been reduced to provide additional clearance between the new structure and the adjacent residence. The west façade of the new structure will be held 10' away from the west property line. In addition to providing more open space and a landscape buffer between the parking structure and adjacent property, the west façade can now be developed with openings rather than a solid wall as was previously proposed to meet fire ratings.
- 2) Entry/Exit parking equipment at the 2nd street entry have been integrated into the footprint of the parking structure, eliminating the need for a separate canopy structure at the entry level to shelter the parking equipment. This not only provides a cleaner look to the north façade of the parking structure but effectively pushes the face of the structure back from 2nd street by the depth of the previous canopy, creating a more open entry/exit plaza.
- 3) The extent of the drop-off canopy above level 6 has been reduced in size, reducing the scale of the parking structure from 2nd street.
- 4) Parking stalls located north of the alley on level 3 have been eliminated, reducing security concerns associated with providing stalls that could not be accessed by the parking structure and located in an area not readily observable from public streets and avenues.
- 5) The perforated metal panels located above the first floor have been changed to a mill-finish aluminum panel in lieu of a painted panel reflecting the color of precast panels on the existing parking structure to the south. The mill-finish panels provide a more durable and sustainable finish system compared to a painted finish.
- 6) At the 3 stair towers and elevator core the number of horizontal mullions has been reduced from 3 horizontal mullions per floor to 2 horizontal mullions per floor. This simplifies the glazed window areas by reducing the number of glass panels.
- 7) The number of trees has been reduced by approximately 50% to improve site lines at 1st street entry/exit lanes.
- 8) Parking lanes on 1st street have been shifted and turn lanes added to improve access to both the new parking structure as well as the existing parking structure south of 1st street.

Attached drawings and renderings further demonstrate these improvements to the design of the parking structure. If there is any additional information or clarifications that we may provide, please do not hesitate to contact me directly.

West Medical District Parking Structure
Planning Review Application – Design Changes

LHB, INC.

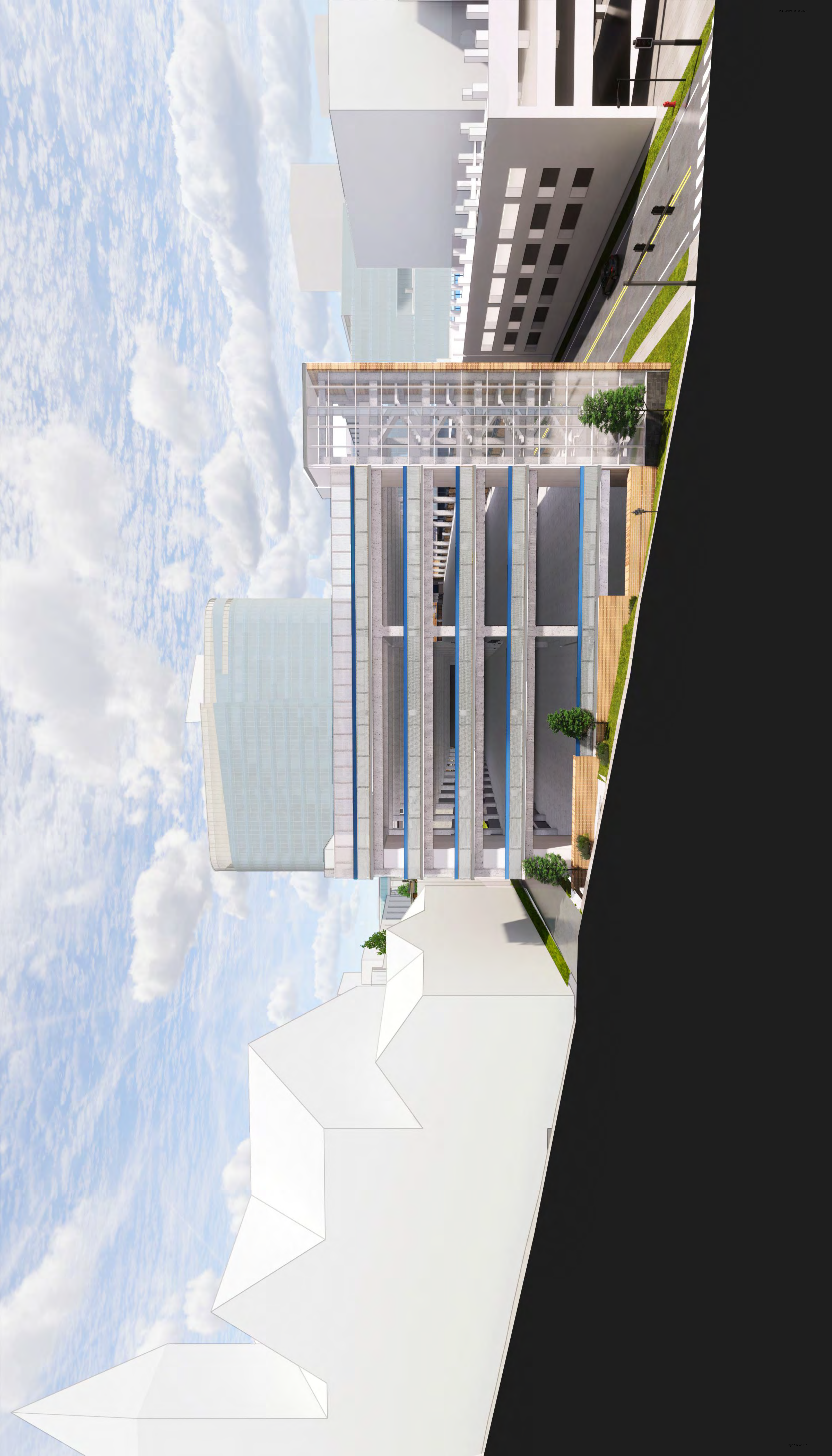


Evan Aljoe, Healthcare Studio Leader

LHB Project No. 180712

Q:\18Proj\180712\400 Design\403 Regulatory\Planning and Zoning\Planning Review Re-submittal\180712 Planning Review - City of Duluth
Cover Letter.docx









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P: 866.906.2200 - WGI Michigan Inc.

**EWING
COLE**

Federal Reserve Bank Building
1000 East 2nd Street
Duluth, MN 55805
Tel: 218.523.2020 Fax: 218.574.0562



502 East 2nd Street
Duluth, MN 55805

THIS SQUARE APPEARS 1/2" X 1/2"
ON FULL SIZE SHEETS

02/04/22	CD PROGRESS SET
07/03/21	DESIGN DEVELOPMENT
07/06/21	LAND USE APPLICATION
NO	DATE
	ISSUED FOR
NO	DATE
	REVISION

**PRELIMINARY
NOT FOR CONSTRUCTION
02/04/2022**

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PROJECT NAME
**WEST MEDICAL DISTRICT
PARKING RAMP**

324 EAST 2ND STREET
DULUTH, MN 55805

DRAWING TITLE
LEVEL 1 FLOOR PLAN

DRAWN BY: *Auhf*
CHECKED BY: *Chenier*
PROJ. NO.: 180712
DRAWING NO.

A101

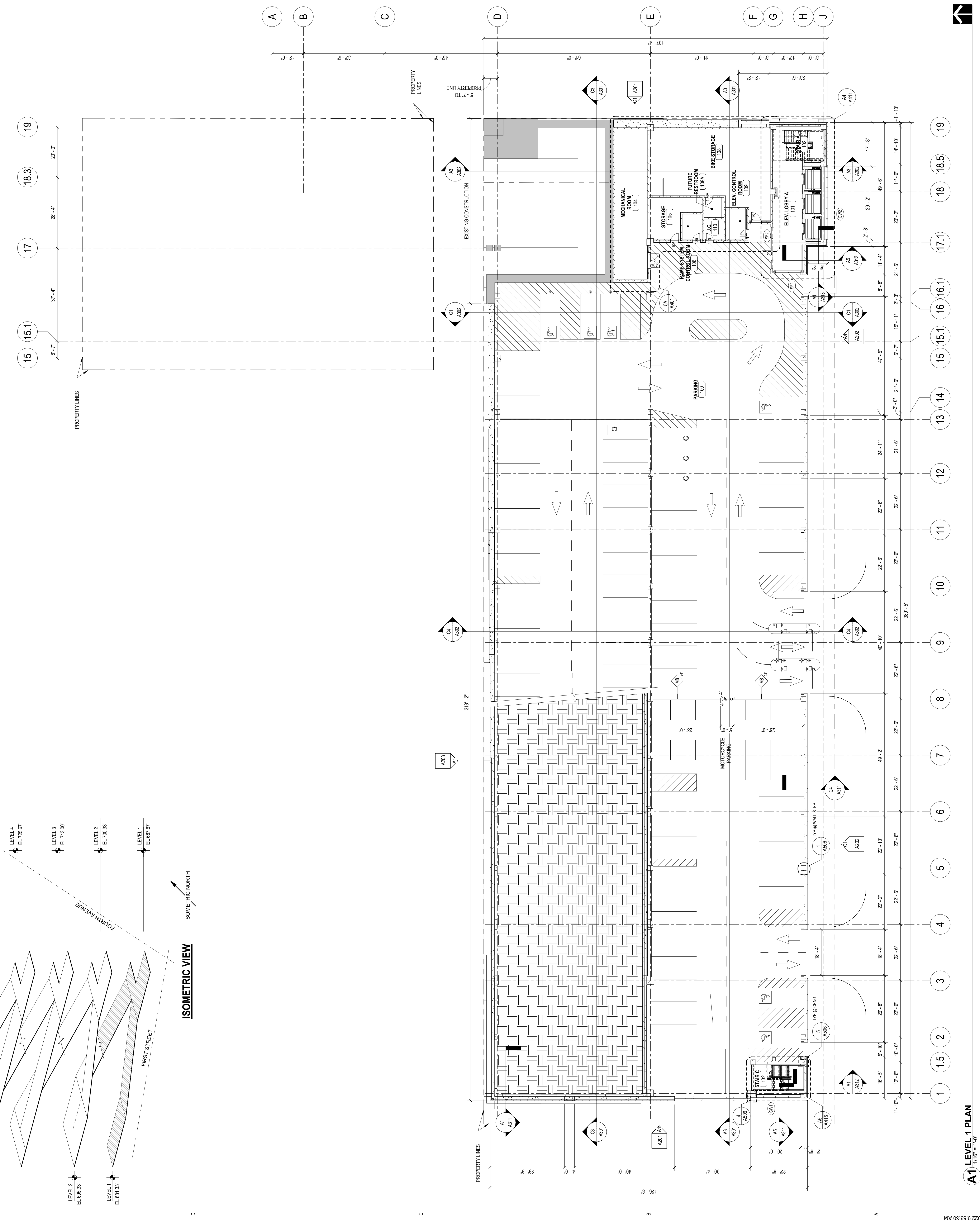
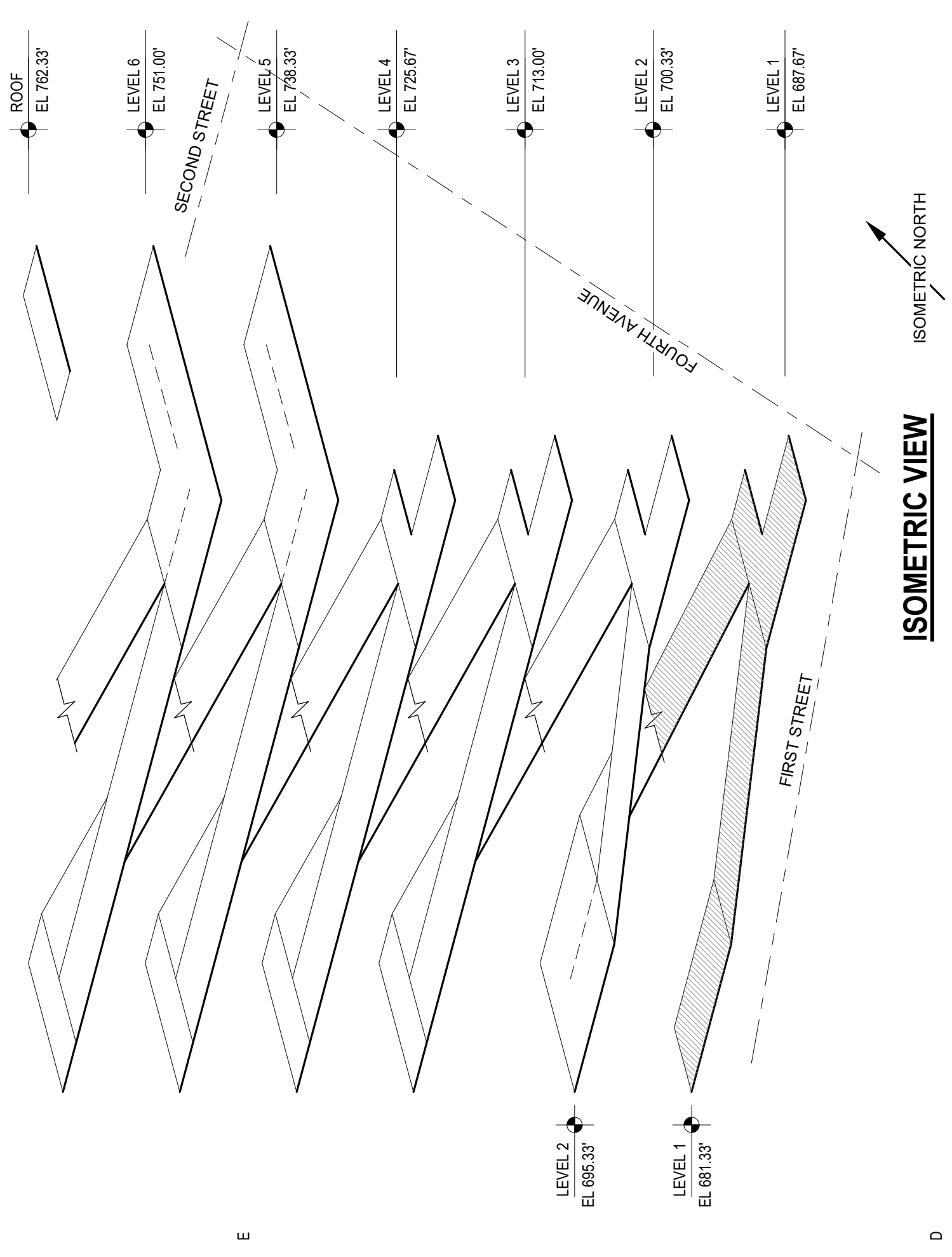
GENERAL SHEET NOTES

- GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES. MECHANICAL, ELECTRICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. NOTE SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.
- REFER TO THE CODE ANALYSIS ON SHEET E.G.3 FOR REQUIRED FIRE RATINGS, TYPES AND LOCATIONS OF RATED ASSEMBLIES.
- ALL OPENINGS CUT PENETRATIONS MADE OR EQUIPMENT INSTALLED IN FIRE RATED WALLS SHALL BE PROTECTED WITH APPROVED FIRE RATED PENETRATIONS TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL HEIGHT OF THE PENETRATION. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.
- TYPICAL INTERIOR PARTITIONS IS MR WALL TYPE UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET AS1.
- TYPICAL INTERIOR FINISHING PARTITION IS F3 UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET AS1.
- DIMENSIONS OF INTERIOR WALLS ARE TO FACE OF STUD. FACE OF GULL FACE OF CONCRETE, OR FACE OF EXISTING WALL UNLESS NOTED OTHERWISE.
- DIMENSIONS OF EXTERIOR WALLS ARE TO EXTERIOR FACE OF SHEETING, OR EXTERIOR FACE OF CMU OR CONCRETE UNLESS NOTED OTHERWISE.
- AT ALIGN NOTE, FINISH FACE OF WALLS TO ALIGN.
- INSTALL ACOUSTIC BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
- REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
- SEE SHEET G020 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
- REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS.
- PROVIDE METAL AND/OR FIRE RESISTANT WOOD BLOCKING AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.
- OWNER SUPPLIED FURNITURE AND EQUIPMENT SHOWN AS DASHED, NOT IN CONTRACT UNLESS NOTED OTHERWISE.
- ALL EXPOSED PIPES, VENTS, AND CONDUIT PENETRATING WALLS, FLOORS, OR CEILINGS SHALL HAVE FINISHED TRIM RINGS (ESCUTCHEONS).
- FIRESTOPPING MECHANICAL AND ELECTRICAL EQUIPMENT, ETC., WITH U.L. APPROVED FIRESTOPPING MATERIAL PER CODE AT ALL PENETRATIONS IN NEW AND EXISTING FIRE RATED WALLS OR FLOORS.
- ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RESERVE PRIME UNLESS NOTED OTHERWISE.
- EXTERIOR LANDINGS, STAIRS, BALCONIES, AND PORCHES SHALL BE LEVEL. EXISTING DOWNWAYS AND SHALL SLOPE AWAY FROM THE BUILDING AT 1/4" PER FOOT.
- EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFICATION IS REQUIRED.

KEYED SHEET NOTES

- 24" X 24" LOWER, SEE MECH.

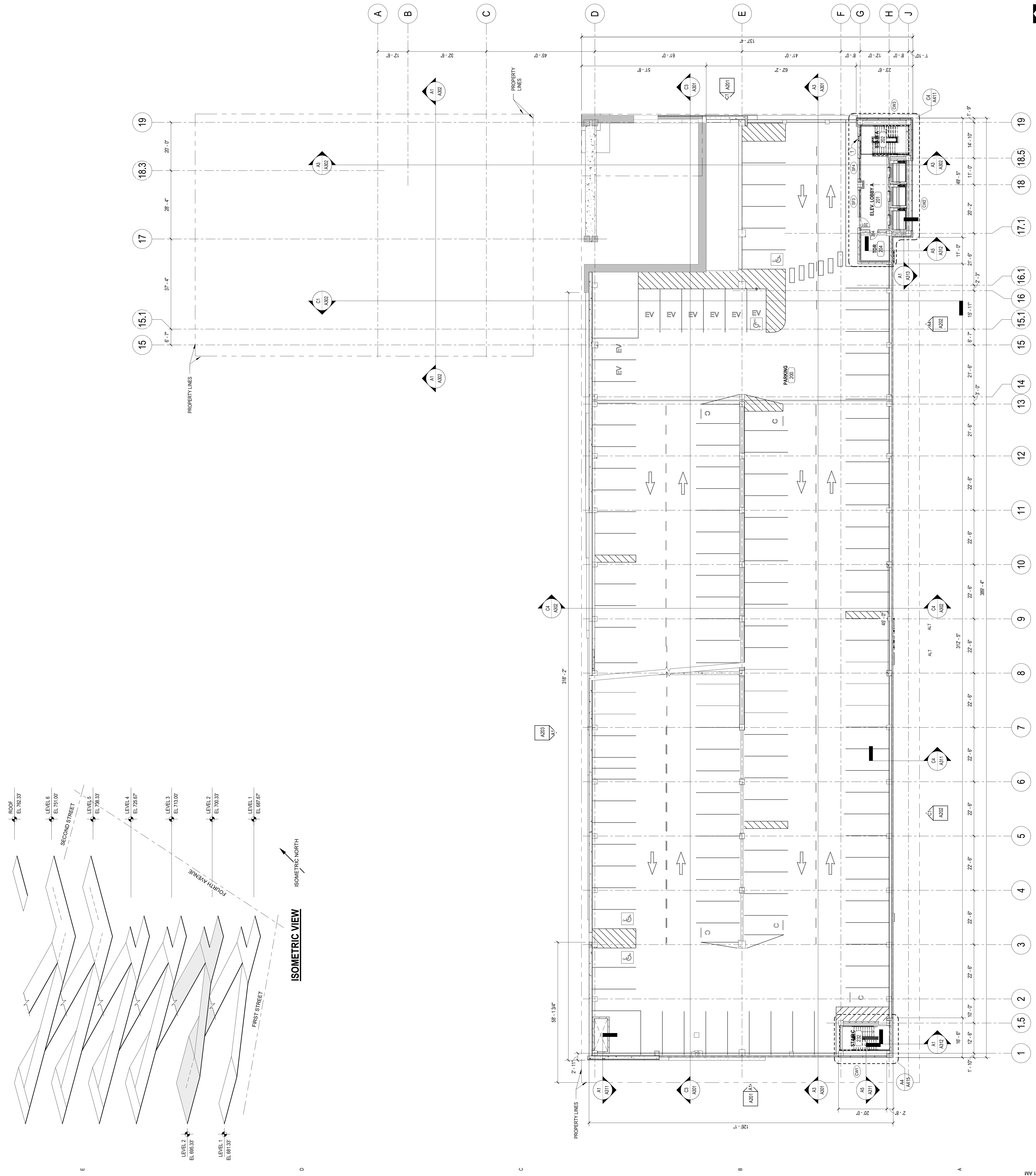
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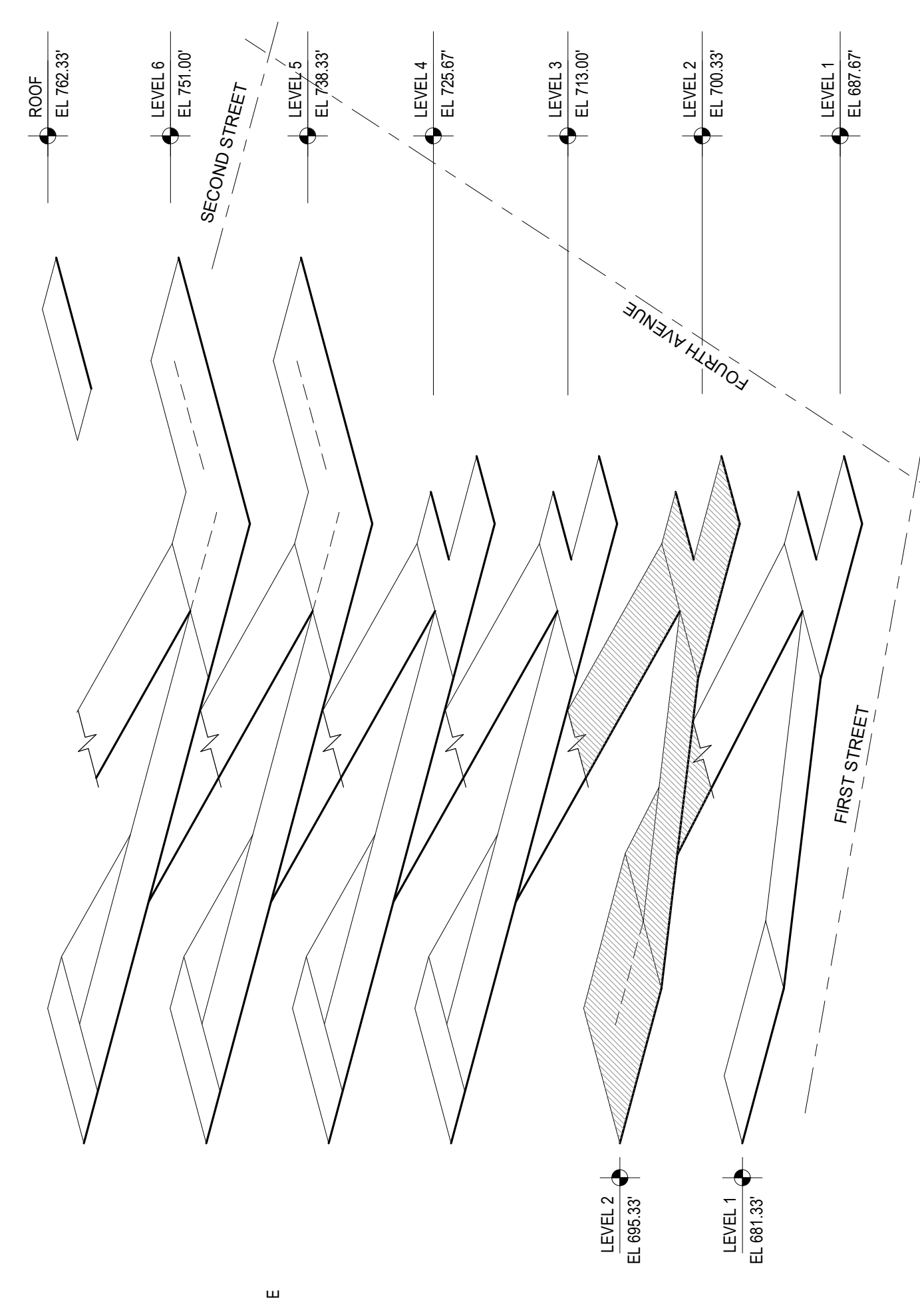
A1 LEVEL 1 PLAN

2/18/2022 9:53:30 AM
BIM 360://180712 Medical District Parking Structure/180712 Med District Ramp A101.rvt

A1) LEVEL 2 PLAN
1/16" = 1'-0"



ISOMETRIC VIEW



GENERAL SHEET NOTES

- A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES. MECHANICAL, ELECTRICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. NOTE SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.
- C. REFER TO THE CODE ANALYSIS ON SHEET E.G.3 FOR REQUIRED FIRE RATINGS, TYPES AND LOCATIONS OF RATED ASSEMBLIES.
- D. ALL OPENINGS CUT PENETRATIONS MADE OR EQUIPMENT INSTALLED IN FIRE RATED WALLS, FLOORS, CEILING, OR ROOF SHALL BE PROTECTED TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL PENETRATION. PENETRATIONS SHALL BE RESTORED, SEALED, FIRE STOPPED, OR OTHERWISE CONSTRUCTED TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL PENETRATION. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.
- E. TYPICAL INTERIOR PARTITIONS IN WALL TYPE UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51.
- F. TYPICAL INTERIOR FLOORING PARTITION IS F3 UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51.
- G. DIMENSIONS OF INTERIOR WALLS ARE TO FACE OF STUD. FACE OF WALL FACE OF CONCRETE, OR FACE OF EXISTING WALL UNLESS NOTED OTHERWISE.
- H. DIMENSIONS OF EXTERIOR WALLS ARE TO EXTERIOR FACE OF SHEETING, OR EXTERIOR FACE OF CHU OR CONCRETE UNLESS NOTED OTHERWISE.
- I. AT ALIGN NOTE, FINISH FACE OF WALLS TO ALIGN.
- J. INSTALL ACoustic BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
- K. REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
- L. SEE SHEET G202 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
- M. REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS.
- N. PROVIDE METAL AND/OR FIRE RESISTANT WOOD BLOCKING AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.
- O. OWNER SUPPLIED FURNITURE AND EQUIPMENT SHOWN AS DASHED, NOT IN CONTRACT UNLESS NOTED OTHERWISE.
- P. ALL EXPOSED PIPES, VENTS, AND CONDUIT PENETRATING WALLS, FLOORS, OR CEILINGS SHALL HAVE FINISHED TRIM RINGS (ESCUTCHEONS).
- Q. FIRESTOPPING AROUND MECHANICAL AND ELECTRICAL EQUIPMENT, ETC., WITH UL APPROVED FIRESTOPPING MATERIAL PER CODE AT ALL PENETRATIONS IN NEW AND EXISTING FIRE RATED WALLS OR FLOORS.
- R. ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RESERVE PAINT UNLESS NOTED OTHERWISE.
- S. EXTERIOR LANDINGS, STAIRS, BALCONIES, AND PORCHES SHALL BE LEVEL. EXISTING FINISH FLOORING SHALL BE MAINTAINED AND FINISHED TO MATCH EXISTING FINISH FLOORING. EXISTING FINISH FLOORING SHALL BE MAINTAINED AND FINISHED TO MATCH EXISTING FINISH FLOORING.
- T. EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFICATION IS REQUIRED.

KEYED SHEET NOTES

- 1. 2" X 2" LOWER, SEE MECH
- 1. 2" X 2" LOWER, SEE MECH

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Duluth, MN 55805
Tel: 218.502.2020 Fax: 218.574.0562

CLIENT: **Essentia Health**

502 East 2nd Street
Duluth, MN 55805

THIS SQUARE APPEARS 1/2" X 1/2" ON FULL SIZE SHEETS

02/04/22	CD PROGRESS SET
07/03/21	DESIGN DEVELOPMENT
07/06/21	LAND USE APPLICATION
NO	DATE
	ISSUED FOR
NO	DATE
	REVISION

PRELIMINARY
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02/04/2022

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PROJECT NAME:
WEST MEDICAL DISTRICT PARKING RAMP

324 EAST 2ND STREET
DULUTH, MN 55805

DRAWING TITLE:
LEVEL 2 FLOOR PLAN

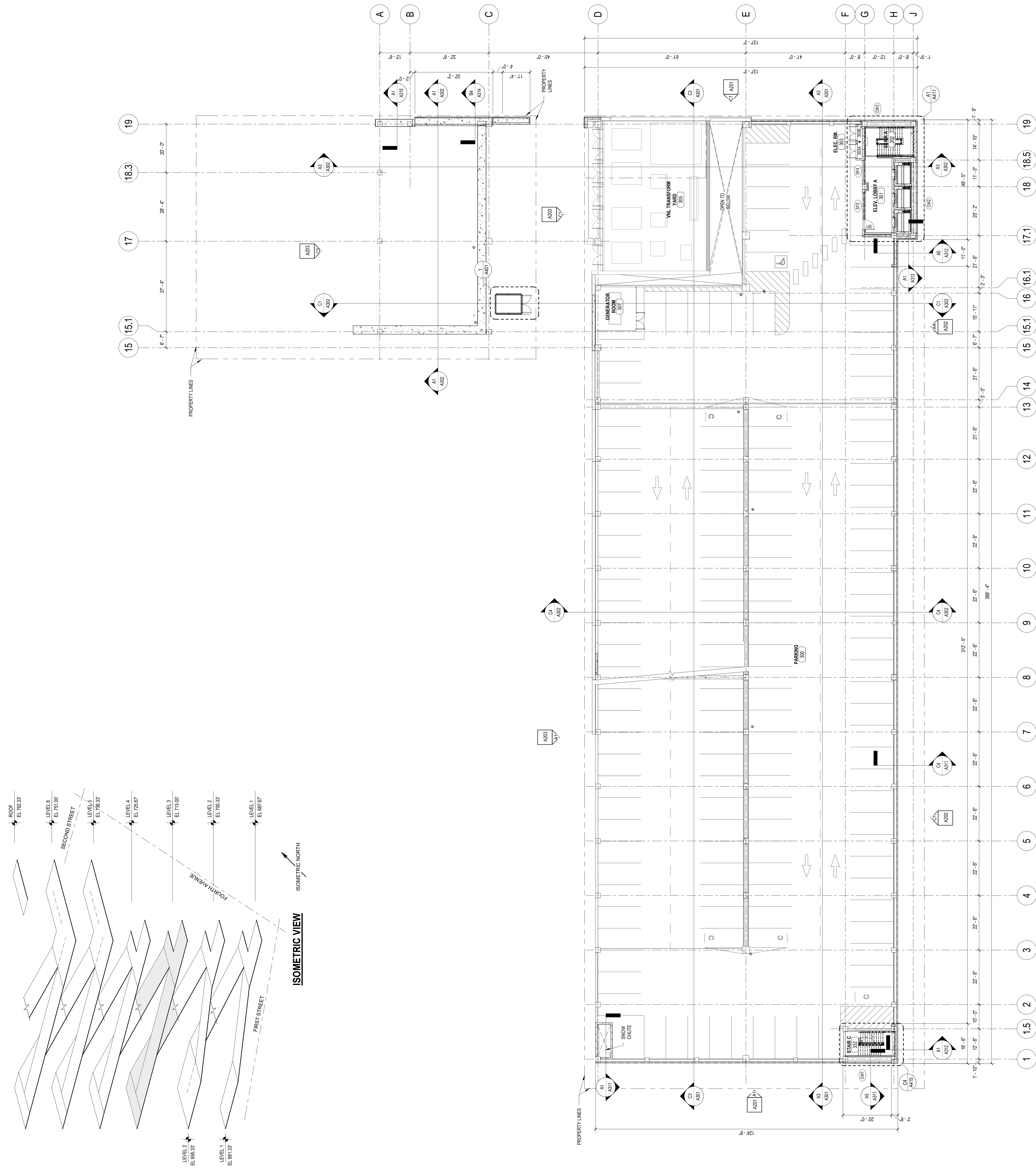
PC Packet 03-06-2022

A102

DRAWN BY: *Auhf*
CHECKED BY: *Chowfr*
PROJ. NO.: 180712
DRAWING NO.

A1 LEVEL 3 PLAN

1/16" = 1'-0"



KEYED SHEET NOTES

- 1. 24" X 24" LOWER, SEE MECH

GENERAL SHEET NOTES

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- B. COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES. MECHANICAL, ELECTRICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. NOTE SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.
- C. REFER TO THE CODE ANALYSIS ON SHEET G.3 FOR REQUIRED FIRE RATINGS, TYPES AND LOCATIONS OF RATED ASSEMBLIES.
- D. ALL OPENINGS CUT PENETRATIONS MADE OR EQUIPMENT INSTALLED IN FIRE RATED WALLS, FLOORS, CEILING, OR ROOF SHALL BE PROTECTED TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL HEIGHT OF THE PENETRATION. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.
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- I. AT ALIGN NOTE, FINISH FACE OF WALLS TO ALIGN.
- J. INSTALL ACOUSTIC BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
- K. REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
- L. SEE SHEET G202 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
- M. REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS.
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- P. ALL EXPOSED PIPES, VENTS, AND CONDUIT PENETRATING WALLS, FLOORS, OR CEILINGS SHALL HAVE FINISHED TRIM RINGS (ESCUICHENS).
- Q. FIRESTOP AROUND MECHANICAL AND ELECTRICAL EQUIPMENT, ETC., WITH UL APPROVED FIRESTOPPING MATERIAL PER CODE AT ALL PENETRATIONS IN NEW AND EXISTING FIRE RATED WALLS OR FLOORS.
- R. ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RESERVE PAINT UNLESS NOTED OTHERWISE.
- S. EXTERIOR LANDINGS, STAIRS, BALCONIES, AND PORCHES SHALL BE LEVEL WITH EXISTING SURFACES AND SHALL SLOPE AWAY FROM THE BUILDING AT 1/4" PER FOOT.
- T. EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFY AS REQUIRED.

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Tel: 218.502.2020 Fax: 218.574.0562

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07/03/21	DESIGN DEVELOPMENT	
07/06/21	LAND USE APPLICATION	
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NO	DATE	REVISION

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02/14/2022

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PARKING RAMP**

324 EAST 2ND STREET
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DRAWING TITLE:
LEVEL 3 FLOOR PLAN

PC Packet 03-06-2022
A103
DRAWN BY: Auhir
CHECKED BY: Dweir
PROJ. NO.: 180712
DRAWING NO.:



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Duluth, MN 55805

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ON FULL SIZE SHEETS

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07/03/21	DESIGN DEVELOPMENT	
07/06/21	LAND USE APPLICATION	
NO	DATE	ISSUED FOR

NO DATE REVISION

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02/04/2022**

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PROJECT NAME
**WEST MEDICAL DISTRICT
PARKING RAMP**

324 EAST 2ND STREET
DULUTH, MN 55805

DRAWING TITLE
LEVEL 4 FLOOR PLAN

DRAWN BY: AWH
CHECKED BY: DWB
PROJ. NO.: 180172
DRAWING NO.: **A104**

GENERAL SHEET NOTES

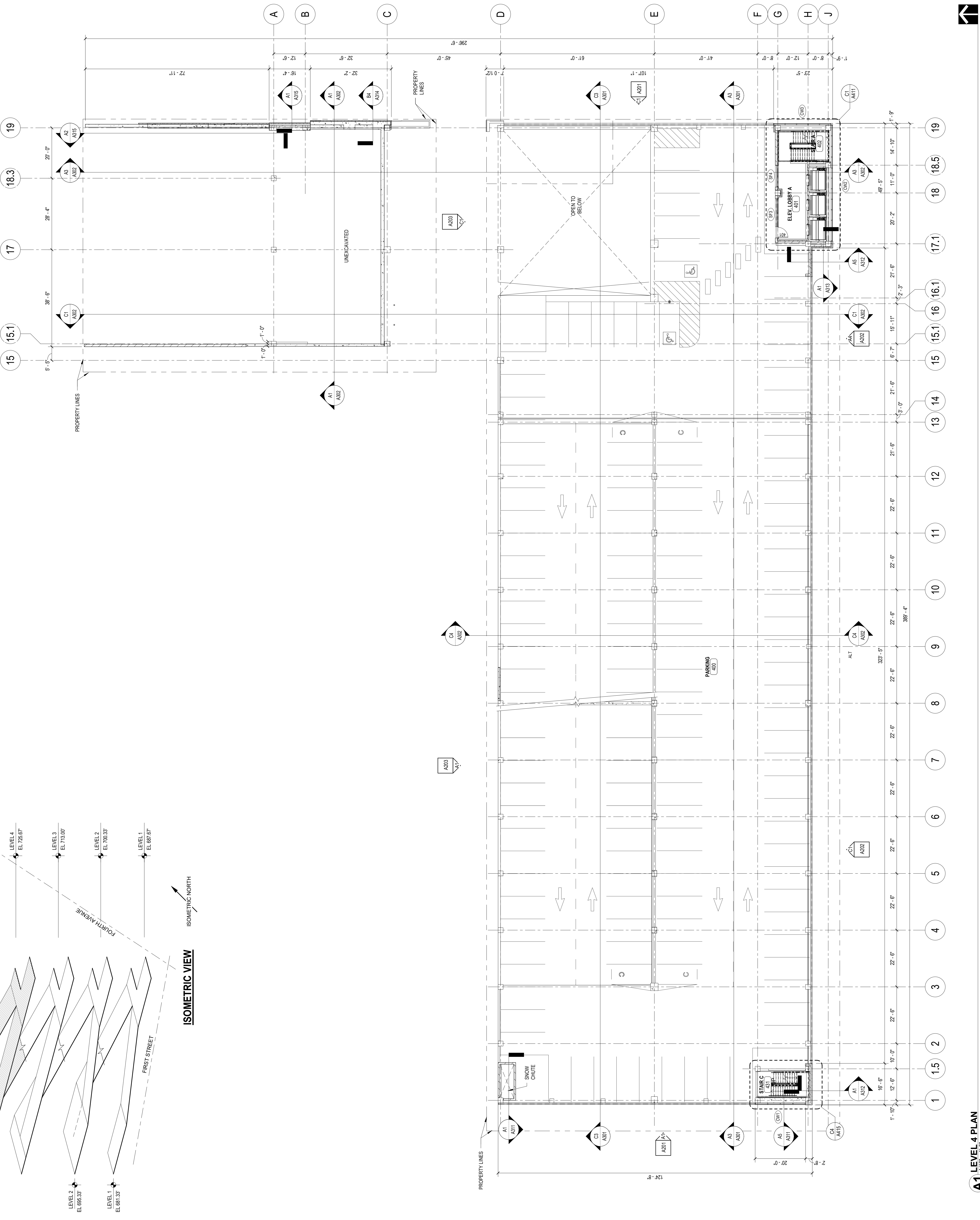
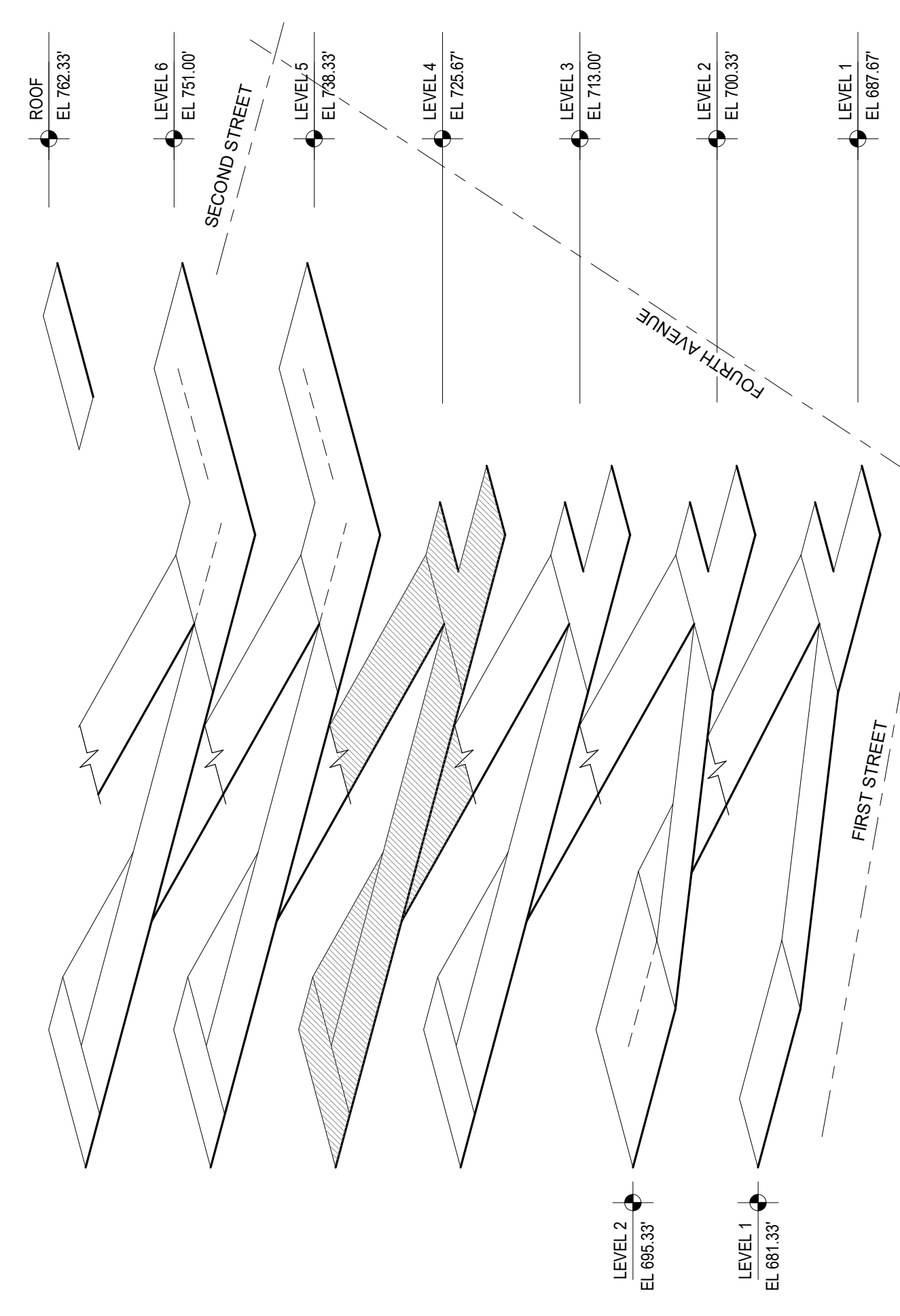
- A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES. PROVIDE TO ARCHITECTURAL, MECHANICAL, ELECTRICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. NOTE: SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.
- C. REFER TO THE CODE ANALYSIS ON SHEET 6.3 FOR REQUIRED FIRE RATINGS, TYPES AND LOCATIONS OF RATED ASSEMBLIES.
- D. ALL OPENINGS, CUT PENETRATIONS MADE OR EQUIPMENT INSTALLED IN FIRE RATED WALLS AND PARTITIONS SHALL BE INSTALLED AND FINISHED TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL HEIGHT AND WIDTH OF THE PENETRATION. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.
- E. TYPICAL INTERIOR PARTITIONS IN WALL TYPE UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51
- F. TYPICAL INTERIOR FLOORING PARTITION IS F1 UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51
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- H. DIMENSIONS OF EXTERIOR WALLS ARE TO EXTERIOR FACE OF SHEATHING, OR EXTERIOR FACE OF CMU OR CONCRETE UNLESS NOTED OTHERWISE.
- I. AT ALONG NOTE, FINISH FACE OF WALLS TO ALIGN
- J. INSTALL SOUND ABATEMENT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
- K. REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
- L. SEE SHEET 6.02 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
- M. REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS
- N. PROVIDE METAL AND/OR FIRE RESISTANT WOOD BLOCKING AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.
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- R. ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RECEIVE PRIME UNLESS NOTED OTHERWISE.
- S. EXTERIOR LANDINGS, STAIRS, BALCONIES, AND PORCHES SHALL BE LEVEL. EXISTING SURFACES SHALL BE GRABED AND SHALL SLOPE AWAY FROM THE BUILDING AT 1% PER FOOT.
- T. EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFICATION IS REQUIRED.

KEYED SHEET NOTES

- 1. 24"x24" LOWER, SEE MECH.

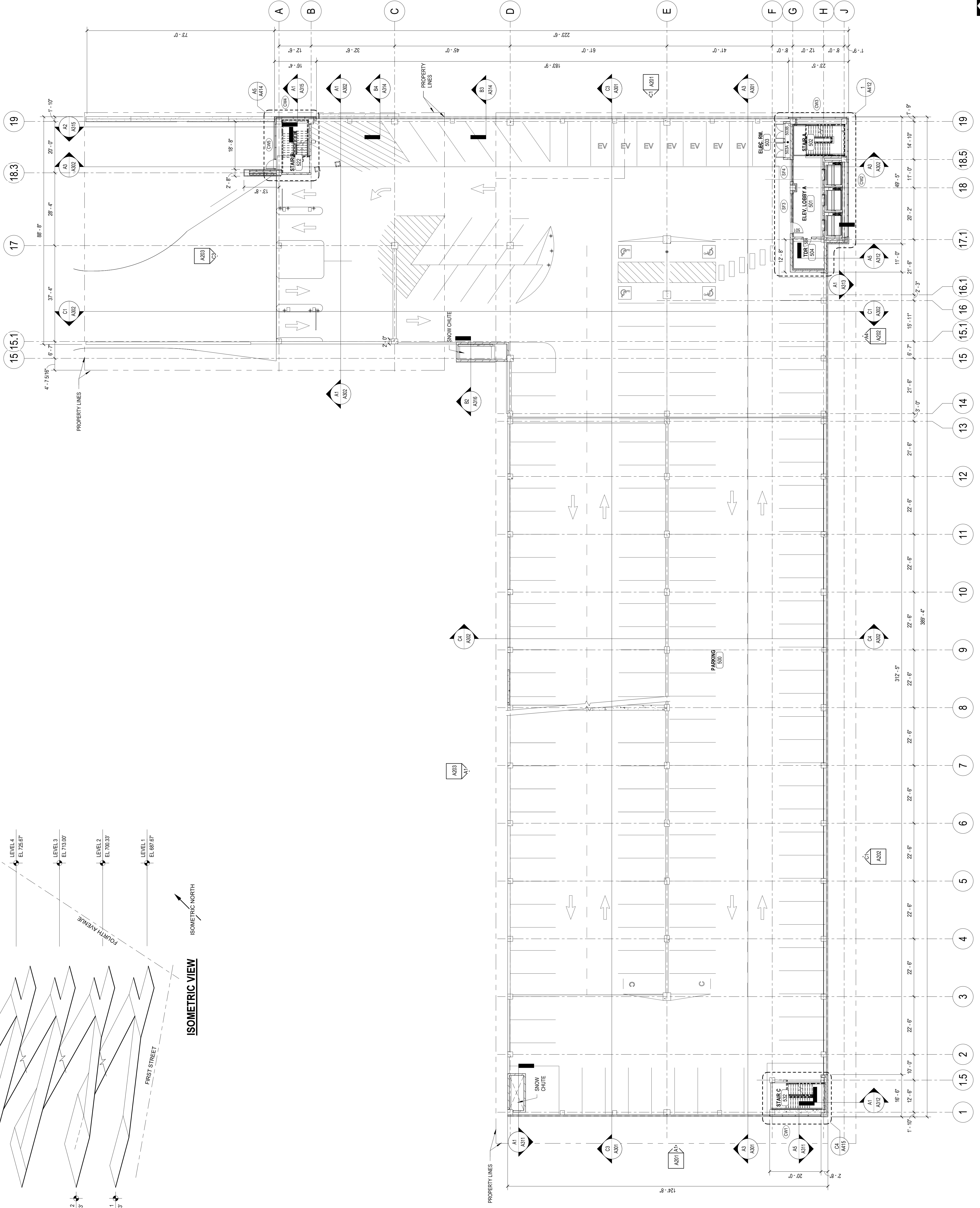
1 2 3 4 5 6

1 2 3 4 5 6



A1 LEVEL 4 PLAN
1/16/24

A1 LEVEL 5 PLAN
1/14/2022



- GENERAL SHEET NOTES**
- GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
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 - INSTALL ACoustIC BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
 - REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
 - SEE SHEET 6.02 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
 - REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS.
 - PROVIDE METAL AND/OR FIRE RESISTANT WOOD BLOCKING AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.
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 - ALL EXPOSED PIPES, VENTS, AND CONDUIT PENETRATING WALLS, FLOORS, OR CEILINGS SHALL HAVE FINISHED TRIM RINGS (ESCUTCHEONS).
 - FIRESTOP AROUND MECHANICAL AND ELECTRICAL EQUIPMENT, ETC., WITH UL APPROVED FIRESTOPPING MATERIAL PER CODE AT ALL PENETRATIONS IN NEW AND EXISTING FIRE RATED WALLS OR FLOORS.
 - ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RESERVE PRIME UNLESS NOTED OTHERWISE.
 - EXTERIOR LANDINGS, STAIRS, BALCONIES, AND PORCHES SHALL BE LEVEL WITH EXISTING SURFACES AND SHALL SLOPE AWAY FROM THE BUILDING AT 1/4" PER FOOT.
 - EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFY AS REQUIRED.

KEYED SHEET NOTES

- 24" X 24" LOWER, SEE MECH.

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CLIENT:
Essentia Health

502 East 2nd Street
 Duluth, MN 55805

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02/04/22	CD PROGRESS SET
07/03/21	DESIGN DEVELOPMENT
07/06/21	LAND USE APPLICATION
NO	DATE
	ISSUED FOR
NO	DATE
	REVISION

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 02/14/2022

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 PROJECT NAME:
WEST MEDICAL DISTRICT PARKING RAMP

324 EAST 2ND STREET
 DULUTH, MN 55805
 DRAWING TITLE:
LEVEL 5 FLOOR PLAN

PC Packet 03-06-2022
A105
 DRAWN BY: Auhf
 CHECKED BY: Dwehr
 PROJ. NO.: 180712
 DRAWING NO.

THIS SQUARE APPEARS 1/32" X 1/2" ON FULL SIZE SHEETS

02/04/22	CD PROGRESS SET
07/03/21	DESIGN DEVELOPMENT
07/06/21	LAND USE APPLICATION
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NO	DATE
	REVISION

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 02/04/2022

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 PROJECT NAME:
WEST MEDICAL DISTRICT PARKING RAMP

324 EAST 2ND STREET
 DULUTH, MN 55805

DRAWING TITLE:
LEVEL 6 FLOOR PLAN

GENERAL SHEET NOTES

A. GENERAL NOTES APPLY TO ALL DRAWING SHEETS.

B. COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES INCLUDING MECHANICAL, ELECTRICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. NOTE SYMBOLS USED IN PLANS BY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.

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D. ALL OPENINGS, CUT PENETRATIONS MADE OR EQUIPMENT INSTALLED IN FIRE RATED WALLS SHALL BE PROTECTED WITH AN APPROVED FIRE RATED PENETRATION ASSEMBLY TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL HEIGHT AND WIDTH OF THE PENETRATION. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.

E. TYPICAL INTERIOR PARTITIONS IS 1/2" WALL TYPE UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51.

F. TYPICAL INTERIOR FLOORING PARTITION IS F1 UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A51.

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I. AT ALIGN NOTE, FINISH FACE OF WALLS TO ALIGN.

J. INSTALL ACoustIC BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.

K. REFER TO ENLARGED PLANS, WHEN PROVIDED, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.

L. SEE SHEET 6.02 FOR STANDARD AND ACCESSIBLE MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.

M. REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUTS.

N. PROVIDE METAL AND/OR FIRE RESISTANT WOOD BLOCKING AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.

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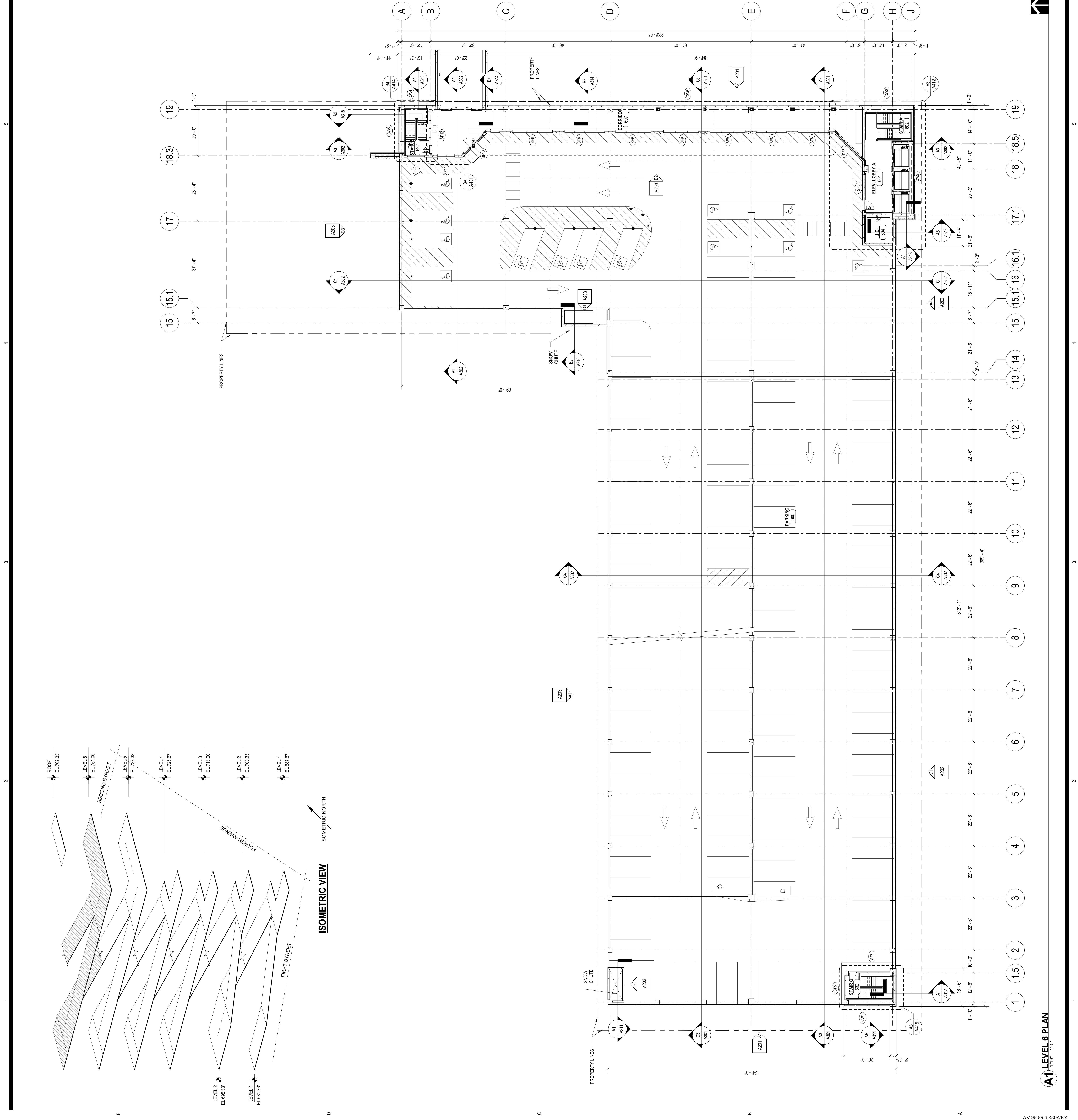
R. ALL NEW GYPSUM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RESERVE PAINT UNLESS NOTED OTHERWISE.

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KEYED SHEET NOTES

1. 24" X 24" LOWER, SEE MECH.





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Duluth, MN 55805
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CLIENT:



502 East 2nd Street
Duluth, MN 55805

THIS SQUARE APPEARS 1/2" X 1/2"
ON FULL SIZE SHEETS

NO.	DATE	REVISION
02/04/22	02/04/22	CD PROGRESS SET
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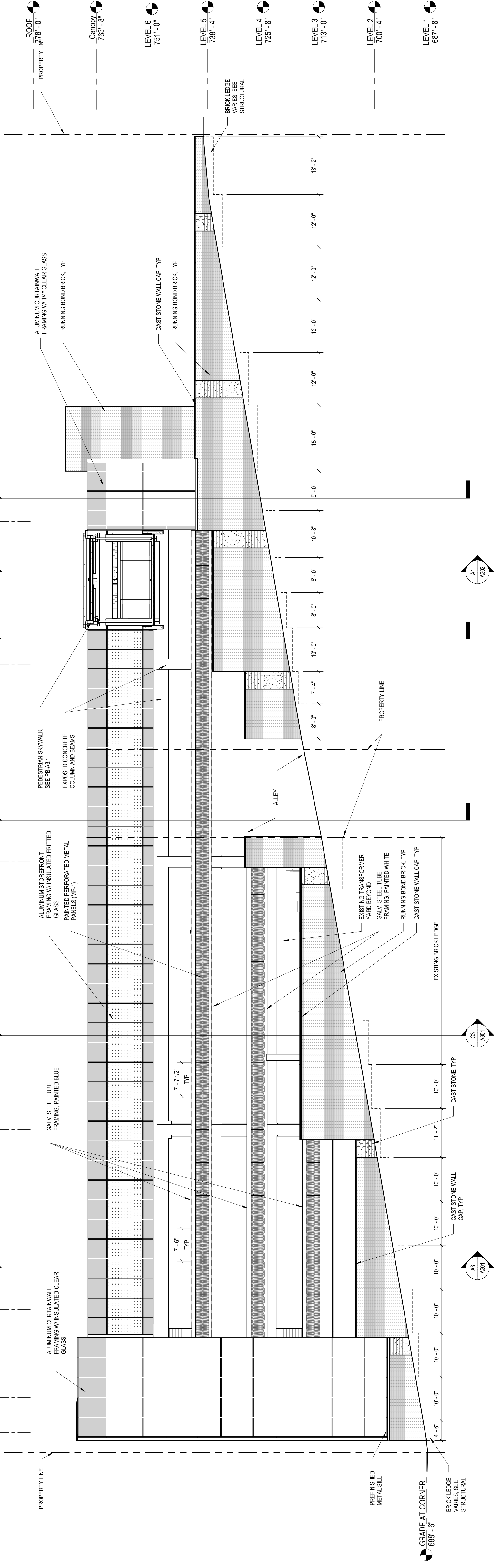
PROJECT NAME
**WEST MEDICAL DISTRICT
PARKING RAMP**

324 EAST 2ND STREET
DULUTH, MN 55805

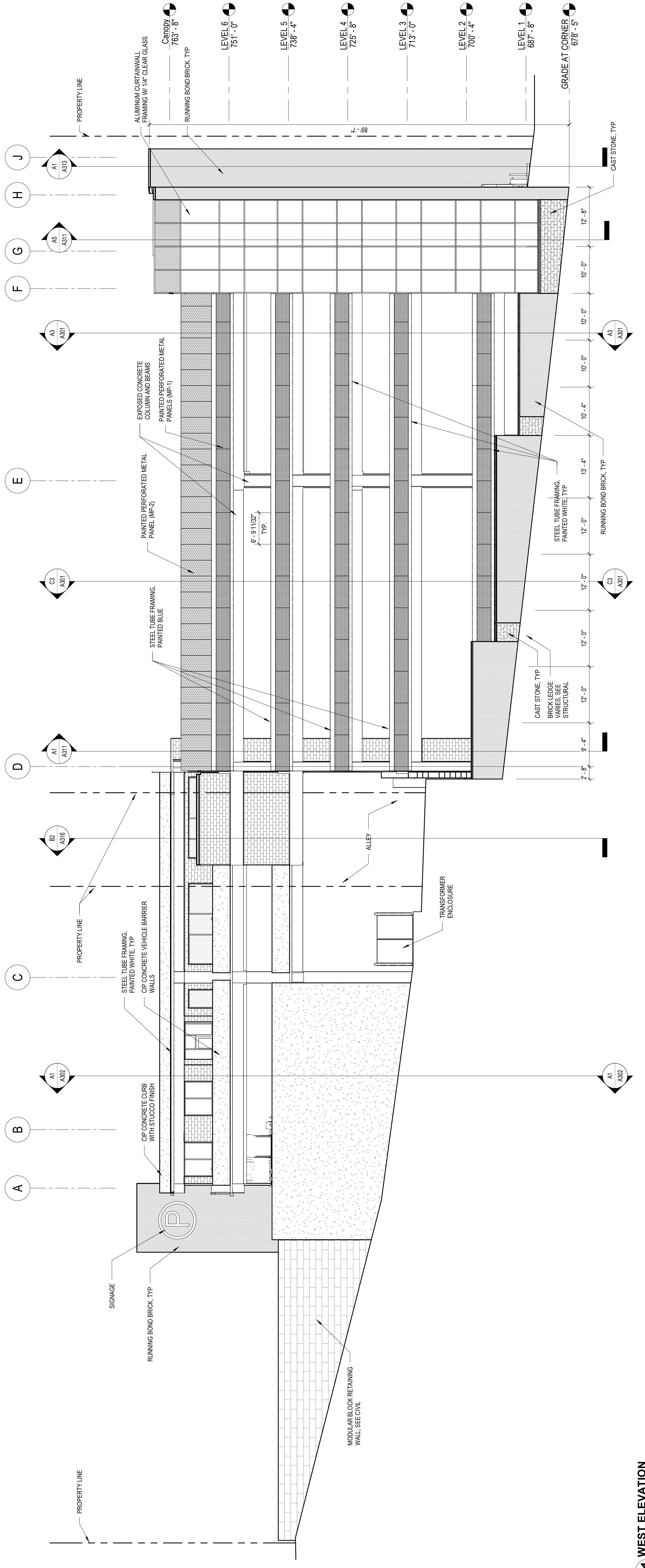
DRAWING TITLE
EXTERIOR ELEVATIONS

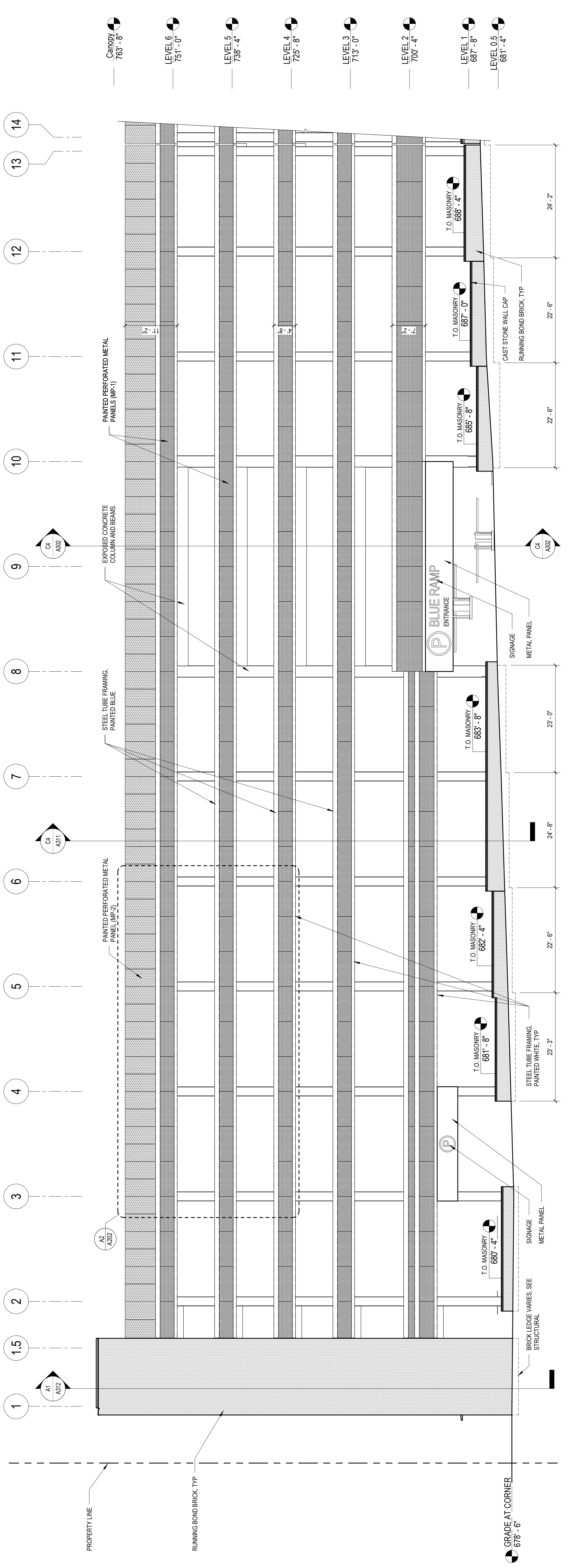
DRAWN BY: *Ashley*
CHECKED BY: *Chenier*
PROJ. NO.: 180172
DRAWING NO.

A1 WEST ELEVATION
332' x 140'

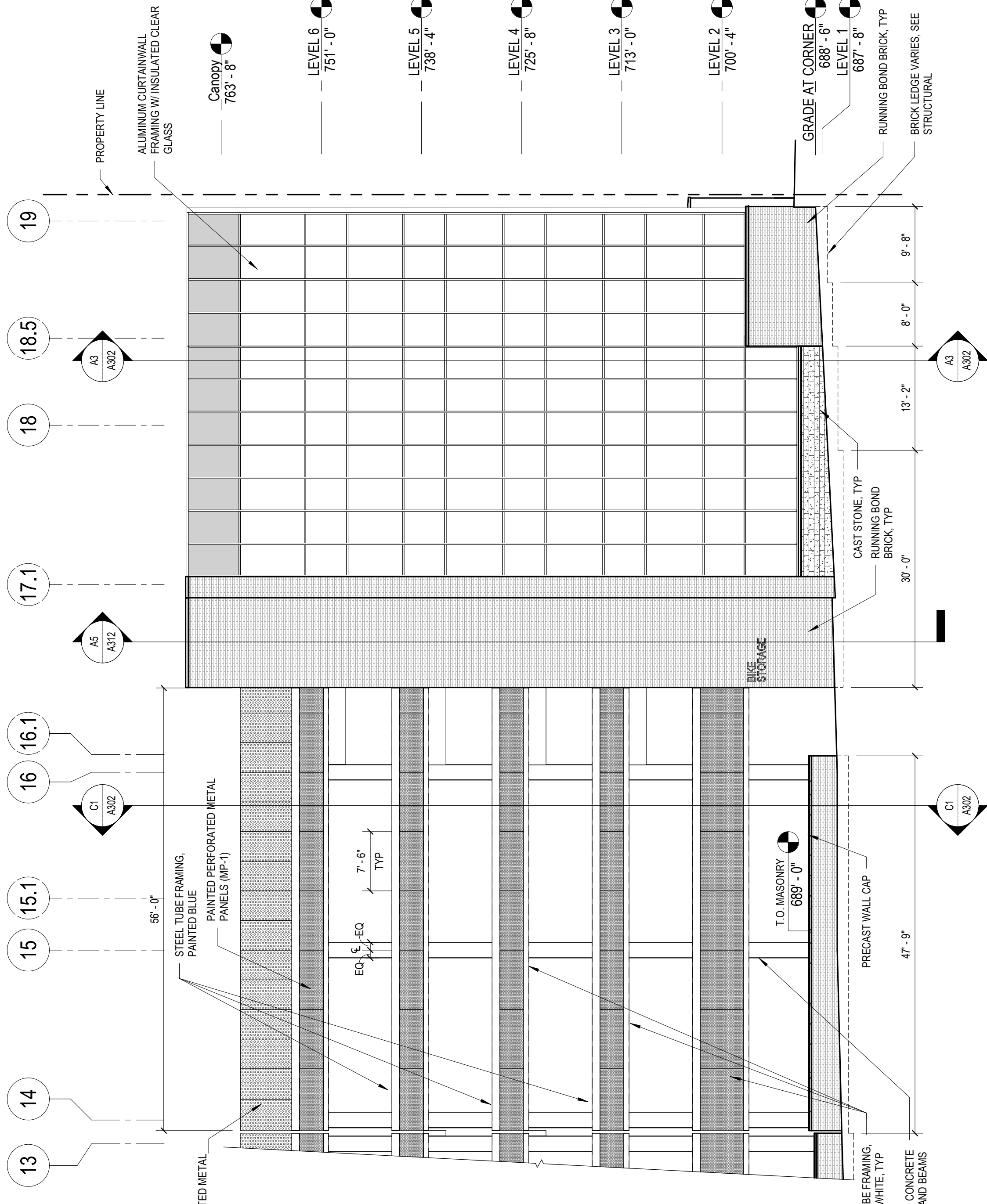


C1 EAST ELEVATION
332' x 140'

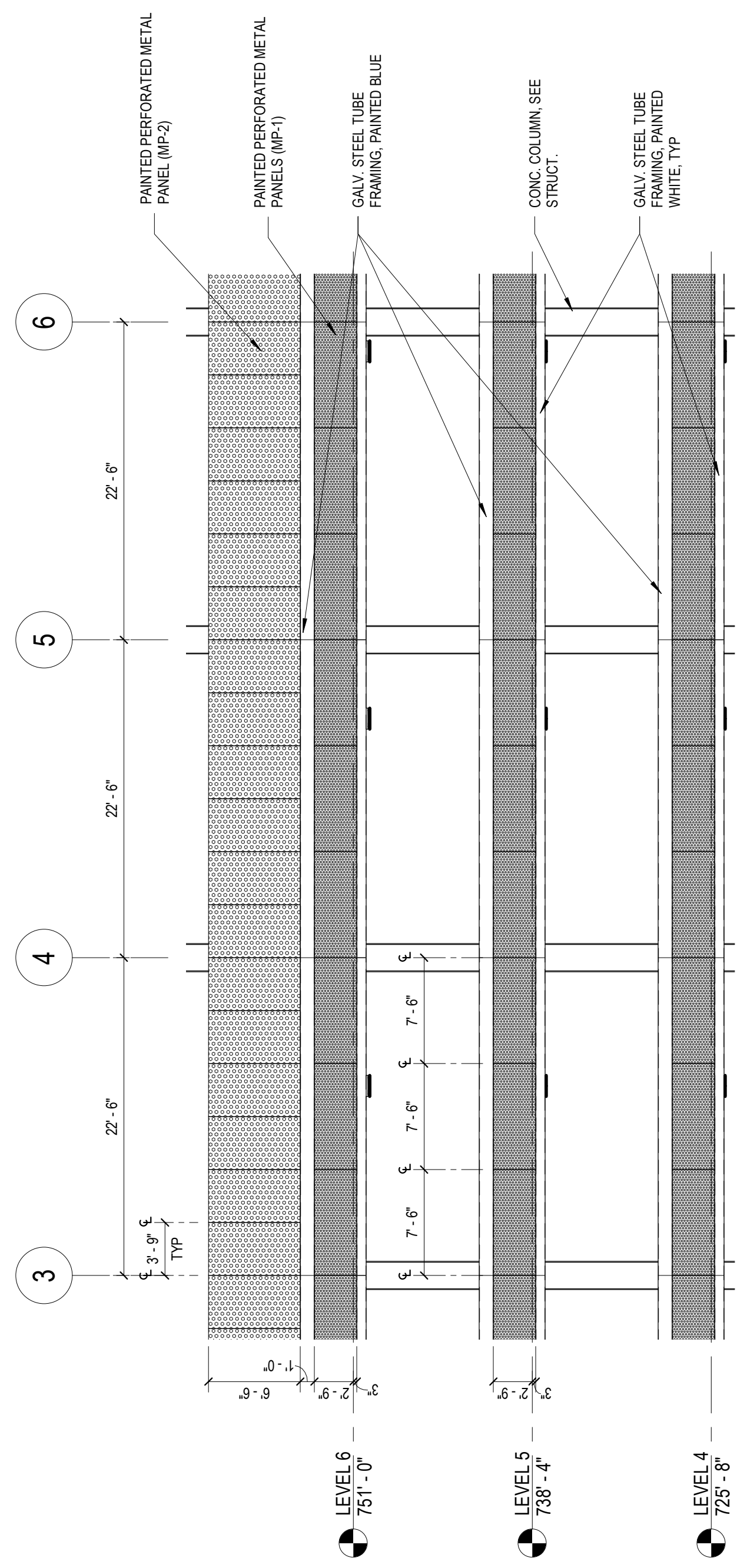




C1 PARTIAL SOUTH ELEVATION (WEST)
3/02 = 1/10



A4 PARTIAL SOUTH ELEVATION (EAST)
3/02 = 1/10



A2 TYP SCREEN GUARDRAIL ELEVATION
1/08 = 1/10

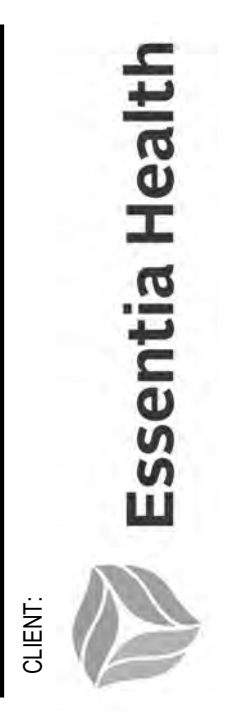


PERFORMANCE
DRIVEN DESIGN.
LHBcorp.com

701 Washington Ave., 8, Ste. 200 | Minneapolis, MN 55401 | 612.338.2029



**EWING
COLE**
Federal Reserve Bank Building
1000
Phosphoric
Tel: 215-523-2020 Fax: 215-574-0562



502 East 2nd Street
Duluth, MN 55805

THIS SQUARE APPEARS 1/2" X 1/2" ON FULL SIZE SHEETS		
02/04/22	CD PROGRESS SET	
07/03/21	DESIGN DEVELOPMENT	
07/06/21	LAND USE APPLICATION	
NO.	DATE	ISSUED FOR
NO.	DATE	REVISION



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PROJECT NAME
**WEST MEDICAL DISTRICT
PARKING RAMP**

324 EAST 2ND STREET
DULUTH, MN 55805

DRAWING TITLE
EXTERIOR ELEVATIONS

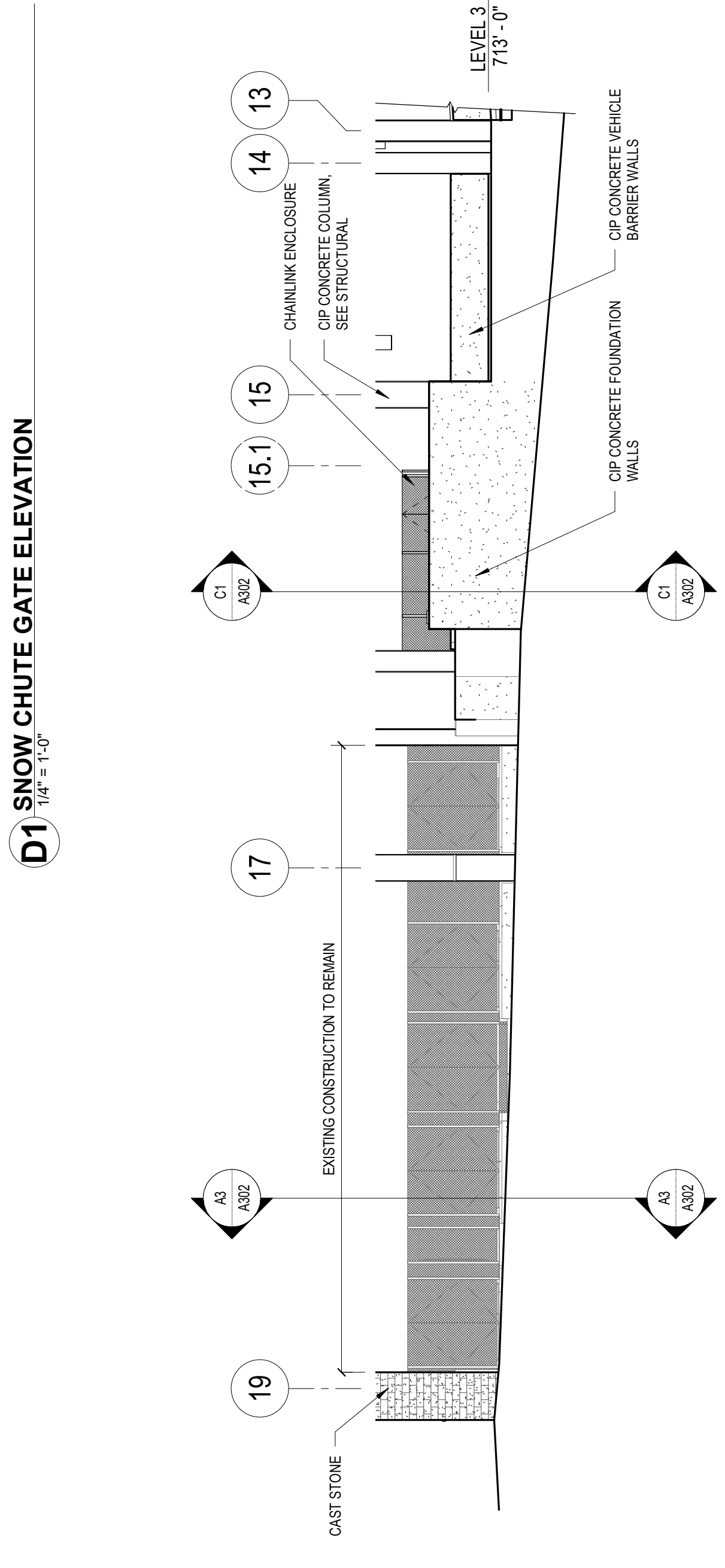
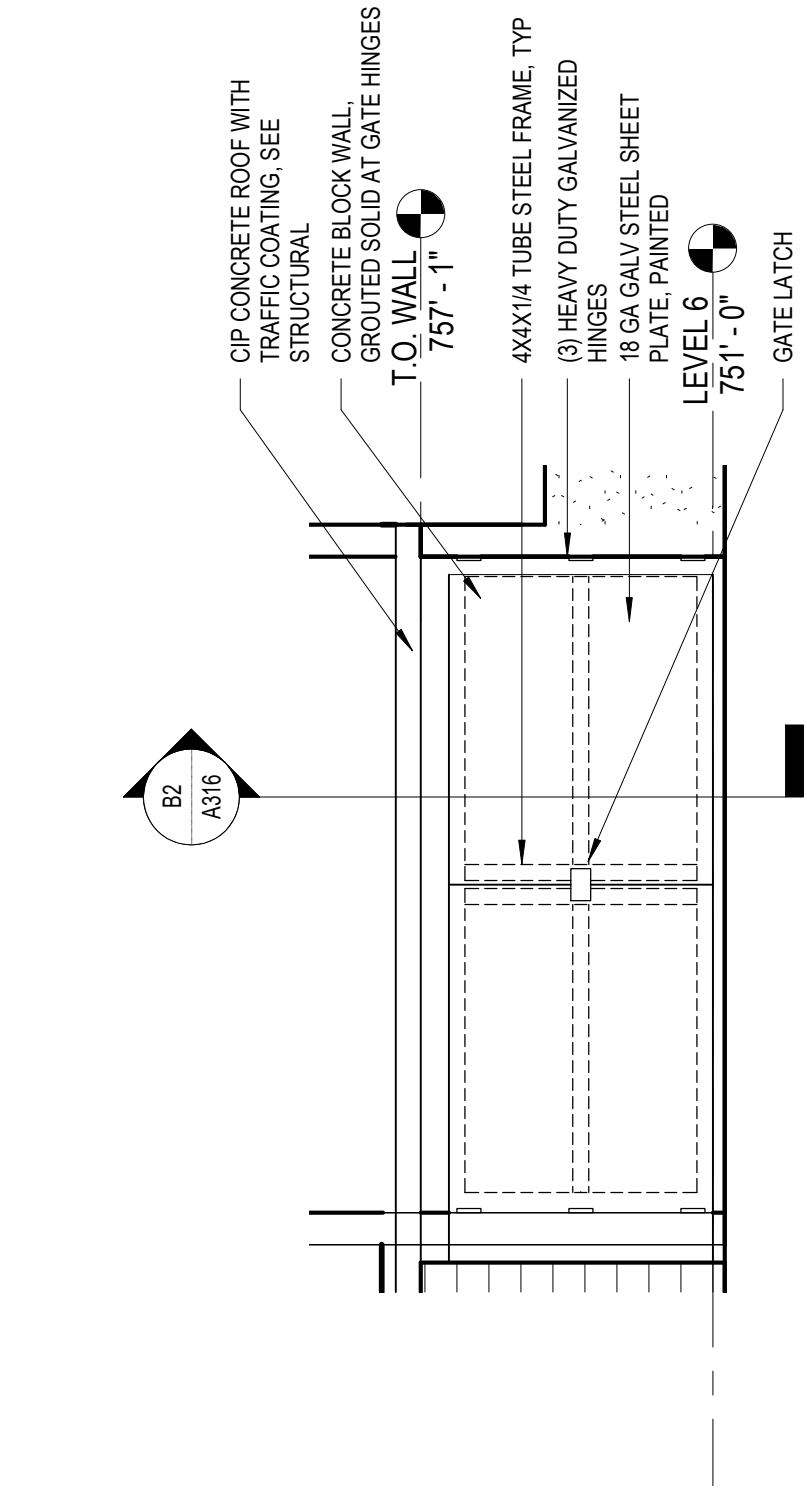
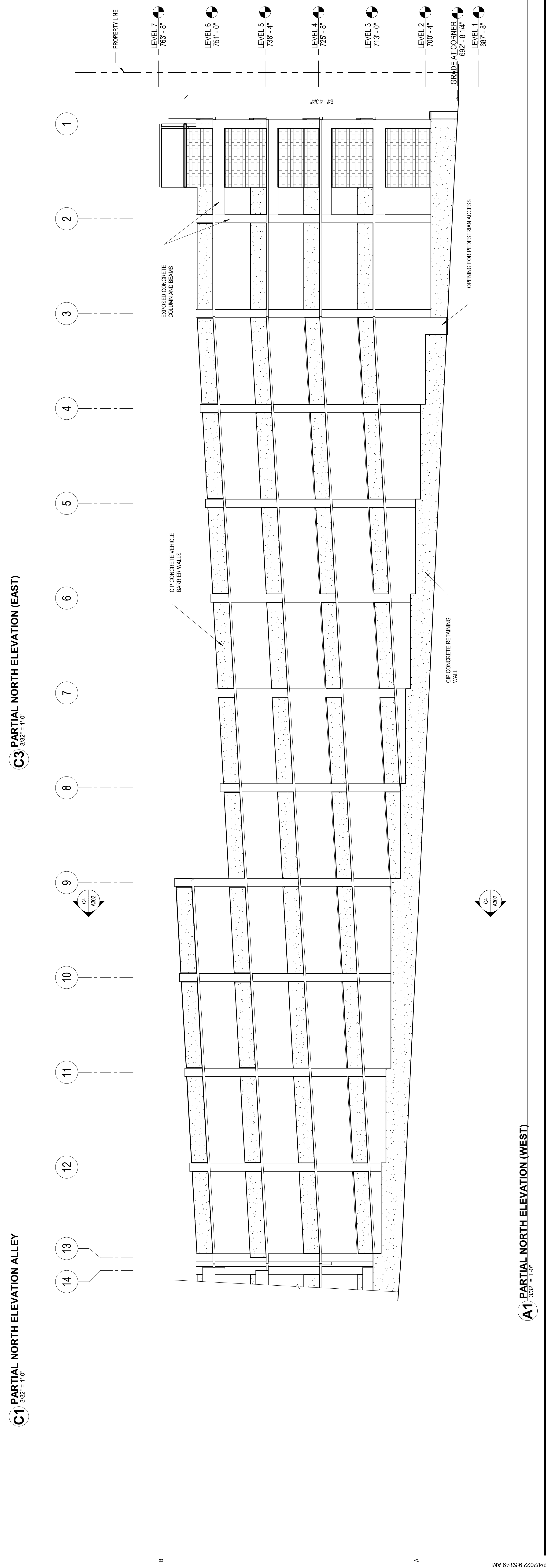
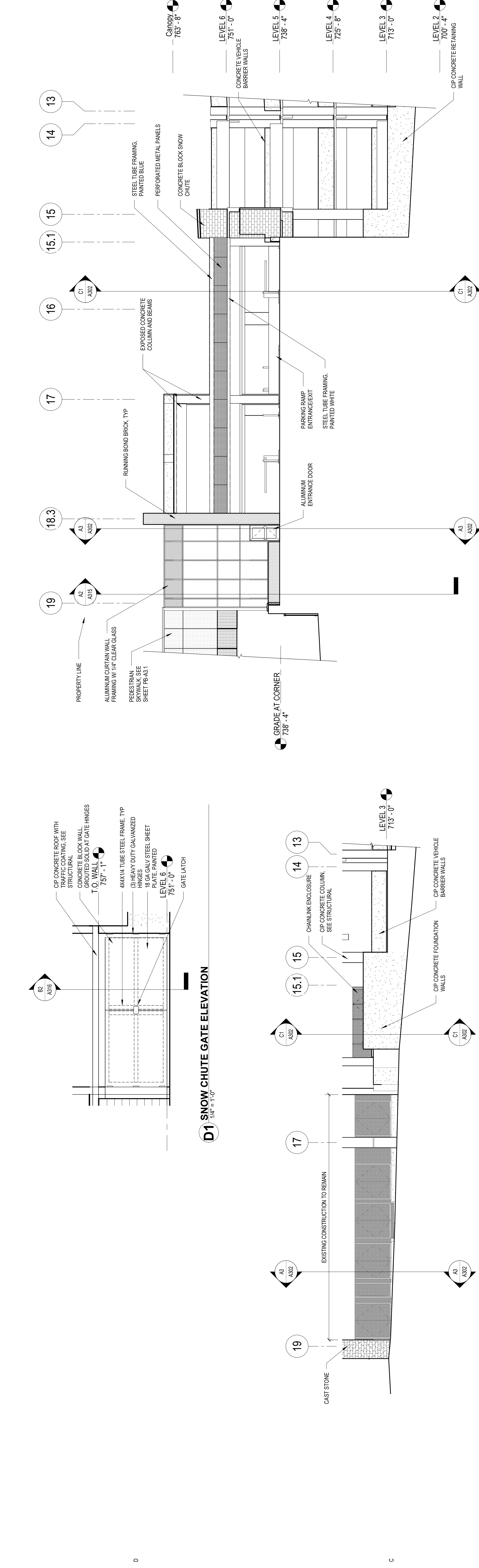
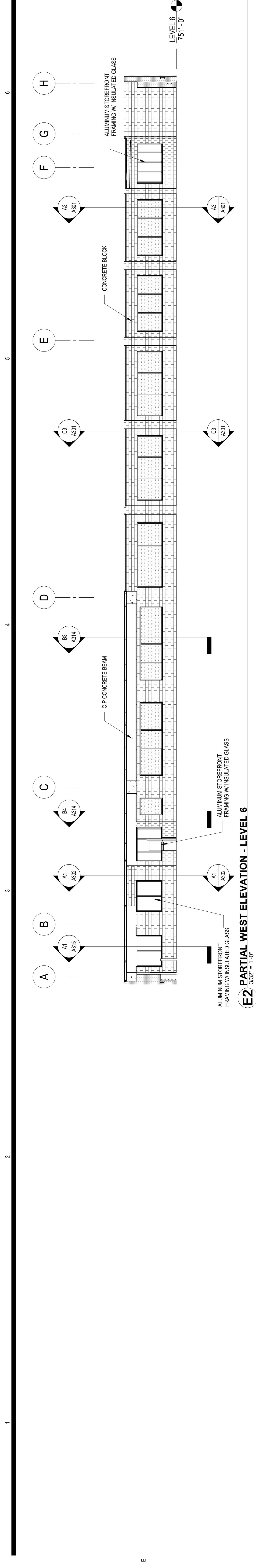
THIS SQUARE APPEARS 1/2" X 1/2" ON FULL SIZE SHEETS

02/04/22	CD PROGRESS SET
07/02/21	DESIGN DEVELOPMENT
07/06/21	LAND USE APPLICATION
NO	DATE
	ISSUED FOR
NO	DATE
	REVISION

PRELIMINARY
NOT FOR CONSTRUCTION
 02/04/2022

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 PROJECT NAME
WEST MEDICAL DISTRICT PARKING RAMP

324 EAST 2ND STREET
 DULUTH, MN 55805
 DRAWING TITLE
EXTERIOR ELEVATIONS





502 EAST 2ND STREET
DULUTH, MN 55805

THIS DRAWING APPEARS IN 11 SET ON
FULL SIZE SHEETS

DATE: 06/28/2022

I HEREBY CERTIFY that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the STATE OF MINNESOTA.

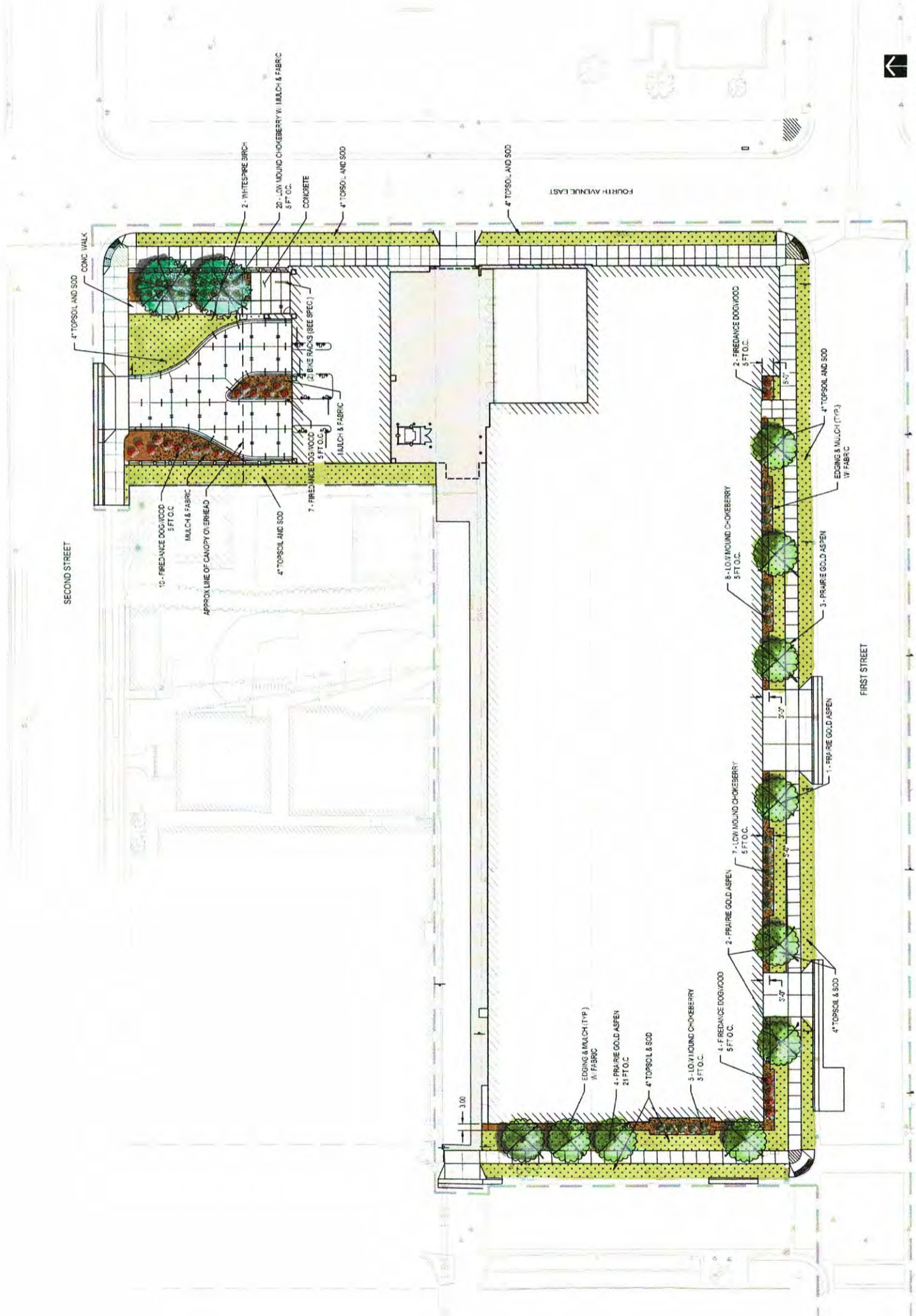
DATE: 06/28/2022 REG. NO. 12653

WEST MEDICAL DISTRICT
PARKING RAMP

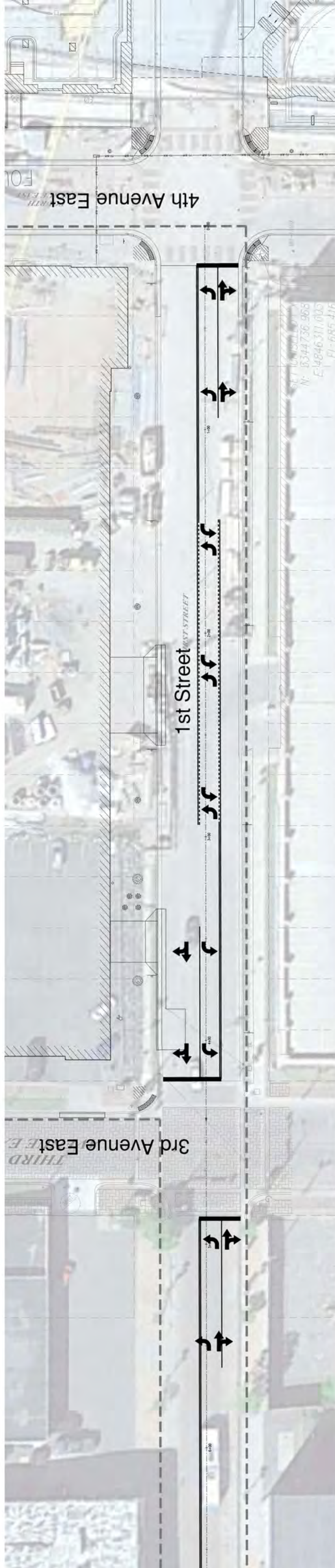
324 EAST 2ND STREET
DULUTH, MN 55805

PARKING RAMP
LANDSCAPE PLAN

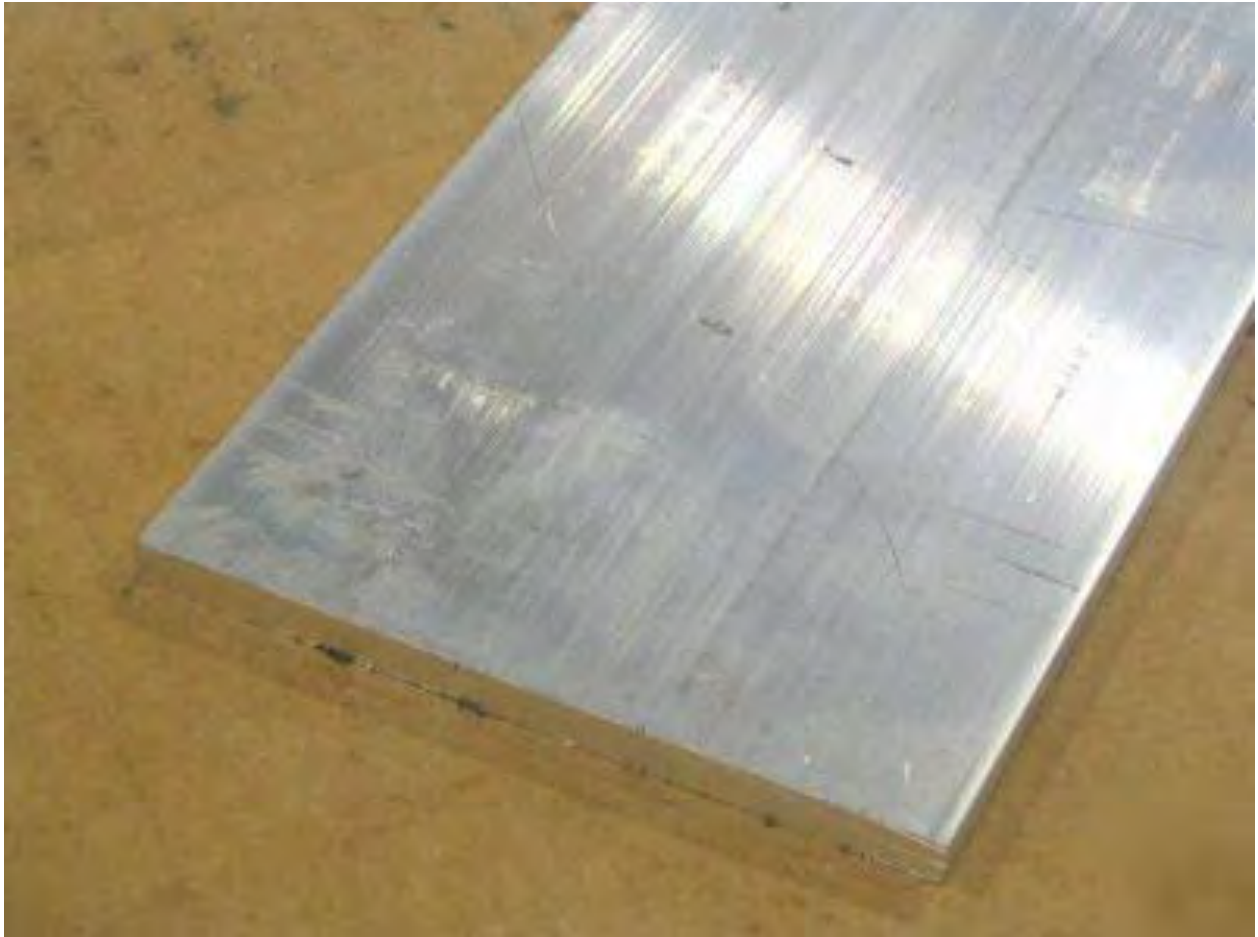
L1.00



PROPOSED 1ST STREET LANE SHIFT



Mill Finish Aluminum





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-019	Contact	Kyle Deming, kdeming@duluthmn.gov	
Type	Special Use Permit – Commercial Support Services	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 4, 2022	60 Days	April 5, 2022
	Date Extension Letter Mailed	February 17, 2022	120 Days	June 4, 2022
Location of Subject	500 E. 10 th St. (Central Hillside)			
Applicant	Jose Stager	Contact		
Agent		Contact		
Legal Description	Lots 81-93, except Hwy ROW, Block 124, and Lots 86, 88, 90, and 92, Block 122 Duluth Proper Third Division; and Lots 11-13, Block 15, Norton's Division (010-1350-07760, 07550; 010-3490-02930)			
Site Visit Date	February 24, 2022	Sign Notice Date	February 22, 2022	
Neighbor Letter Date	February 23, 2022	Number of Letters Sent	104	

Proposal

Renovate 14,579 sq. ft. of the former UDAC building into space for JS Print Group, a commercial printing, design, mailing, and advertising/promotion business.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Commercial building	Neighborhood Mixed Use
North	MU-C	Filing station and dwellings	Large-Scale Commercial
South	R-1	Dwellings	Residential - Traditional
East	MU-N	Dwellings	Neighborhood Mixed Use
West	R-1	Dwellings	Residential - Traditional

Summary of Code Requirements

Sec. 50-37.10 – Special Use Permits: Planning Commission shall approve the application or approve it with modifications, if it is determined that the application meets the following criteria:

1. The application is consistent with the Comprehensive Land Use Plan;
2. The application complies with all applicable provisions ... including any use-specific standards ..., and is consistent with any approved district plan for the area.
3. The Commission may deny any application that would result in a random pattern of development ... or would cause anticipated negative fiscal or environmental impacts.

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

Governing Principle #1 – Reuse previously developed lands. The project reuses an existing building with minimal changes.

Governing Principle #3 – Support existing economic base. Commercial printing has been both a part of Duluth's basic economy and a support service provided to the many of the firms that form the basis of Duluth's economy.

Governing Principle #5 – Promote reinvestment in neighborhoods. This project will reuse an existing business building in the heart of Duluth's neighborhoods providing investment in the building and jobs for Duluth's residents.

Zoning –Mixed Use-Neighborhood (MU-N) - a mix of neighborhood-scale, neighborhood serving non-residential uses and a range of residential uses located in close proximity. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood.

Future Land Use – Neighborhood Mixed Use - A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets. Site design should maintain a largely residential building character. Commercial-only uses should be adjacent to non-residential or other mixed-use areas.

History:

1. A significant portion of the building was constructed in 1958.
2. United Day Activity Center (UDAC) was the most recent tenant and moved out in 2018.
3. June 24, 2019 City Council rezoned the property, with the surrounding area, from R-1 to MU-N (file number PL19-061).

Review and Discussion Items

Staff finds the following:

1. With a UDC amendment currently being proposed, Commercial Support Services, such as the proposed printing business, would be allowed by Special Use Permit in MU-N. Staff recommends approval of this special use permit be conditioned on the City Council approving the UDC amendment.
2. The 26,872 sq. ft. building formerly occupied by UDAC is divided into three spaces. JS Print Group would be located in the middle 14,579 sq. ft. space and would utilize a detached garage for parking of delivery vehicles. An existing tenant, Lightspeed Lift, would continue to occupy 2,125 sq. ft. of the building while a 10,168 sq. ft. space would be available for a new business(s).
3. Sec. 50-23. Connectivity and Circulation. Not applicable because no site redevelopment is proposed.
4. Sec. 50-24. Parking. The applicant would utilize 15 off-street parking spaces and the balance of the existing parking would be for other building tenants.
5. Sec. 50-24. Loading. The applicant will be adding an 8-foot-wide by 9-foot-tall garage door to the center of the north façade to accommodate loading/unloading (see Site Plan). The applicant has stated that there would be one to two truck deliveries per day during normal business hours. Required screening of the loading area is provided to the east side of the loading area, but due to the location of underground utilities, screening the west side of the loading area cannot be accomplished. Due to the loading area being 108 feet east of 5th Ave. E. the lack of screening is not expected to produce a negative effect on land uses to the west. The existing green space along 6th Ave. E. provides screening as well.
6. Sec. 50-25. Landscaping. Current parking lots are not compliant with many UDC requirements. If the construction value of improvements to the building exceed 75% of the value of the building, upgrades to the parking lot landscaping and screening would be required. This will be evaluated at time of building permits.
7. Sec. 50-26. Screening. The Site Plan provides screening for a dumpster. Compliance with screening material requirements will be evaluated at time of the building permit application. No additional mechanical units that would require screening are proposed at this time.
8. Sec. 50-27. Signs. The building plans show signs on building walls that will be evaluated in a separate sign permit application.
9. Sec. 50-28. Storm Water and Erosion. Not applicable since no new impervious surfaces are proposed.
10. Sec. 50-29. Sustainability. Not applicable due to no new building construction.
11. Sec. 50-30. Building Design. Not applicable due to no new building construction.
12. Sec. 50-31. Exterior Lighting. The building currently has multiple floodlights that do not comply with UDC requirements. These will need to be replaced if the value of building renovations exceed 25% of the building value.

This will be evaluated at time of building permits.

13. No comments from City departments, other agencies, or the general public have been received as of the drafting of this report. Additional comments received will be forwarded to the Planning Commission.
14. Approved special use permits shall lapse if the project or activity authorized by the permit or variance is not begun within one year of the permit date. The building official may extend this period one time for a period of up to one year if the property owner presents a written request showing the reasons for the delay was outside the owner's control.

Staff Recommendation:

Based on the above findings, staff recommends that Planning Commission approve the special use permit with the following conditions:

- 1) The City Council approve the UDC amendment to allow Commercial Support Services as a Special Use in MU-N zones.
- 2) The project be limited, constructed, and maintained consistent with plans titled "JS Print Group" by Double Jack Design Workshop, dated 2/3/2022, including Sheet A100 – Site Plan and as described in the Project Narrative by J.S. Stager Properties, LLC dated 2/4/2022.
- 3) The project's final design comply with all applicable UDC Article 4 Development Standards including landscaping, screening, and exterior lighting.
- 4) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

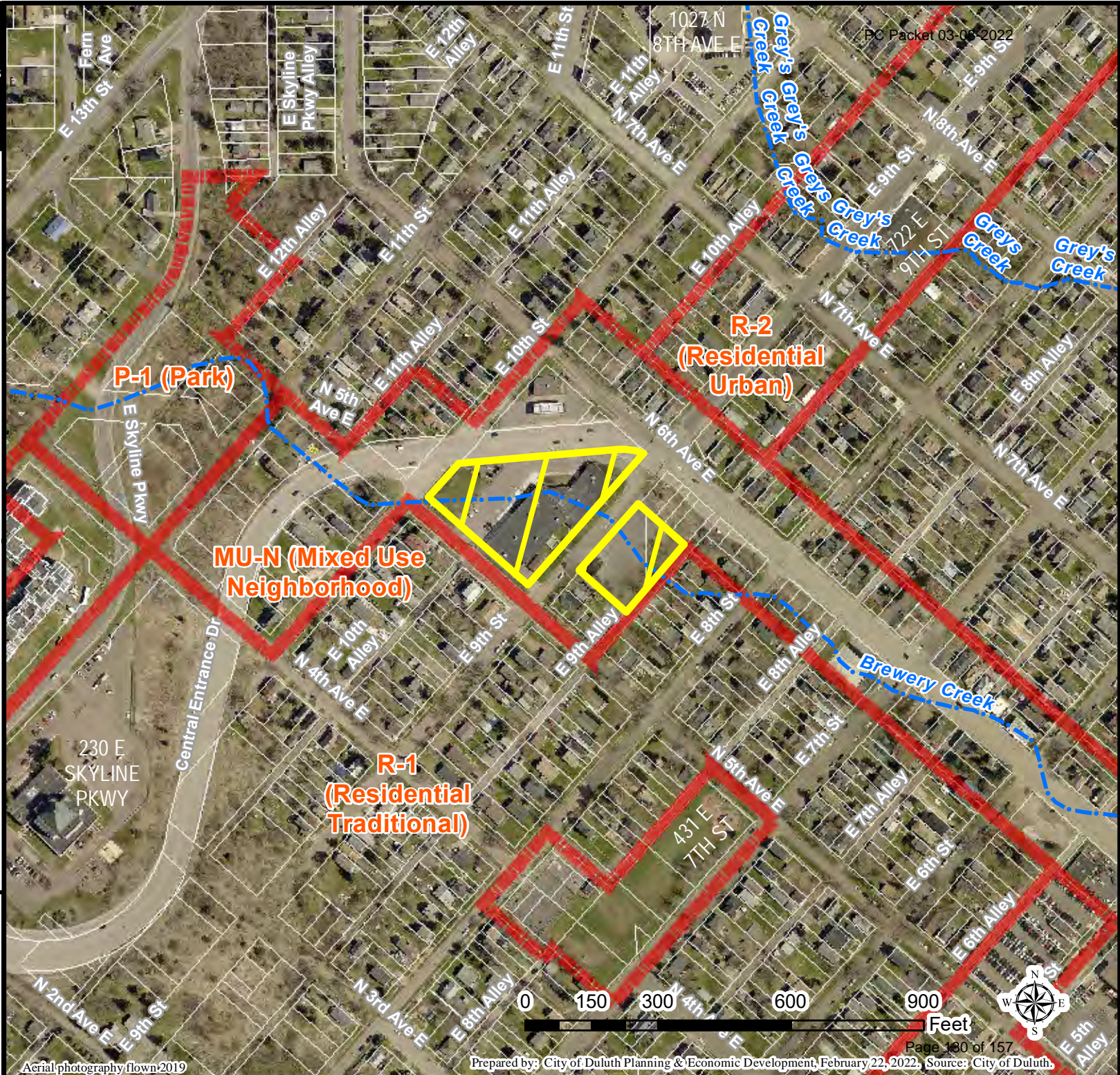


PL 22-019
 Special Use Permit -
 Commercial Support Services
 - JS Print Group
 500 E. 10th St.

PC Packet 03-05-2022

Legend

- Zoning Boundaries (red line)
- Other Stream (GPS) (blue dashed line)



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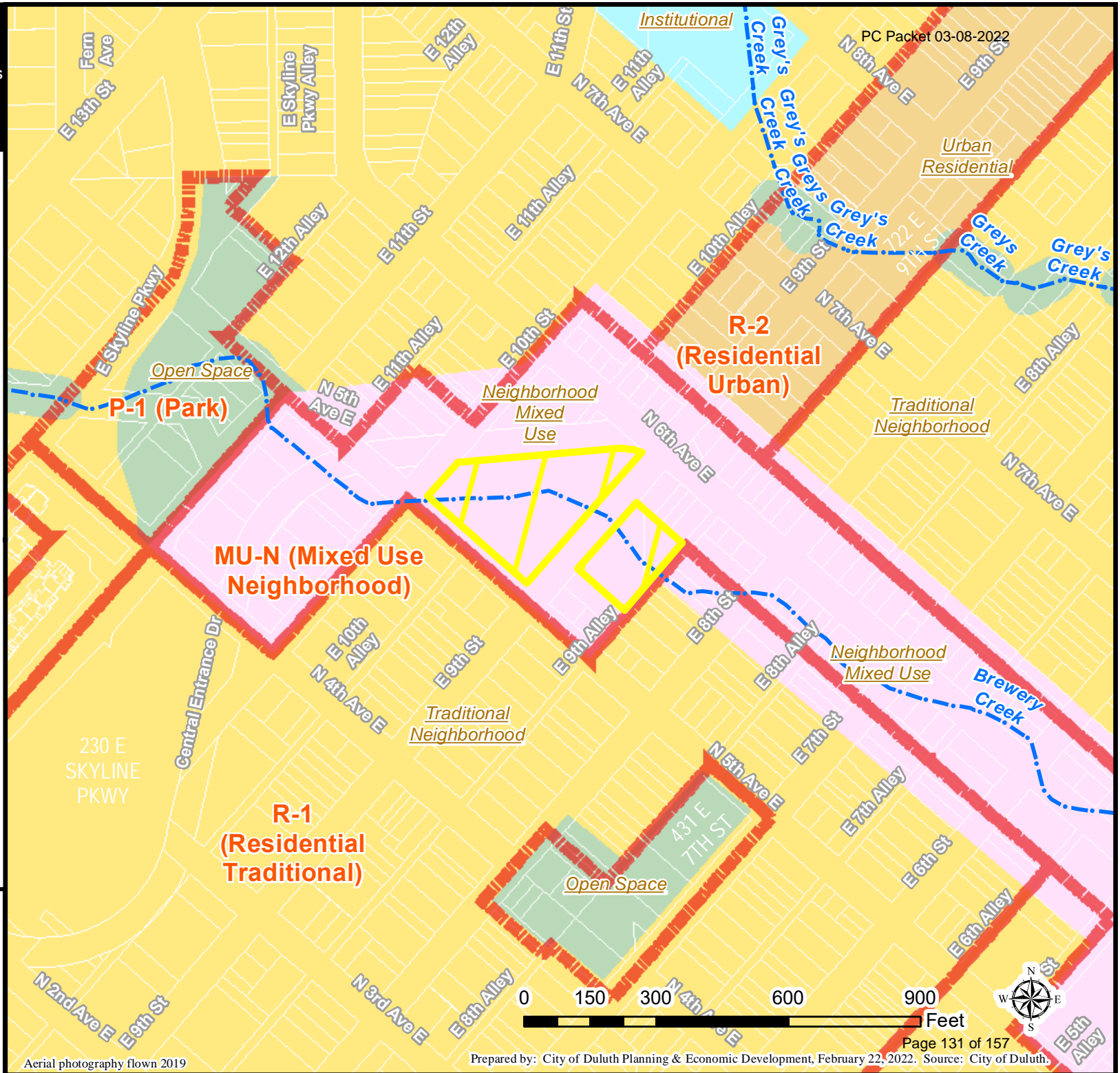


PL 22-019
 Special Use Permit -
 Commercial Support Services
 - JS Print Group
 500 E. 10th St.

PC Packet 03-08-2022

Legend

- Zoning Boundaries
- Other Stream (GPS)
- Open Space
- Traditional Neighborhood
- Urban Residential
- Neighborhood Mixed Use
- Institutional



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 22, 2022. Source: City of Duluth.



PL 22-019
 Special Use Permit -
 Commercial Support Services
 - JS Print Group
 500 E. 10th St.

Legend

Bike_Facil

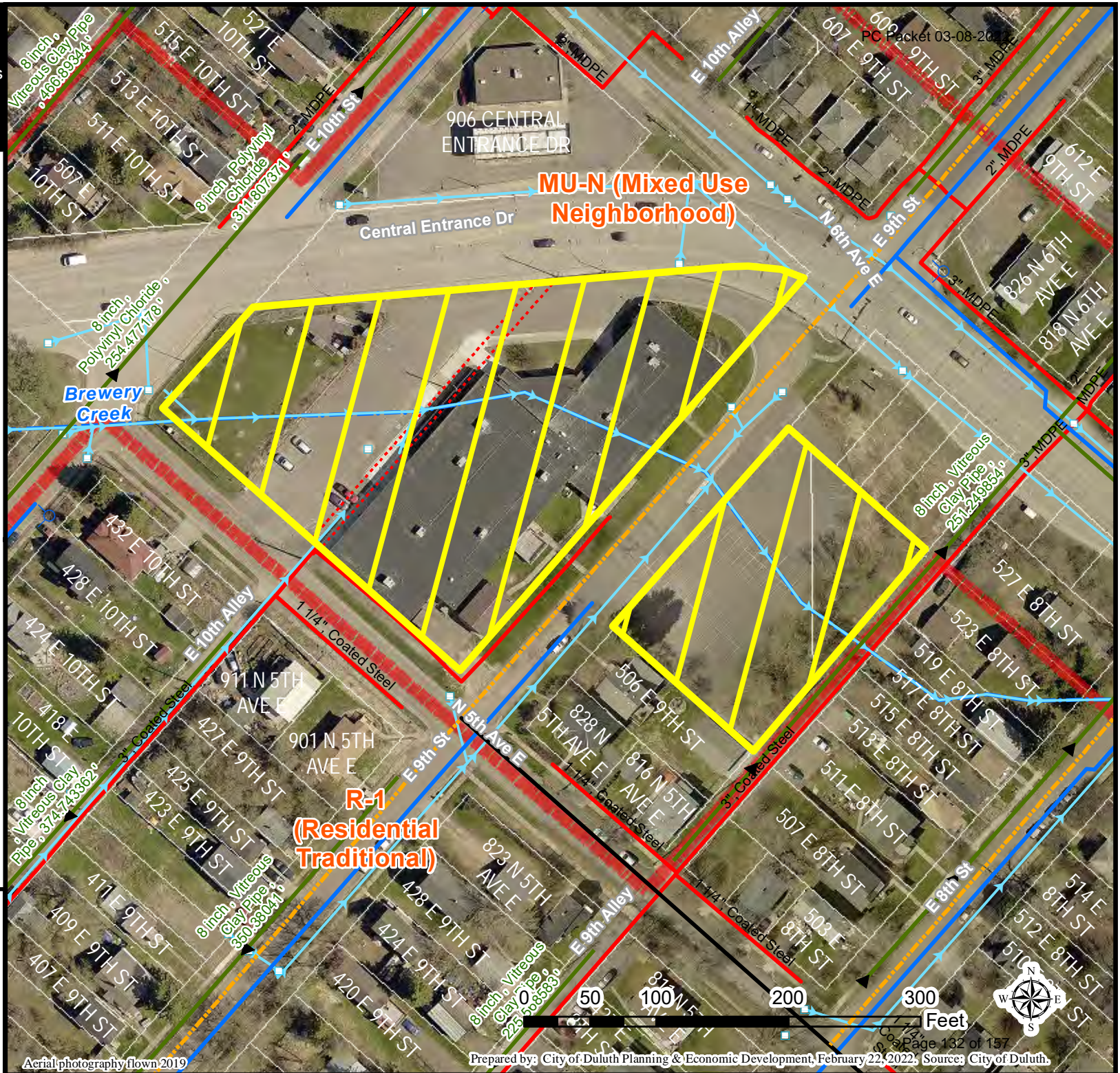
- Signed Shared Lane
- Study Route

Sanitary Sewer Mains

- CITY OF DULUTH
- Storm Sewer Mains
- Storm Sewer Pipe
- Storm Sewer Catch Basin

Easement Type

- Utility Easement
- Zoning Boundaries
- Other Stream (GPS)



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J.F. Stager Properties, LLC

February 4, 2022

City of Duluth Planning & Development Division
Planning & Economic Development Department
411 W 1st St, Rm 160
Duluth MN 55802

To the City of Duluth Planning Commission:

My name is Tobbi Stager and I own JS Print Group, Inc., a *GCC/IBT Local 1-M Union* commercial printing company entering its tenth year in business and currently located in the Lincoln Park Craft District.

JS Print Group currently employs 16 people and thanks to our success, we are looking to expand our operation in the Duluth Hillside neighborhood in the former UDAC building located at 500 East 10th Street, Duluth, MN 55805. In addition to our own growth, we want to be an active part of reinvigorating the Hillside area through activities such as attracting additional tenants for the space who also support being active members of the Hillside community.

In addition to JS Print Group, I have engaged in additional property development ventures over the last three-and-a-half years under the auspices of JF Stager Properties, LLC and C & T District Properties, LLC. As an owner in both companies, I have developed several properties in the Lincoln Park Craft District: 1927 West Superior Street, 1929 West Superior Street, 1931 West Superior Street, and 12 North 20th Avenue West.

As we prepare to move to the Hillside, we have secured fantastic tenants to lease the spaces on West Superior Street.

- 1927 and 1929 West Superior Street spaces will be renovated into The Tea and Spice Exchange in the summer of 2022 with a seven-year lease and a \$100,000-\$150,000 investment in the space and storefront.
- 1931 West Superior Street will be renovated to become Bali Asian Restaurant in the summer of 2022 with a seven-year lease and over \$500,000 invested into the space and storefront.
- 12 North 20th Avenue West is home to DLH and Free Air Life retail shops on the street level and four completely remodeled and occupied apartments on the second floor. C & T Properties invested more than \$300,000 renovating and revitalizing this property.

The Lincoln Park Craft District has blossomed since JS Print Group arrived five years ago and we're so grateful and proud to be a part of the rejuvenation. Personally and professionally, I have built lifelong relationships in the neighborhood and I will always be personally and financially invested in its successes.

J.F. Stager Properties, LLC

Principle #1: Reuse previously developed lands.

- Through the purchase of the building at 500 East 10th Street, Duluth, MN 55805, JF Stager Properties demonstrates an adaptive reuse of existing building stock, directing investment into a site which will allow it to perform at a higher level than its current state. This will strengthen and diversify the neighborhood through the investment and reuse of the building without requiring any new public infrastructure such as streets, transit, fire or police services.
- No traffic study is required.
- Approximately 15-16 cars parking daily, Monday-Friday 8:00 am to 5:00 pm.
- Approximately 1 trip per hour in and out of parking lot, Monday-Friday 8:00 am to 5:00 pm.
- 1-2 delivery trucks daily, Monday-Friday 8:00 am to 5:00 pm.
- Delivery Van, Monday-Friday 8:00 am to 5:00 pm.

Principle #2: Declare the necessity and secure the future of undeveloped places.

- None required. Value of redevelopment, as indicated by building permits, is expected to be less than 75 percent of the pre-application assessor's market value. No changes to the landscape will be done except for trimming/weeding the existing landscape.

Principle #3: Support existing economic base.

- We will be supporting the economic base by adding 16-plus Union paying jobs to the area along with adding two to three new businesses in the Lincoln Park area. With the potential clinic renting the additional 10,000 square feet of space in the Central Hillside—possibly adding another 20-30 jobs having a wage impact of \$1,400,000 to \$2,000,000 yearly in an area that has none at this point.

Principle #4: Support economic growth sectors.

- Strengthening the neighborhood by adding jobs with ownership to the hillside. We will be eating, shopping, supporting local business, along with fixing up the building with a new modern paint scheme and a renewed landscape.

Principle #5: Promote reinvestment in neighborhoods.

- Our revitalization of the building at 500 East 10th Street, Duluth, MN 55805 will have a positive impact on the neighborhood by refreshing the building exterior by adding paint to the building (see photo) and cleaning up the site that now has broken-down cars in the back parking lot, a deteriorating front parking lot and overgrown landscaping. These actions infuse life into a large vacant existing building/site and creating a vibrant and safe place for people to work and enjoy which instills confidence and optimism into a large vacant site within the central hillside.

J.F. Stager Properties, LLC

Principle #6: Reinforce the place-specific.

- By moving the overhead door closer to Sixth Avenue East, it will limit visibility from the surrounding residential neighborhood. We will also be providing vegetative screening that lessens the visual and acoustic impact of the loading zone on the surrounding neighborhood.

Principle #7: Create and maintain connectivity.

- By moving the overhead door closer to Sixth Avenue East, it will limit visibility from the surrounding residential neighborhood. We will also be providing vegetative screening that lessens the visual and acoustic impact of the loading zone on the surrounding neighborhood.
- We endeavor to maintain clear access for the businesses to be housed at 500 East 10th Street, Duluth, MN 55805 through such action as snow removal from lots, loading zones and applicable public sidewalks as good stewards of our property and kindness to our fellow citizens.

Principle #8: Encourage mix of activities, uses, and densities.

- Historically the Hillside has been a mixed-use area and our revitalization of the building at 500 East 10th Street, Duluth, MN 55805 allows for the opportunity of diverse activities from manufacturing to eating, shopping, and other local businesses, blending harmoniously with the residential fabric of the neighborhood.

Principle #9: Support private actions that contribute to the public realm.

- The dumpster will be moved from the rear of the building to the front and screened which will decrease the visibility and noise from the residences in the neighborhood. It will be inset from all setbacks and housed within a screened enclosure.

Principle #10: Take actions that enhance the environment, economic, and social well-being of the community.

- Dumpster will be inset from all setbacks and screened.
- Vegetative screening that lessens the visual and acoustic impact of the loading zone on the surrounding neighborhood.

Principle #11: Consider education systems in land use actions.

- Through revitalizing and repurposing the building at 500 East 10th Street, Duluth, MN 55805, we will clean up a site currently detracting from the safety and well-being of the denizens of the neighborhood which will instead create a vibrant and safe place for people to work and enjoy.

J.F. Stager Properties, LLC

Principle #12: Create efficiencies in delivery of public services.

- The repurposing of the building at 500 East 10th Street, Duluth, MN 55805, JS Print Group creates efficiencies for the delivery of public services because it will not require new public infrastructure such as streets, transit, fire or police services. In fact, our ownership and commitment to the long-term viability in the businesses and the community will enhance the positive impacts of public services.

Thank you,

A handwritten signature in black ink, appearing to read "J.F. Stager", with a long horizontal flourish extending to the right.

Jose F. "Tobbi" Stager



SITE DATA

SITE AREA: PARCEL 1- 76,256 SF
 PARCEL 2- 28,129 SF

IMPERVIOUS SURFACE: NO CHANGE

SITE ZONED- MU-N- MIXED USE NEIGHBORHOOD

SETBACK REQUIREMENTS= NO NEW CONSTRUCTION
 FRONT=20 FT
 SIDE= NON-RESIDENTIAL USE ADJACENT TO NON-RESIDENTIAL DISTRICT OR USE = 0 FT
 NON-RESIDENTIAL USE ADJACENT TO RESIDENTIAL DISTRICT OR USE = 15 FT
 REAR= 25 FT

MAX. BUILDING HT= NO CHANGE
 RESIDENTIAL OR MIXED USE (GENERAL) = 75 FT
 RESIDENTIAL OR MIXED USE (WITHIN 500 FT OF R-1 OR R-2 DISTRICT) =45 FT

PARCEL ID
 010-1350-0760

PARKING SPACES REQUIRED- 45 PARKING SPACES

JS PRINT GROUP: 15 PARKING SPACES
 LIGHTSPEED LIFE: 5 PARKING SPACES
 OFFICE TENANT: 25 PARKING SPACES

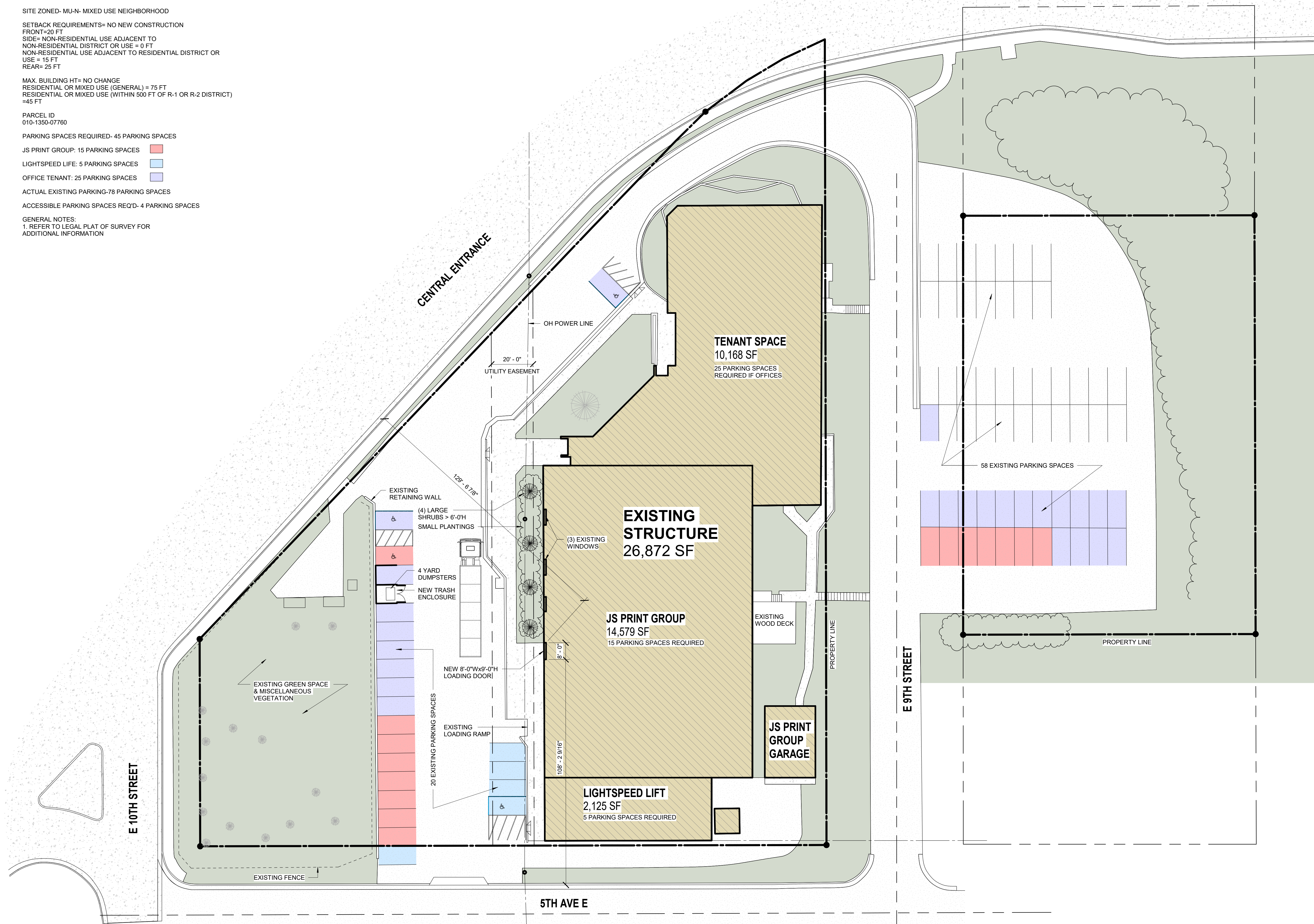
ACTUAL EXISTING PARKING-78 PARKING SPACES

ACCESSIBLE PARKING SPACES REQ'D- 4 PARKING SPACES

GENERAL NOTES:
 1. REFER TO LEGAL PLAT OF SURVEY FOR ADDITIONAL INFORMATION

OWNER:
JS PRINT GROUP
 1927 West Superior Street
 Duluth, MN 55806
 Contact: Tobbi Stager
 Email: tobbi@sprintgroup.com
 Number: 218.464.5576

ARCHITECT
Double Jack Design Workshop
 Contact: Jacob Kieper
 (507) 227-6331
 jkieper@doublejackdesign.com



PRELIMINARY
NOT FOR CONSTRUCTION
 2/3/2022 2:51:02 PM

REVISION / ISSUE	DATE
SPECIAL USE PERMIT	02.03.2022

Copyright 2021 DOUBLE JACK DESIGN WORKSHOP

COMM NO. 21-019
 DRAWN JTK
 CHECKED JKZ

project title
JS PRINT GROUP

sheet title:
SITE PLAN

sheet number:

Artist rendering of building paint update.

PC Packet 03-08-2022





Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580
 planning@duluthmn.gov

File Number	PL 22-022	Contact	Kyle Deming	
Type	Concurrent Use Permit	Planning Commission Date	March 8, 2022	
Deadline for Action	Application Date	February 8, 2022	60 Days	April 9, 2022
	Date Extension Letter Mailed	February 17, 2022	120 Days	June 8, 2022
Location of Subject	2001-09 W. Superior St. (Lincoln Park)			
Applicant	Urbane 218, LLC	Contact	Brent Dahlstrom – Merge Urban Development	
Agent	Bolten-Menk	Contact	Rose Schroder	
Legal Description	Lots 321, 323, 325, Block 53, Duluth Proper Second Division (PID 010-01120-05090, 05110)			
Site Visit Date	February 25, 2022	Sign Notice Date	February 21, 2022	
Neighbor Letter Date	N/A	Number of Letters Sent	N/A	

Proposal: A Concurrent Use Permit to allow balconies above the 20th Ave. W. sidewalk extending from a proposed apartment building.

Staff Recommendation: Staff recommends that Planning Commission recommend approval to City Council.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5 (Mid-Rise Community Shopping)	Vacant commercial	Central Business Secondary
North	MU-B (Mixed Use-Business Park)	Vacant manufacturing	Central Business Secondary
South	F-5 (Mid-Rise Community Shopping)	Commercial	Central Business Secondary
East	F-5 (Mid-Rise Community Shopping)	Commercial	Central Business Secondary
West	F-5 (Mid-Rise Community Shopping)	Commercial	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-37.7C. The Planning Commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city.
2. ... Not Applicable (Skywalks)
3. No portion of a public easement proposed for use is being physically used or occupied by the public.
4. ...Not Applicable (Parking)

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

Governing Principle #1 – Reuse previously developed lands. This project will redevelop a site with a dilapidated building.
 Governing Principle #5 – Promote reinvestment in neighborhoods. Redevelopment of this site will continue the trend of reinvestments being made in the Lincoln Park neighborhood.

Governing Principle #6 – Reinforce the place-specific. Allowing the balconies via concurrent use permit will add to the street life in this area, providing a space for residents to interact with activities occurring on the sidewalk and street below.

Governing Principle #8 – Encourage mix of activities, uses, and densities. The balconies are a part of the apartment residential use added to this block, which is increasing the mixture of uses in the area from what was previously mostly commercial uses.

Future Land Use – Central Business Secondary. An area adjacent to and supporting the central business primary area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

History:

Site was previously the Seaway Hotel, which was torn down in 2021 due to its dilapidated condition.

Review and Discussion Items

Staff finds that:

- 1.) The concurrent use permit will allow for the construction of 6-foot by 10-foot balconies connected to four apartments located on the third and fourth floors. The balconies would extend into the platted area of 20th Avenue West 3 feet – 10 inches at an elevation above the sidewalk between 25 foot – 11 inches and 51 feet – 8 inches.
- 2.) If approved, the applicant will need to obtain liability insurance and indemnify the City against liability for occurrences due to their encroachment into the platted street.
- 3.) The area proposed for the concurrent use permit will not diminish the public's ability to use the improved parts of the public right of way, nor will it harm or inconvenience the health, safety, and general welfare of the city.
- 4.) The City Engineering office has provided comments related to the wording of the legal description on the exhibit. These proposed amendments will be incorporated prior to forwarding the exhibit to the City Council for final approval.
- 5.) No other public, agency, or other comments have been received as of the time of publishing this report.
- 6.) Approved concurrent use of street permits shall lapse if the project or activity authorized by the permit or variance is not begun within one year of the permit date. The building official may extend this period one time for a period of up to one year if the property owner presents a written request showing the reasons for the delay was outside the owner's control.

Staff Recommendation

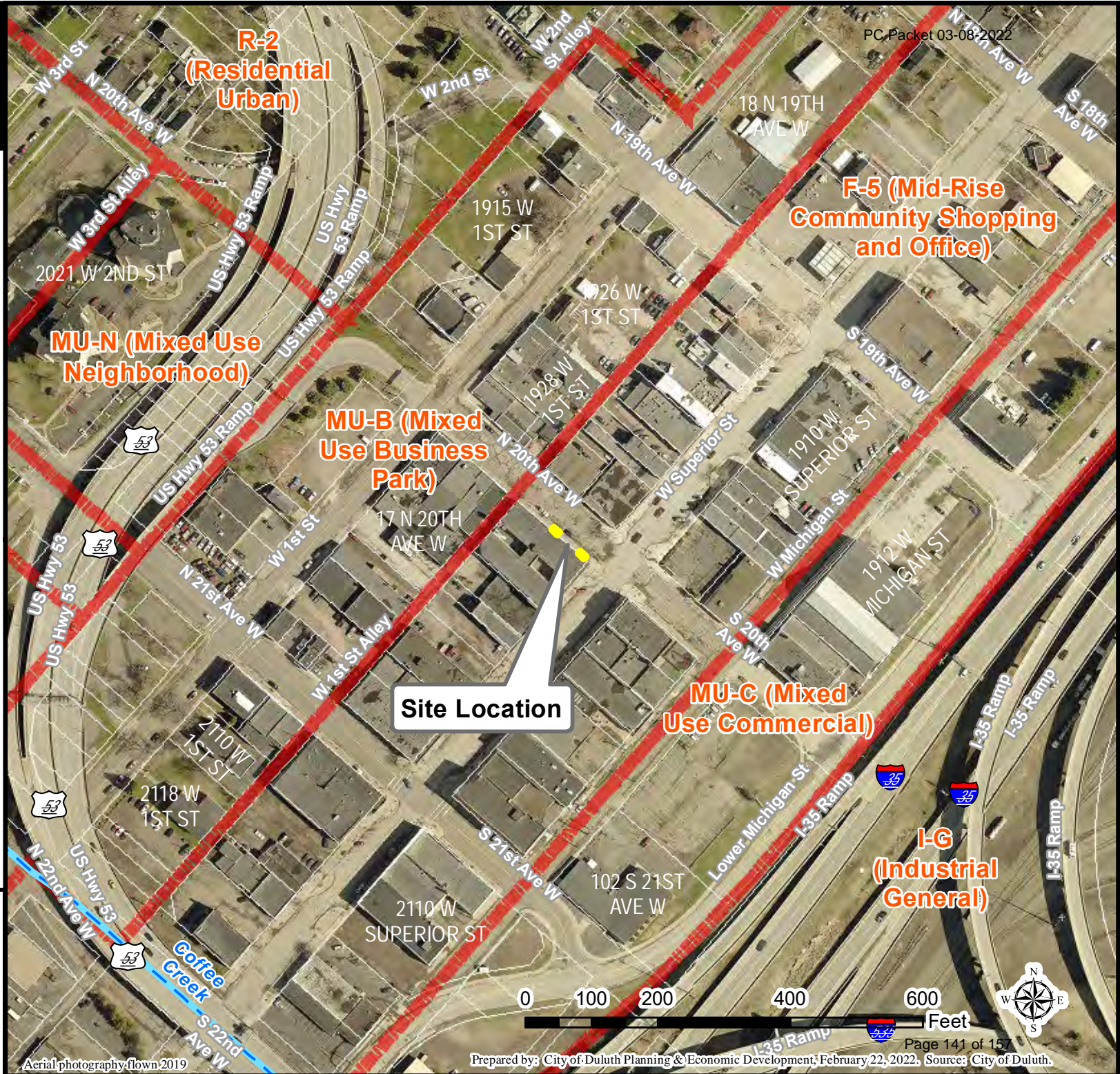
Based on the above findings, Staff recommends that Planning Commission adopt the findings of the staff report and recommend approval of the concurrent use permit with the following conditions:

- 1.) Applicant shall provide evidence to the City of Duluth that required insurance and indemnification are in place at all times.
- 2.) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL 22-022
 Concurrent Use Permit -
 Balconies
 Urbane 218, LLC
 2001 W. Superior St.

PC Packet 03-08-2022



Legend

- Zoning Boundaries
- Trout Stream (GPS)

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography: flown 2019



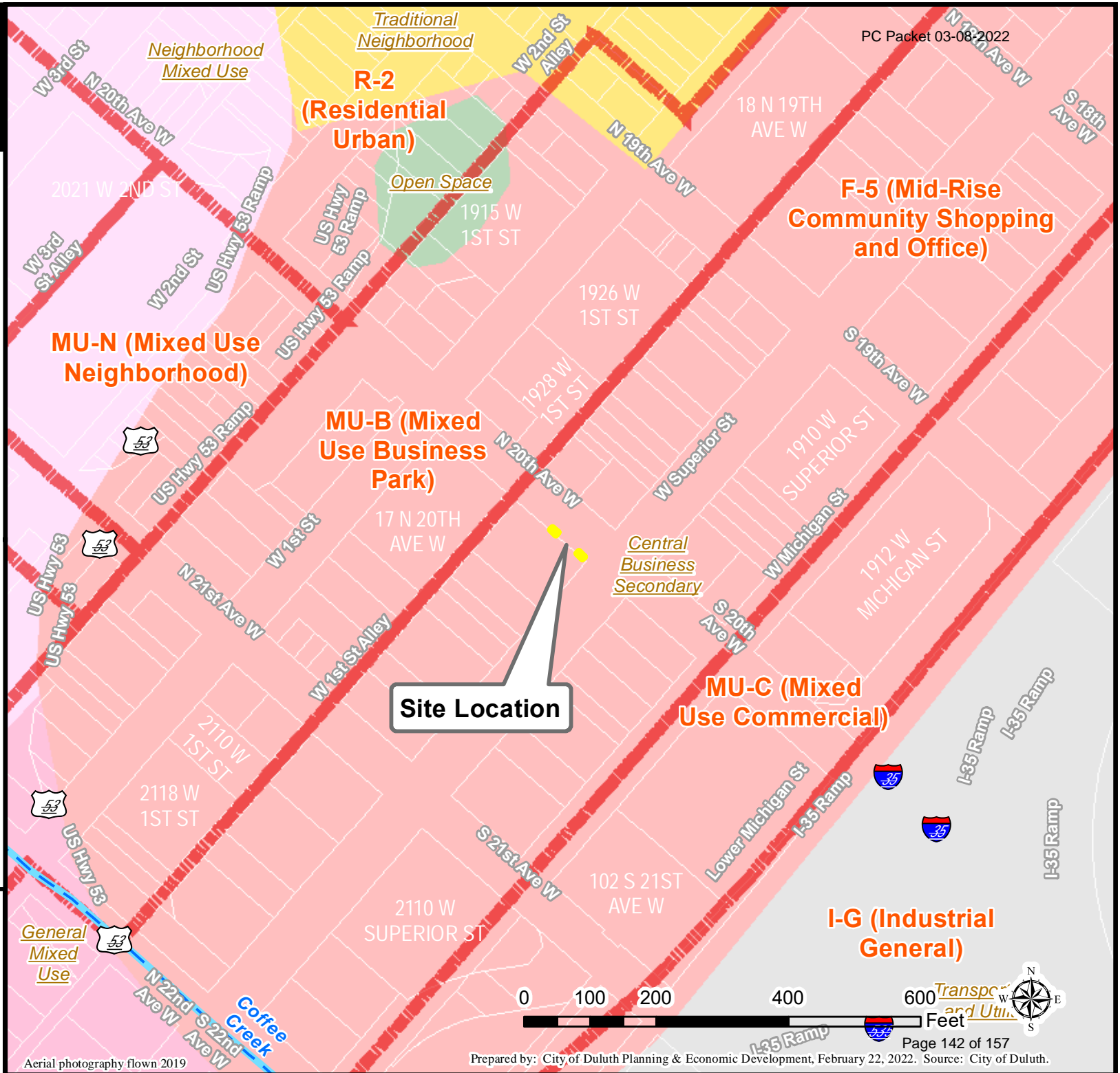


PL 22-022
 Concurrent Use Permit -
 Balconies
 Urbane 218, LLC
 2001 W. Superior St.

PC Packet 03-08-2022

Legend

- Zoning Boundaries
- Trout Stream (GPS)
- Open Space
- Traditional Neighborhood
- Central Business Secondary
- General Mixed Use
- Neighborhood Mixed Use
- Transportation and Utilities



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Aerial photography flown 2019



PL 22-022
 Concurrent Use Permit -
 Balconies
 Urbane 218, LLC
 2001 W. Superior St.

**MU-B (Mixed
 Use Business
 Park)**

12 N 20TH
 AVE W

1927 W
 SUPERIOR ST

17 N
 20TH
 AVE W

22 inch Vitreous
 Clay Pipe
 4231956836

4" Coated Steel

W 1st St Alley

N-20th Ave W

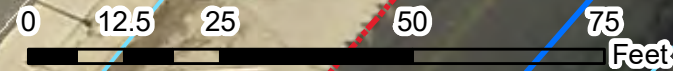
18 inch Vitreous
 Clay Pipe
 207-2923961

**F-5 (Mid-Rise
 Community Shopping
 and Office)**

2007 W
 SUPERIOR ST

S 20th
 Ave W

2009 W
 SUPERIOR ST



Legend

Bike_Facil

- Future Bike Facility
- Gas Main
- Water Main

Sanitary Sewer Mains

- CITY OF DULUTH

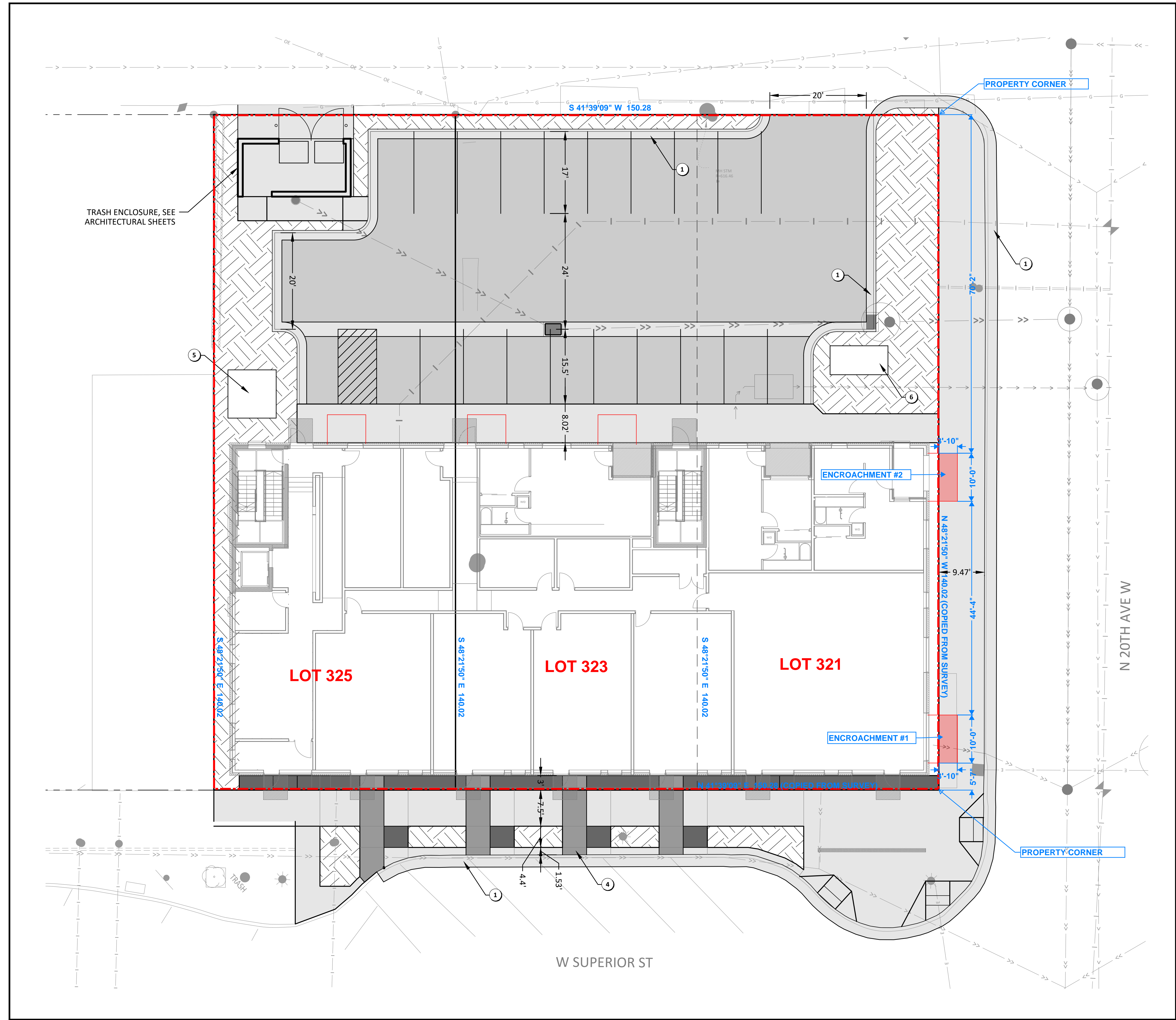
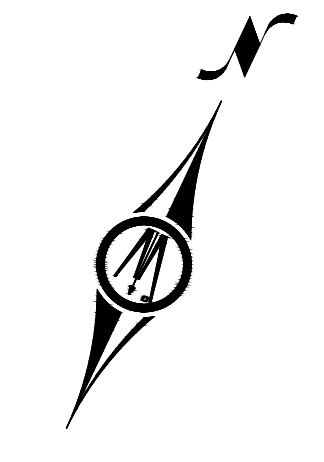
Storm Sewer Mains

- Storm Sewer Pipe
- Storm Sewer Catch Basin

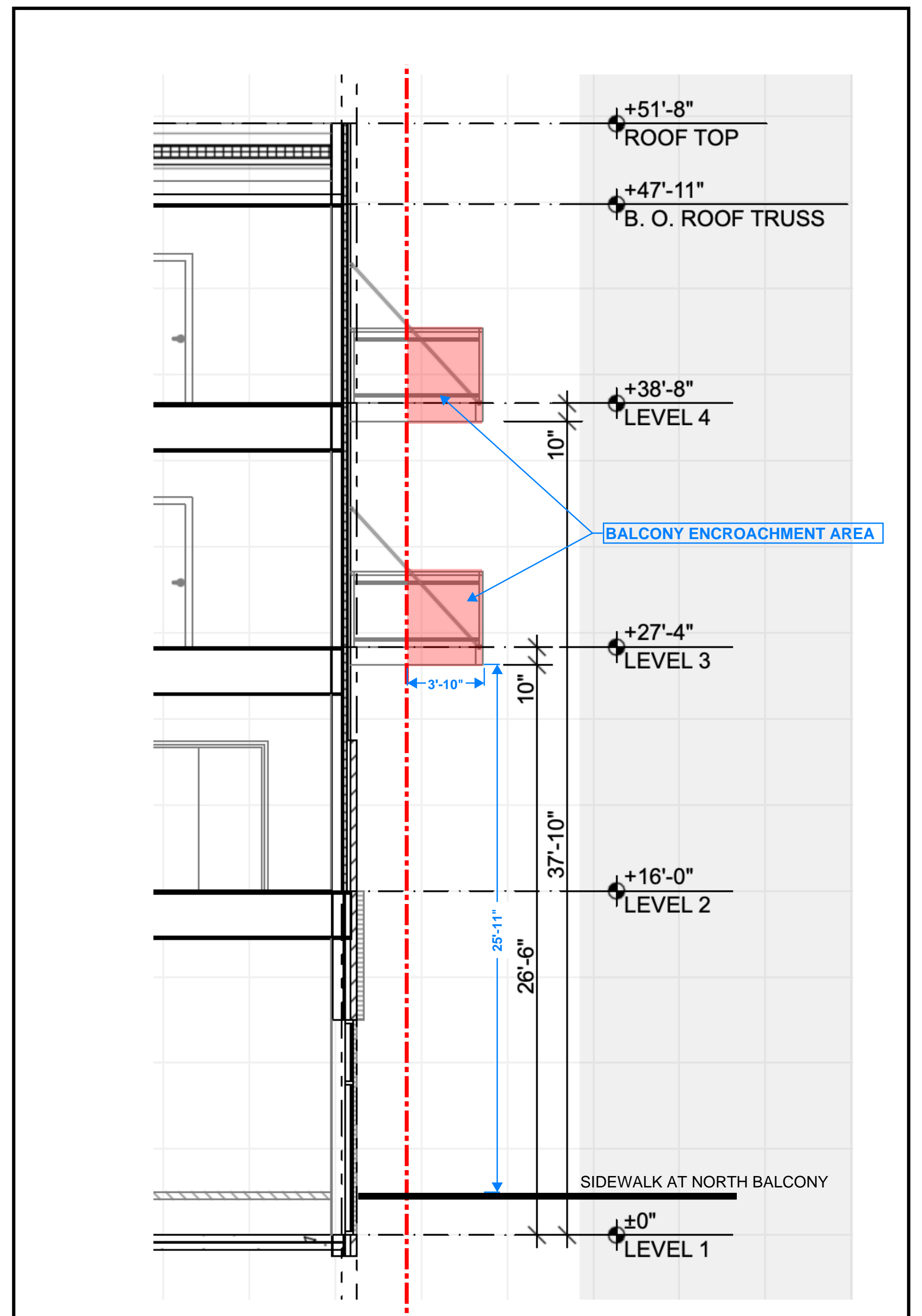
Zoning Boundaries

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

NO.	REVISION SCHEDULE	DESCRIPTION	DATE



SITE PLAN LAYOUT - ENCROACHMENT AREAS



ARCHITECTURE ELEVATION - ENCROACHMENT AREA
ELEVATION DRAWING NOT TO SCALE



Encroachment #1:
The encroachment begins at a point 5'-7" north of the southeast corner of Lot 321, Block 53, Duluth Proper Second Division extending north 10' along the east property line and east 3'-10" into the right of way of North 20th Avenue (West) and extending vertically from the ground plane 51'-8" comprising a volume of space 10' in length by 3'-10" in width and 51'-8" vertically for the purpose accommodating third and fourth floor residential balconies.

Encroachment #2:
The encroachment begins at a point 70'-2" south of the northeast corner of Lot 321, Block 53, Duluth Proper Second Division extending north 10' along the east property line and east 3'-10" into the right of way of North 20th Avenue (West) and extending vertically from the ground plane 51'-8" comprising a volume of space 10' in length by 3'-10" in width and 51'-8" vertically for the purpose accommodating third and fourth floor residential balconies.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

Date: March 2, 2022
 To: Planning Commissioner
 From: Adam Fulton, Deputy Director
 RE: Public Hearing, Proposed UDC Text Amendments –MU-P & R-P Districts, Cottage Home Parks

Proposed changes to the UDC text for the referenced districts are based on updates discussed over the past several months with the Commission, and based on previous work plan items for UDC updates, and the policy direction of the Imagine Duluth 2035 Comprehensive Plan. These items were brought initially before the Planning Commission in August 2021, for preliminary review and comment.

Recommendation:

Staff recommends that the Planning Commission conduct a public hearing on the proposed UDC changes, and make a recommendation of approval for those changes to the City Council.

Proposed changes are as follows:

Residential-Planned (R-P) – Section 50-14.7

The R-P district allows for modifications to the underlying zoning requirements through a doption of a regulating plan for a given development site with a stronger focus on development of new housing options in the City.

The proposed amendments would address establishment of a minimum standard to allow for modifications to underlying base zoning, but would establish additional flexibility in site plan development should the project achieve those minimum standards as part of development of an effective regulating plan. That flexibility is proposed to be expanded, through broader options in property setbacks, frontage, and lot area, as well as through additional options for height and parking. The standards for ‘common open space’ are also streamlined, as this area of the R-P requirements has resulted in substantial challenge in its utility for development sites because it is written in a highly proscriptive way. The minimum lot size for R-P districts would also be reduced, to match MU-P at a minimum size of one acre.

The proposed changes were evaluated and developed based on guidance of the comprehensive plan, as follows:

Housing Policy #1 - Increase density in and around the designated Core Investment Areas. (page HS-20)

Strategy 3: Explore opportunities to increase amenities to create livable and walkable neighborhoods
 Strategy 4: Focus on creative housing options of a non-traditional neighborhood design, such as homeownership through dense attached or detached single-family housing development fronting a pedestrianized street.

Housing Policy #2 – Provide affordable, attainable housing opportunities (page HS-21)

Strategy 6: Continue to adjust applicable UDC criteria for housing development to encourage innovation and to simplify and accelerate the development process.

Economic Development Policy #3—Build on Existing Economic Strengths & Competitive Advantages (page ED-18)

Strategy 2: Coordinate with major institutions, including hospital and university campuses, to plan for their growth, minimize development impacts, and provide for stability and livability for the campuses, their employees, and surrounding neighborhoods.

Mixed Use – Planned (MU-P) – Section 50-15.7

The MU-P district allows for modifications to the underlying zoning requirements through adoption of a regulating plan for a given development site. The proposed changes for the MU-P district would clarify the requirements for circumstances when an MU-P is permitted, providing for a minimum of three policy directives to be met from the list in 50-15.7.C before such modifications can be pursued.

The remainder of the proposed changes for the MU-P district relate predominately to the table following 50-15.7.C, providing for additional modifications in the categories such as lot frontage, height, and parking. The proposed minimum size for a MU-P-eligible site would be reduced from a minimum of two acres to one acre.

These changes are related long-identified issues in the UDC that do not function for use of the MU-P district in new development scenarios, and to the Imagine Duluth 2035 comprehensive plan, which included the following direction:

Economic Development Policy #3—Build on Existing Economic Strengths & Competitive Advantages (page ED-18)

Strategy 4: Create a menu of options and next steps to encourage redevelopment of short-term priority sites.

Governing Principle #8: Encourage mix of activities, uses, and densities. (page G-4)

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunities for a diversity of activity that segregated, uniform uses do not provide.

Cottage Home Parks (50-20.1.G)

City staff are proposing several minor changes to the Cottage Home Park use specific standards. Most changes are corrective/clarifying changes to better establish the city's expectations for these type of developments. The most significant change is increasing the size of cottage homes from 200 to 800 square feet (the current size for accessory dwellings) to 200 to 1,200 square feet. The minor increase in size is to allow more housing variety, but still preserve the intent of having homes that are smaller and more compact than average/contemporary new homes entering the market, preserving the goal to keep development and construction costs lower and assist with affordability.

General Development Policies, Zoning Updates (page GD-7):

Strategy 2: Revise UDC lot size and dimensional standards to determine appropriateness of using small lots, including 25-foot lots, for new development. Consider educational measures about how to execute small-lot development while maintaining consistency with neighborhood form and creating modern, desirable housing.

MU-P district**50-15.7 Mixed Use-Planned (MU-P).****A. Purpose.**

The MU-P district is established to provide a flexible development option for mixed use projects that integrate creative site design, provide a variety of building types, provide unique on-site amenities, conserve natural features, increase pedestrian connectivity, or otherwise result in a final product that provides a greater level of public benefit than would be required under the existing zone district. Each MU-P district requires approval of an MU-P regulating plan that includes the location, type, and intensity of proposed development and a description of public amenities or benefits included. A variety of residential and commercial uses are permitted, as shown in Table 50-19.8, provided projects are compatible in scale and character with the surrounding neighborhood and are included in the approved MU-P plan;

B. Examples.**C. Modifications.**

An applicant may seek only the modifications in Table 50-15.7-1, based on demonstration of how the proposal supports the purpose of the MU-P district as stated in Section 50-15.7.A and proposes as part of the project to be achieved through the MU-P rezoning three or more of the following priorities ~~the following desired MU-P amenities:~~

1. Significant preservation and protection of natural resources and undeveloped areas, including wetlands, trees, key habitat, and wildlife areas;
2. A higher level of sustainability, demonstrated in buildings, site design, and transportation, than required by Section 50-28;
3. More efficient and effective use of streets, utilities, and public facilities to support high quality development at a lesser cost;
4. Recreational facilities that are open available for regular to the public use, such as parks, trails, and playgrounds.
5. Accommodations for and linkages to mass transit;
6. Creative site and building design;
7. Bike lanes and trails within the development and that connecting to other trails and destinations in the city's transportation systems;
8. Pedestrian services amenities such as benches, plazas, pedestrian-scaled lighting, traffic calming, and art;

Table 50-15.7-1: Modifications Allowed.	
Chapter Requirement	Maximum Modification Allowed
Distance from property lines	No required yards
Building height	<u>50% 20% increase if not within 200' of an R-1 or R-2, if application demonstrates avoidance of substantial impacts to views from uphill sites</u>
Lot frontage	40% decrease <u>No required lot frontage</u>
Buildings per lot	More than one building may be placed on one lot
Parking	40% decrease in addition to other allowable chapter reductions or a 10% increase over the maximum <u>Provided in accordance with the parking needs for proposed development, as demonstrated through a professionally completed parking study</u>
Landscaping	20% decrease <u>Alternative or off-site landscaping permitted</u>
Street <u>cross-section width</u>	<u>Public or private street permitted; street cross section as determined by City Engineer and Land Use Supervisor</u>
Building design standards	Can <u>May</u> propose alternative standards
Higher Education Overlay	Can <u>May</u> propose alternative standards

D. Applicability.

An MU-P district shall only be established in the R-2, MU-N, MU-C, and MU-B districts provided the property meets the requirements in Table 50-15.7-2.

TABLE 50-15.7-2: Characteristics of MU-P Areas.	
Current zoning	R-2, MU-N, MU-C, MU-B
Minimum lot size	2 acres <u>1 acre</u>

E. Rezoning approval and regulating plan required.

The establishment of an MU-P district requires rezoning the property per Section 50-37.3 from a current zone district to MU-P and the approval of an MU-P plan per Section 50-37.11, that governs the uses, location, density, dimensional standards and character of the proposed project.

In accordance with the purpose of the MU-P district, approval of the MU-P plan is deemed to include subdivision approval; MU-P districts are not required to submit a separate subdivision application under Section 50-37.5,

F. Development standards.

1. The development standards of the base zone district(s) where the property is located shall apply to any MU-P zoned land unless waived or varied by the terms of an approved MU-P regulating plan. The ordinance approving an MU-P district and the approved regulating plan shall identify the previous base zone districts for each portion of the property;
2. Overall density in residential portions of the MU-P shall be identified; follow the density requirements of the previous zone district unless modified as part of the MU-P plan;
3. ~~Height standards:~~
 - ~~(a) Maximum building height within 200 feet of an R-1 district is 35 feet;~~
 - ~~(b) Maximum building height within 200 feet of an R-2 district is 50 feet;~~
4. ~~Common open space. Adequate provisions shall be made for the permanent preservation and maintenance of active or passive open space. Common open space shall not be less than 20 percent of the area of the project and shall comply with the following requirements:~~
 - ~~(a) Common open space shall include the shore and bluff impact zones;~~
 - ~~(b) Common open space shall include, where possible, wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas unsuitable for development in their natural state;~~
 - ~~(c) At least 50 percent of the common open space shall be retained in a contiguous area;~~
- ~~5.4 Common open space shall not include roads or right-of-way;~~
- ~~6.5 The development shall encourage walkable, bikeable communities through the use of complete streets, alleys, sidewalks and trails, interconnected street networks, small blocks, front porches, and buildings that are sited adjacent to streets;~~
- ~~7.6 All shoreland setbacks and other dimensional natural resource requirements from Section 50-18.1 (NR-O) shall continue to apply and cannot be varied through the MU-P process;~~

G. Required community meeting.

The applicant shall hold at least one community meeting to discuss the project plan before submitting an application for MU-P rezoning the plan for review and approval by the city. Notice of the public meeting shall be mailed to all property owners within 350 feet outside the planning area boundaries, and the city shall provide the applicant with the names and address of those property owners upon request. The applicant shall submit with the application documentation that the community meeting has taken place, the date and time of the meeting, the number of attendees, any issues raised regarding the plan and any responses to those concerns incorporated in the plan;

H. Required rezoning application and regulating plan contents.

1. The rezoning application (approved per Section 50-37.3) shall include the following information:
 - (a) A concept map showing the property to be rezoned and general uses within the area;
 - (b) Maximum residential densities and maximum square footage for nonresidential land uses;
 - (c) Maximum building heights;
2. The regulating plan (approved per Section 50-37.11) shall cover all of the land in the proposed MU-P district and shall regulate all future development in the MU-P district. An approved MU-P plan is required before any building permits may be issued within the MU-P district. The MU-P plan shall include maps and text describing the following information:
 - (a) General layout of development areas and building parcels in relation to the natural features to be protected and the proposed road, trail and bicycle circulation systems;
 - (b) Lot sizes and widths, building setbacks, and maximum building heights for all proposed development parcels;
 - (c) Previous base zone districts;
 - (d) A traffic impact analysis;

- (e) A road, trail and bicycle circulation plan (including how the circulation may intersect with transit use) and a description of proposed road, trail and bike route widths, trail surfaces, a proposal for maintenance of each road and trail (which may include dedication to and maintenance by the city), and a statement as to whether public access will be permitted on each road, trail, and bicycle route;
- (f) A natural resources inventory and natural site features to be protected;
- (g) Common open space to be provided, the location of that open space, a calculation of proposed open space as a percentage of the total land area in the MU-P zone, a proposal for protection and maintenance of the open space over time and a statement as to whether public access to the open space shall be provided;
- (h) Permitted and special uses for the site, which shall be consistent with those shown in Table 50-19.8; special uses listed in the MU-P plan will need to apply for and receive a special use permit prior to building;
- (i) Maximum residential densities and maximum square footage for nonresidential land uses;
- (j) A plan describing the demand for and location of water, sewer, and utility service to the property, including any additional right-of-way needed to accommodate those utilities. In addition, the plan shall indicate all utilities that will be owned or maintained by the public, and if any of those services are to be provided by the city or a public or quasi-public district, and provide a statement as to whether the proposed facilities will meet the engineering and maintenance standards of that entity;
- (k) Details on buffering or transitioning between uses of different intensities both on- and off-site;
- (l) A plan for stormwater collection and treatment that includes a summary of land use and technical methods used to minimize storm water run-off from the site;
- (m) Off-street parking to be provided in driveways, surface lots and garages;
- (n) Any public amenities, other than common open space, to be provided by the applicant, together with a statement as to whether those amenities shall be available for public use;
- (o) Any required building types, form-based regulation or architectural design requirements, as well as a description of how those standards will be maintained and enforced over time;
- (p) If a project involves construction over a period of time in two or more phases, a phasing plan demonstrating that each phase meets density requirements, open space requirements, and provision of public amenities. Phasing plan shall include an approximate time frame for each phase of development. The applicant shall provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the city attorney for the completion of the development according to the approved MU-P plan;
- (q) Cross sections demonstrating the proportions of buildings and the relationship between those buildings, pedestrian spaces and the streetscape;

I. Amendments.

Applications to amend an existing MU-P plan shall follow the process described in Section 50-37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11. (Added by Ord. No. 10192, 12-17-2012, § 6; Ord. No. 10286, 3-10-2014, § 4.)

50-14.7 Residential-Planned (R-P).

A. Purpose.

The R-P district is established to provide a flexible development option for residential projects that integrate creative site design, provide a variety of housing types, provide unique on-site amenities, conserve natural features, increase pedestrian connectivity, or otherwise result in a final product that provides a greater level of public benefit than would be required under the existing zone district. Each R-P district requires approval of an R-P regulating plan that includes the location, type and intensity of proposed development and a description of public amenities or benefits included. Single-family residences, two-family residences and townhouses, as well as accessory uses, are permitted, as shown in Table 50-19.8, provided projects are compatible in scale and character with the surrounding neighborhood and are included in the approved R-P plan;

B. Examples.

C. Modifications.

An applicant may seek only the modifications in Table 50-14.7-1, based on demonstration of how the proposal supports the purpose of the R-P district as stated in subsection 50-14.7.A and proposes as part of the project to be achieved through the R-P rezoning three or more of the following priorities the following desired R-P amenities:

1. Significant preservation and protection of natural resources and undeveloped areas, including wetlands, trees, key habitat, and wildlife areas.
2. A higher level of sustainability, demonstrated in buildings, site design, and transportation, than required by Section 50-28.
3. More efficient and effective use of streets, utilities, and public facilities to support high quality development at a lesser cost.
4. Recreational facilities that are ~~open~~ available for regular to the public use, such as parks, trails, and playgrounds.
5. Accommodations for and linkages to mass transit.
6. ~~Creative site design as appropriate for the site, such as New Urbanist design for a walkable community or conservation development for a rural neighborhood.~~ Compact residential development that incorporates small lots and significant density (for single-family developments this would be 4-10 units/acre).
7. Bike lanes and trails within the development ~~and that connecting~~ in the city's transportation system.
8. Pedestrian ~~services~~ amenities such as benches, plazas, pedestrian-scaled lighting, traffic calming, and art.

Table 50-14.7-1: Modifications Allowed	
Chapter Requirement	Maximum Modification Allowed
Distance from property lines	Reduction in setbacks; minimum 5' setback from rights-of-way <u>No required yards</u>
Lot frontage	25% decrease <u>No required minimum lot frontage</u>
Lot area, general	20% decrease <u>No required minimum lot area</u>
Lot area, when clustering is used to preserve open space	Overall density of the R-P district should demonstrate a maximum of 20% decrease over base zone districts. Individual lot sizes are allowed up to a 50% decrease.
Building height	Up to a 5' increase <u>Up to a 50% increase, if application demonstrates avoidance of substantial impacts to views from uphill sites</u>
Parking	<u>Provided in accordance with the parking needs for proposed development, as demonstrated through a professionally completed parking study</u>
Landscaping	15% decrease <u>Alternative or off-site landscaping permitted</u>
Street cross-section width	<u>As determined by city engineer and land use supervisor</u>

D. Applicability.

An R-P district shall only be established in the ~~RR-1, RR-2, and R-1, and R-2~~ districts provided the property meets the requirements in Table 50-14.7-2;

TABLE 50-14.7-2: Characteristics of High-Density and Low-Density in R-P Areas	
Current zoning	RR-1, RR-2, R-1, R-2
Minimum lot size	4.1 acres

E. Rezoning approval and regulating plan required.

The establishment of an R-P district requires rezoning the property per Section 50-37.3 from a current zone district to R-P and the approval of an R-P plan per Section 50-37.11 that governs the uses, location, density, dimensional standards and character of the proposed project.

In accordance with the purpose of the R-P district, approval of the R-P plan is deemed to include subdivision approval; R-P districts are not required to submit a separate subdivision application under Section 50-37.5;

F. Development standards.

1. The development standards of the base zone district(s) where the property is located shall apply to any R-P zoned land unless waived or varied by the terms of an approved R-P regulating plan. The ordinance approving an R-P district and the approved regulating plan shall identify the previous base zone districts for each portion of the property;

2. Overall density in residential portions of the R-P shall follow the density requirements of the previous zone district unless modified as part of the R-P plan;

3. Minimum percentage of property (excluding common open space) used for residential purposes shall be 66 percent;

4. Common open space. Adequate provisions shall be made for the permanent preservation and maintenance of active or passive open space. Common open space shall not be less than 30 percent of the area of the project (not including right-of-way) and shall follow generally accepted conservation design practices and include preservation of views, sensitive natural areas, trees, and natural habitat. Common open space should endeavor to be contiguous and shall be owned and managed by a property owners association or, if acceptable to the city, dedicated to the public. comply with the following requirements:

~~(a) Common open space shall include the shore and bluff impact zones;~~

~~(b) Common open space shall include, where possible, lands within the Skyline Overlay;~~

~~(c) Common open space shall include, where possible, wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas unsuitable for development in their natural state;~~

~~(d) No more than one quarter of the required common open space shall consist of wetlands;~~

~~(e) Common open space shall not include areas within 25 feet of any structure, any impervious surface, or the area between buildings within an individual cluster of buildings;~~

~~(f) At least 50 percent of the common open space shall be retained in a contiguous area;~~

~~(g) Where possible, the design should utilize features such as vegetation, fences, topography, roads or trails to delineate the boundary of the common open space to minimize potential physical encroachments into the common open space by adjacent homeowners;~~

~~(h) Common open space shall not include land within rights of way;~~

~~(i) Ownership of common open space. Common open space shall be owned and managed by a property owners association and shall be encumbered through an easement, restrictive covenant or other instrument suitable to the city;~~

5. All shoreland setbacks and other dimensional requirements from Section 50-18.1 (NR-O) shall continue to apply and cannot be varied through the R-P process;

G. Required community meeting.

The applicant shall hold at least one community meeting to discuss the plan before submitting the rezoning application plan for review and approval by the city. Notice of the public meeting shall be mailed to all property owners within 350 feet outside the planning area boundaries, and the city shall provide the applicant with the names and address of those property owners upon request. The applicant shall submit with the application documentation that the community meeting has taken place, the date and time of the meeting, the number of attendees, any issues raised regarding the plan and any responses to those concerns incorporated in the plan;

- H. Required rezoning application and regulating plan contents.
1. The rezoning application (approved per Section 50-37.3) shall include the following information:
 - (a) A concept map showing the property to be rezoned and general uses within the area;
 - (b) Maximum residential densities and maximum square footage for nonresidential land uses;
 - (c) Maximum building heights;
 2. The regulating plan (approved per Section 50-37.11) shall cover all of the land in the proposed R-P district and shall regulate all future development in the R-P district. An approved R-P plan is required before any building permits may be issued within the R-P district. The R-P plan shall include maps and text describing the following information:
 - (a) General layout of development areas and building parcels in relation to the natural features to be protected and the proposed road, trail and bicycle circulation systems;
 - (b) Lot sizes and widths, building setbacks, and maximum building heights for all proposed development parcels;
 - (c) Previous base zone districts;
 - (d) A road, trail and bicycle circulation plan (including how the circulation may intersect with transit use) and a description of proposed road, trail and bike route widths, trail surfaces, a proposal for maintenance of each road and trail (which may include dedication to and maintenance by the city), and a statement as to whether public access will be permitted on each road, trail, and bicycle route;
 - (e) A natural resources inventory and natural site features to be protected;
 - (f) Common open space to be provided, the location of that open space, a calculation of proposed open space as a percentage of the total land area in the R-P zone, a proposal for protection and maintenance of the open space over time and a statement as to whether public access to the open space shall be provided;
 - (g) Permitted and special uses for the site, which shall be consistent with those shown in Table 50-19.8; special uses listed in the R-P plan will need to apply for and receive a special use permit prior to building;
 - (h) Maximum residential densities and maximum square footage for nonresidential land uses;

- (i) A plan describing the demand for and location of water, sewer, and utility service to the property, including any additional right-of-way needed to accommodate those utilities. In addition, the plan shall indicate all utilities that will be owned or maintained by the public, and if any of those services are to be provided by the city or a public or quasi-public district, and provide a statement as to whether the proposed facilities will meet the engineering and maintenance standards of that entity;
- (j) Details on buffering or transitioning between uses of different intensities both on- and off-site;
- (k) A plan for stormwater collection and treatment that includes a summary of land use and technical methods used to minimize storm water run-off from the site;
- (l) Off street parking to be provided in driveways, surface lots and garages;
- (m) Any public infrastructure, ~~amenities~~, other than common open space, to be provided by the applicant, together with a statement as to whether those amenities shall be available for public use;
- (n) Any required building types, form-based regulation or architectural design requirements, as well as a description of how those standards will be maintained and enforced over time;
- (o) If a project involves construction over a period of time in two or more phases, a phasing plan demonstrating that each phase meets density requirements, open space requirements, and provision of public amenities. Phasing plan shall include an approximate time frame for each phase of development. The applicant shall provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the city attorney for the completion of the development according to the approved R-P plan;
- (p) Cross sections demonstrating the proportions of buildings and the relationship between those buildings, pedestrian spaces, and the streetscape;

I. Previously approved developments.

All residential developments approved prior to November 19, 2010, as low-density planned developments pursuant to Sections 50-36.1 through 50-36.3 of the previous zoning code shall be treated as approved developments, and will be rezoned to the R-P zone district;

J. Amendments.

Applications to amend an existing R-P plan shall follow the process described in Section 50 37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11. (Ord. No. 10044, 8 16 2010, § 6; Ord. No. 10096, 7 18 2011, § 9; Ord. No. 10192, 12 17 2012, § 4; Ord. No. 10286, 3 10 2014, § 1.)

50-20.1.G Cottage Home Park

In the ~~RR-1~~, RR-2, R-1, R-2, and MU-N districts, this use is subject to the use-specific standards as set forth below:

1. Development standards. All dwelling units within a cottage home park shall be subject to setback, height, off-street parking, and other regulations appropriate for one-family dwellings in the applicable zone district that the cottage home park is located, except as provided within this section;
2. Minimum lot area and lot frontage. Dwelling units shall meet the minimum lot area and lot frontage requirement for multi-family, townhome, or two family developments of the applicable zone district that the home park is located, whichever is smaller or least;
3. ~~Principal entrance~~ Design Standards. Each dwelling unit shall have a principal entrance oriented towards a public street or towards a central community area within a cottage home development. Cottage homes within a cottage home park may not be less than 200 square feet nor more than 1,200 square feet.
4. Common open space or amenity area. Cottage housing developments shall provide common open space or an amenity area which is centrally located, accessible from, and at the disposition of all dwelling units. Common open space shall not be less than 20 percent of the area of the cottage home park, excluding land dedicated for public or private streets or alleys.
5. Connectivity and access. A connectivity plan shall be submitted as part of any Special Use Permit application that shows sidewalks or multi-use paths connecting units to public streets, nearest DTA bus stop, nearest public park, other community amenities and other destinations, and to other units within the cottage home park. The connectivity plan shall encourage a walkable, bikeable cottage home park through the use of complete streets, alleys, sidewalks and trails;
6. Subdivision. Approval of a cottage home park does not negate to the need for subdivision review and approval, where applicable. The Special Use Permit application shall indicate compliance with city subdivision standards, or indicate if it is exempt due to state statute (CIC plat, etc).
7. Utility Connections. A utility plan shall be submitted that shows how utilities will be provided to all units within the cottage home park, including any utility easements required for the provision of utilities. Cottage home parks must provide separate sewer and water services for each dwelling unit as required by the city engineer, except in those areas where City utilities are not available without significant utility extensions as identified by the city engineer.
8. Access. Either a public or private street is permitted to provide access to units within a Cottage Home Park. A road plan must be submitted with the Special Use Permit application that shows proposed cross section, which must be approved determined by City Engineer and Land Use Supervisor

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Dwelling, cottage. A one-family dwelling unit which does not include any accessory dwelling units, and providing basic requirements for living, sleeping, cooking, eating, and sanitation, constructed on compliant footings or foundation, with permanent connections to public sanitary sewer and water, and which is located within a cottage housing development. No recreational vehicle, or structure on a chassis, shall constitute a cottage dwelling. A dwelling, cottage, must contain at least 200 square feet of enclosed space, but may not exceed 1200 square feet.