



City of Duluth

Council Chambers, City
Hall

Meeting Agenda

Planning Commission.

Council Chambers

Tuesday, March 14, 2023

5:00 PM

Council Chambers

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 23-0214](#) Minutes 2/14/23

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

CONSENT AGENDA

[PL 23-017](#) Interim Use Permit for a Vacation Dwelling Unit at 325 Lake Avenue S Unit #1210 by Tim and Beth McShane

Attachments: [PL 23-017 Staff reports and attachments](#)

[PL 23-027](#) Interim Use Permit for Vacation Dwelling Unit at 2810 W Skyline Parkway by Mike Kokotovich

Attachments: [PL 23-027 Staff Report and Attachments](#)

[PL 23-024](#) Minor Subdivision of Parcel on Sockeye Drive by Frank Messina

Attachments: [PL 23-024 Staff report and attachments](#)

[PL 23-028](#) UDC Map Amendment for Additional Building Types in Ramsey Village R-P District North of Wadena Street Between 52nd and 53rd Avenues W by Center City Housing Corp.

Attachments: [PL23-028 Staff Report - final with attachments](#)

[PL 23-029](#) Vacation of Portions of Alleys North of Wadena Street Between 52nd and 53rd Avenues W. by Center City Housing Corp.

Attachments: [PL23-029 Staff Report - final with attachments](#)

[PL 23-021](#) Master Sign Plan at 520 W Central Entrance by Jigsaw LLC

Attachments: [PL23-021 Memo and attachments](#)

PUBLIC HEARINGS

- [PL 23-004](#) Variance to Allow An Accessory Structure in the Front Yard at 30 S 42nd Avenue E by Jack Shapiro
- Attachments:** [PL23-004 Staff Report - final with attachments](#)
- [PL 23-026](#) Variance from Side Yard Setbacks for New Single-Family Dwelling Unit at 70XX E Superior Street by Charles Obije
- Attachments:** [PL 23-026 Staff report and attachments](#)
- [PL 23-035](#) UDC Map Amendment to Rezone Property at Duluth International Airport From MU-N and MU-B to AP (Airport) District
- Attachments:** [PL23-035 Staff Report - final with attachments](#)
- [PL 23-037](#) Minor Subdivision of Jigsaw Division Lot 2 into 2 Lots at the Southwest Corner of Anderson Road and Central Entrance by The Jigsaw, LLC
- Attachments:** [PL 23-037 Staff Report - final with attachments](#)
- [PL 23-038](#) Special Use Permit for Restaurant at 520 W Central Entrance by Jigsaw LLC
- Attachments:** [PL 23-038 Staff Report - final with attachments](#)
- [PL 23-032](#) UDC Map Amendment to Rezone from MU-B to F-5 South of W 1st Street between N 19th Avenue W and N 20th Avenue W
- Attachments:** [PL 23-032 Staff Report and Attachments](#)

TABLED ITEMS

- [PL 23-003](#) UDC Text Amendments to Off-Street Parking Requirements by City of Duluth
- Attachments:** [PL 23-003 Staff Memo and Attachments Redacted](#)

COMMUNICATIONS

Land Use Supervisor Report

Historic Preservation Commission Report

Joint Airport Zoning Board Report

Duluth Midway Joint Powers Zoning Board Report

File Number	PL 23-017	Contact	John Kelley	
Type	Interim Use Permit– Vacation Dwelling Unit in Form District	Planning Commission Date		March 14, 2023
Deadline for Action	Application Date	January 26, 2023	60 Days	March 27, 2023
	Date Extension Letter Mailed	February 16, 2022	120 Days	May 26, 2023
Location of Subject	325 South Lake Avenue, Unit 1210			
Applicant	Tim and Beth McShane	Contact		
Agent		Contact		
Legal Description	CIC #29 Waterfront Plaza Condominiums (010-4444-00030)			
Site Visit Date	March 3, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 24, 2023	Number of Letters Sent	44	

Proposal
 Applicant is proposing a new interim use permit for a vacation dwelling unit. The permit would allow for a 2-bedroom condominium with a maximum of 5 occupants in the F-5 form district.

Vacation dwelling units located in form districts are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

Staff is recommending Planning Commission recommend approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5	Mixed Use Building	Tourism/Entertainment District
North	F-5	Mixed Use Building	Tourism/Entertainment District
South	F-5	Mixed Use Building	Tourism/Entertainment District
East	F-5	Parking lot	Tourism/Entertainment District
West	F-5	Parking lot	Tourism/Entertainment District

Summary of Code Requirements:
 UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-5 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. 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 - The issuance of a permit allows an existing structure in the downtown area to be functionally used, decrease vacancy levels, and increase tax base.

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. The proposed IUP in this location will enhance the level of activity in the downtown, and increase opportunities for additional commerce.

Future Land Use – Tourism/Entertainment: Retail, entertainment, and lodging facilities, meeting facilities, waterfront-related uses, open space uses.

Current History: The property currently is a mixed-use building. The ground floor contains a brewery and taproom. The upper floors are for the Suites Hotel, office space and dwelling units.

Review and Discussion Items:

- 1) Applicant's property is located at 325 South Lake Avenue, Unit 1210. The unit is located on the second floor of The Suites Hotel in Canal Park. The proposed vacation dwelling unit contains 2 bedrooms that would allow for a maximum of 5 guests.
- 2) 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 applicants have listed themselves as the managing agents.
- 3) The site is not required to provide parking. However, the applicant has stated that there will be two parking spaces in the rear of the building for guests. Additional parking is available at other paid parking lots.
- 4) The site does not have any outdoor amenities and no screening is required as the unit is within an existing condominium/hotel building.
- 5) 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.
- 6) Applicant will apply for all relevant permits and licenses and these are contingent upon approval of the Interim Use Permit for a Vacation Dwelling Unit.
- 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.

Staff Recommendation:

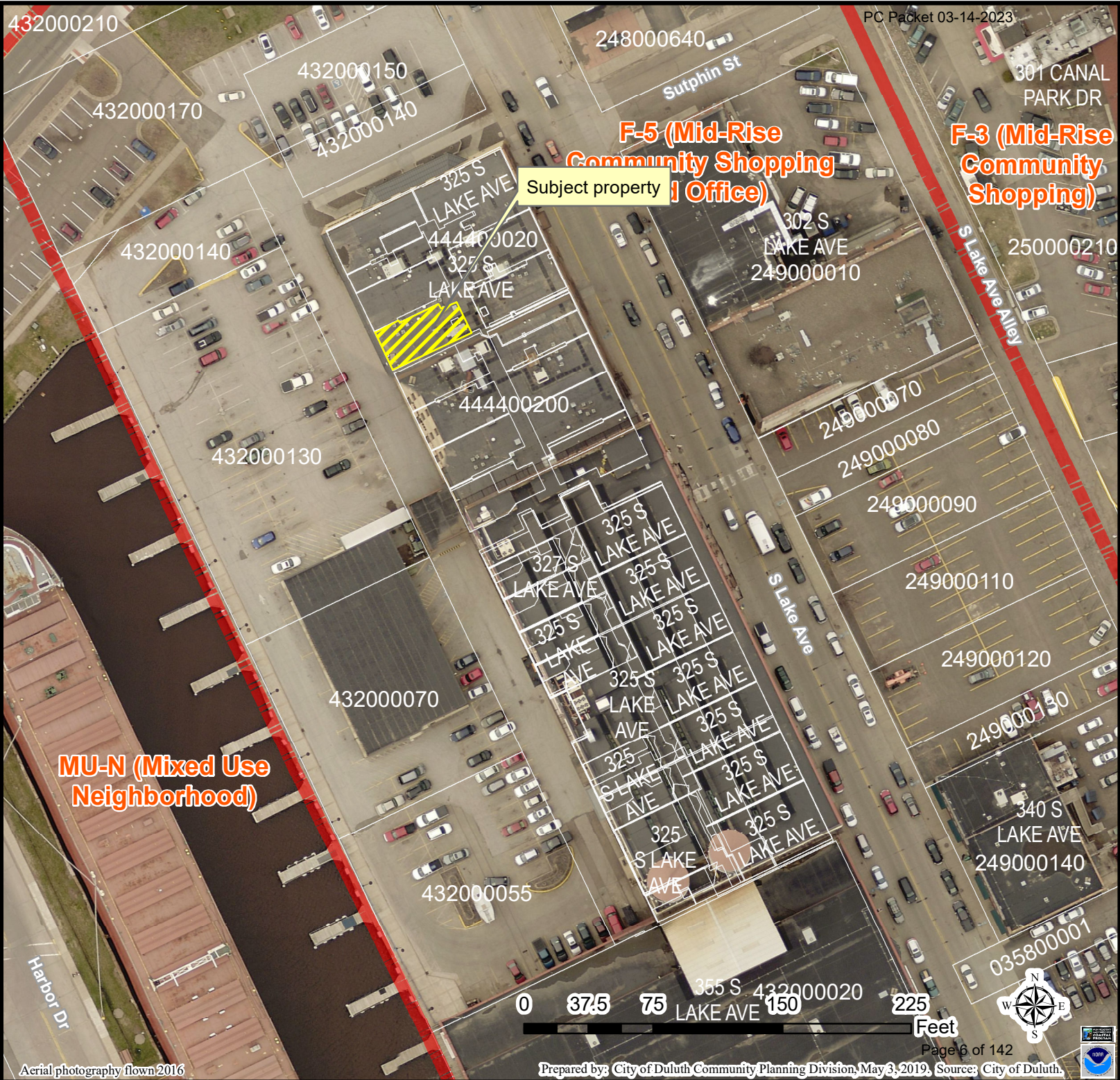
Based on the above findings, Staff recommends that Planning Commission recommend approval subject to the following:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 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



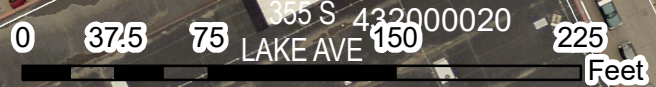
PL 23-017
325 South Lake Avenue
Site map

Legend
Zoning Boundaries

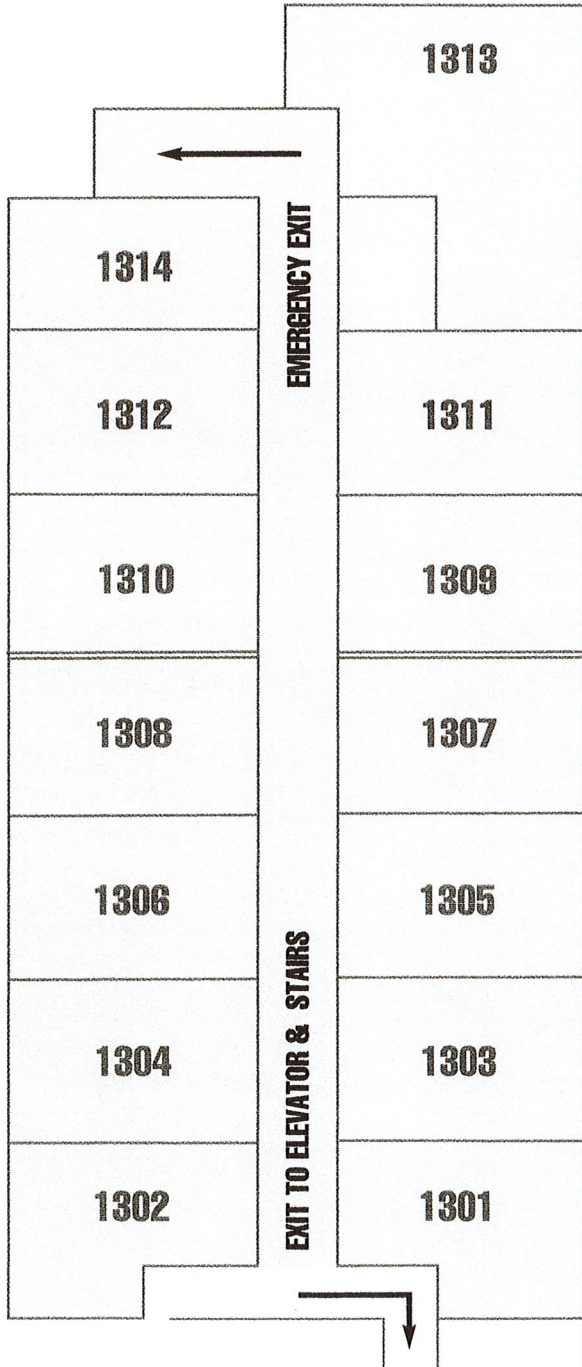



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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.

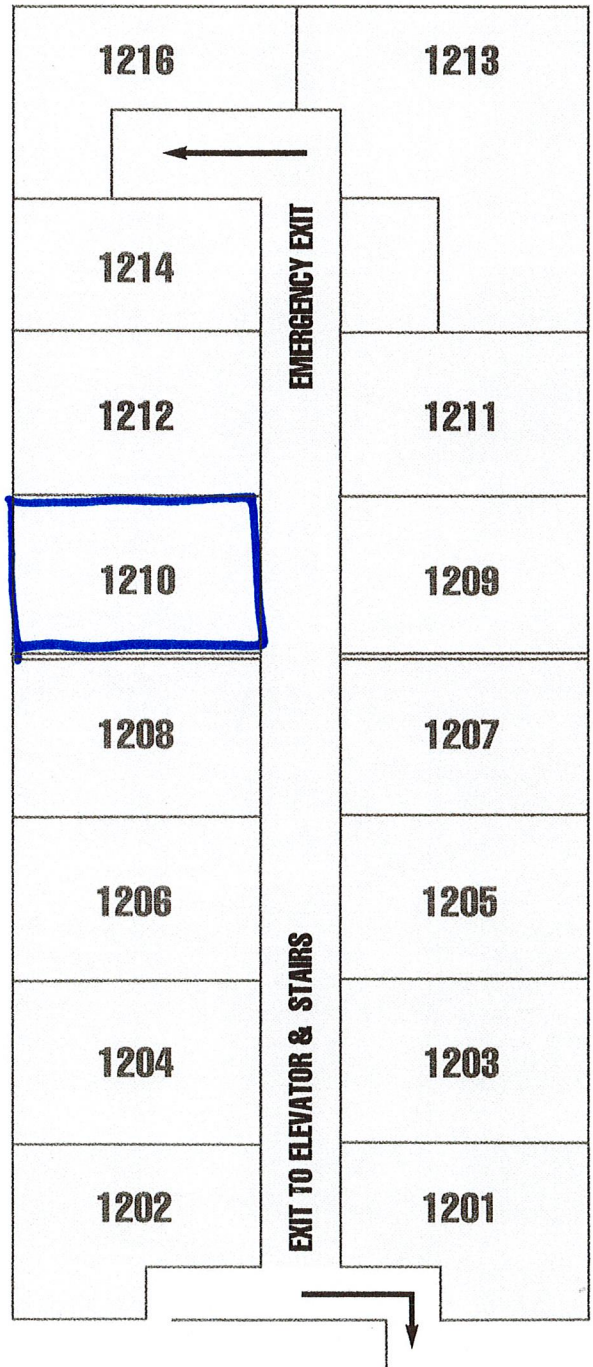
Aerial photography flown 2016



HOTEL FLOORPLAN



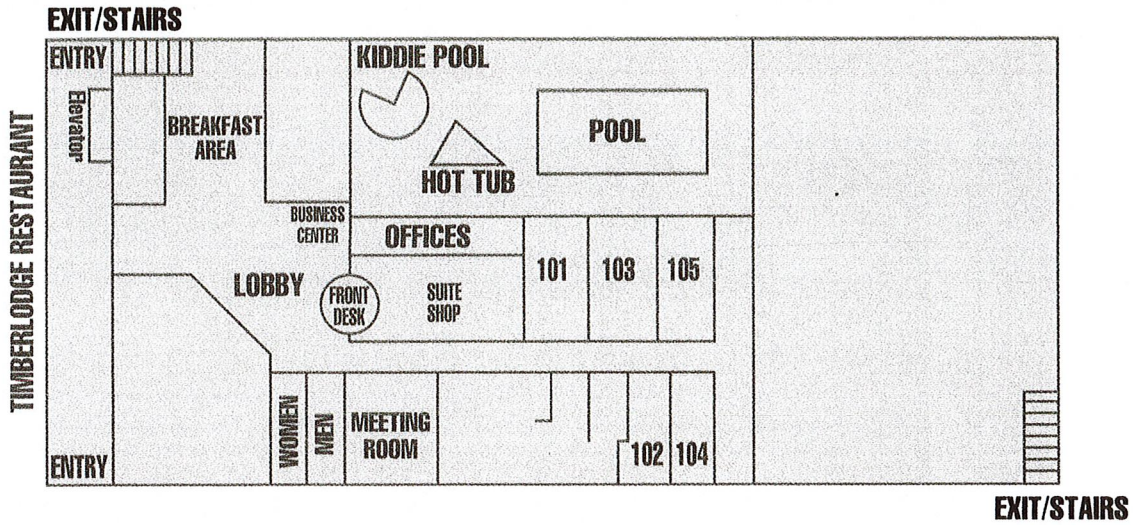
THIRD FLOOR



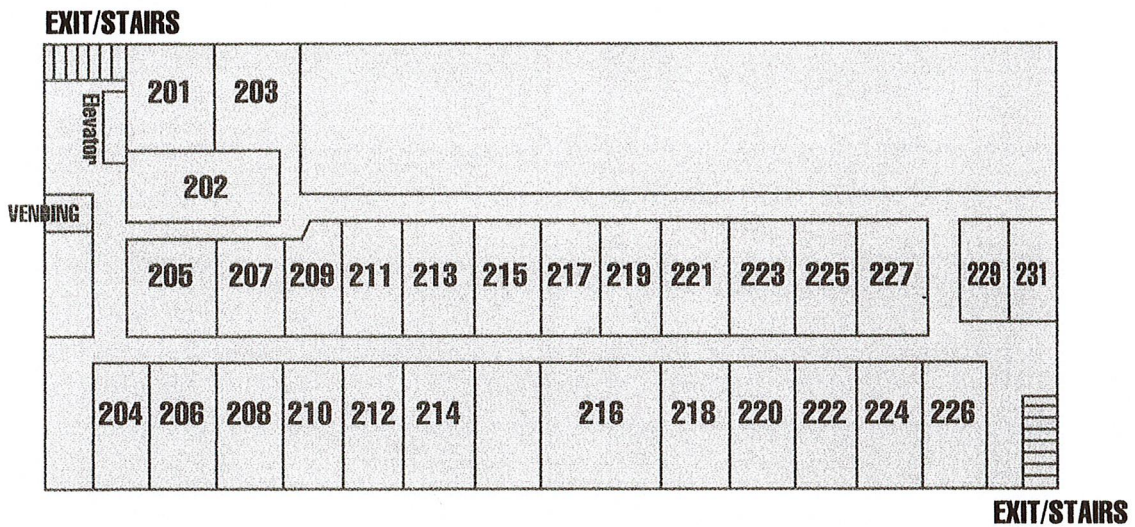
SECOND FLOOR

1210 is our unit

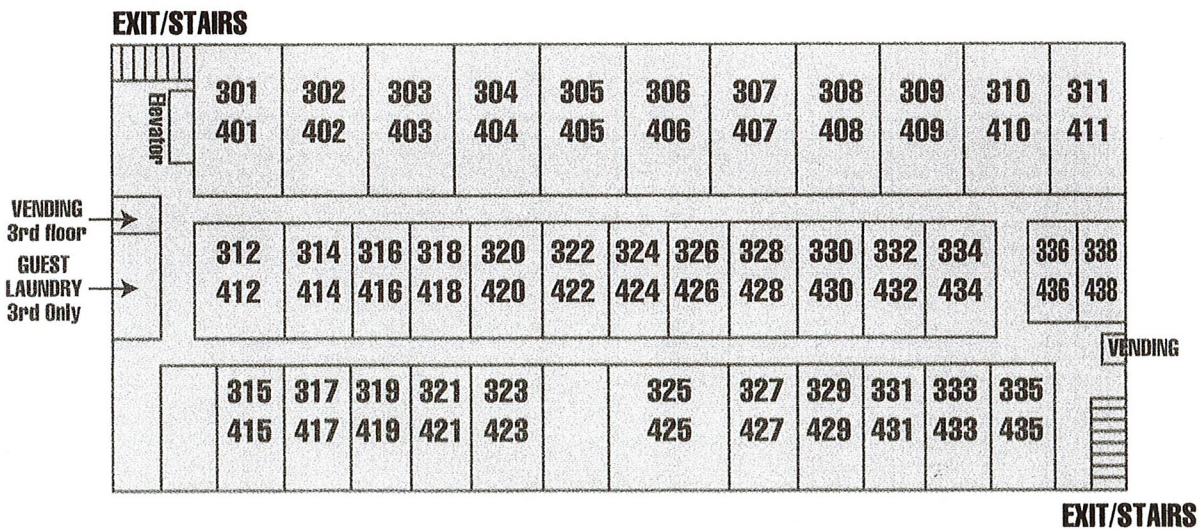
HOTEL FLOORPLAN



FIRST FLOOR



SECOND FLOOR



THIRD/FOURTH FLOORS

File Number	PL 23-006	Contact	Chris Lee, clee@duluthmn.gov	
Type	Renewal Interim Use Permit– Accessory Vacation Dwelling Unit	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 8, 2023	60 Days	April 9, 2023
	Date Extension Letter Mailed	February 17, 2023	120 Days	June 8, 2023
Location of Subject	2810 W Skyline Parkway			
Applicant	Mike Kokotovich	Contact		
Agent		Contact		
Legal Description	Parcel ID 010-3780-01605			
Site Visit Date	February 26, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 21, 2023	Number of Letters Sent	30	

Proposal
 Applicant proposes to use their home as a vacation dwelling unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of two consecutive nights. This is a renewal of permit PL 17-035.

 Staff is recommending Planning Commission recommend approval.

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

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.

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 provides a service for tourists.

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

Future Land Use – Traditional Neighborhood: Characterized by a grid or connected street pattern, houses orientated 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 and neighborhood extensions, and new traditional neighborhood areas.

Current History: The structure was built in 2007 and contains 1,620 square feet with 3 bedrooms and 2.5 bathrooms. This is a renewal of PL17-035 issued in 2017.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located on 2810 West Skyline Parkway. The dwelling unit has one bedroom, which would allow for a maximum of three people. The space of this unit is less than 800 square feet which meets the accessory dwelling unit standards, and is located on the lowest level of the home.
- 2) One off-street parking space is required for this unit. The applicant will provide one off-street parking spot located in the rear yard with access off the alley.
- 3) 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 applicants have listed themselves to serve as the managing agent.

There have been no documented violations or enforcement actions with the existing Interim Use Permit

- 4) The site plan submitted indicates that there is screening on the property surrounding the outdoor amenities.
- 5) 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.
- 6) Applicant will need to apply for all relevant permits and licenses required for a Vacation Dwelling Unit.
- 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 public City, or agency comments were received.

Staff Recommendation:

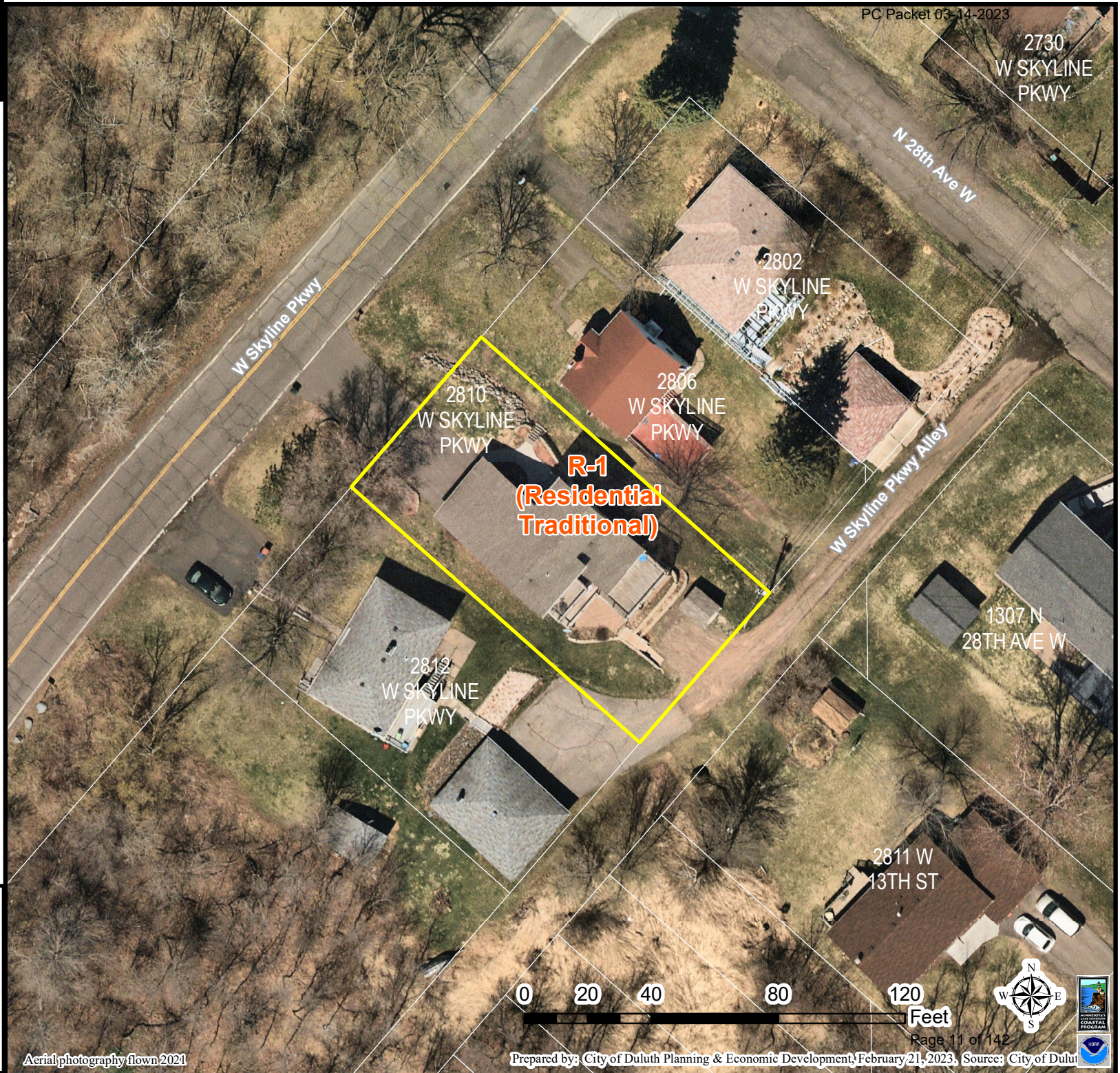
Based on the above findings, Staff recommends that Planning Commission recommend approval subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The permit shall lapse if no activity is taken within one year of approval.
- 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50



PL23-027
IUP Renewal
2810 W Skyline Pkwy

2730
W SKYLINE
PKWY



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.





City Planning
DULUTH
 Interim Use Permit
 2810 West Skyline PKWY

Legend	
Water Distribution System	
30" - 60" Water Pipe	
16" - 24" Water Pipe	
4" - 6" Water Pipe	
Sanitary Sewer Collection System	
Sanitary Sewer Collector	
Sanitary Sewer Interceptor	
Sanitary Sewer Forced Main	
Storage Basin	
Pump Station	
Gas Distribution Main	
8" - 16" Gas Pipes	
4" - 6" Gas Pipes	
0" - 4" Gas Pipes	
Storm Sewer Collection System	
Storm Sewer Pipe	
Storm Sewer Catch Basin	
Wetlands (NRRI)	
Vacated ROW	

AS DETAILED IN THE ORIGINAL APPLICATION, THE LOW LEVEL OF 3 IS THE ADU. THIS APPLICATION IS FOR THE ADU THERE IS A SEPARATE ENTRY, PARKING, KITCHEN AND IS SEPARATED FROM THE MAIN

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 from 2016

Prepared by: City of Duluth Planning Division, March 13, 2017. Source: City of Duluth.

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?

1

What will be your maximum occupancy?

3

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? 1

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):

GUESTS ARE REQUIRED TO SUBMIT THIS THROUGH MY PROPERTY MANAGEMENT SOFTWARE. DATA CAN/WILL BE EXPORTED UPON REQUEST.

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:

I AM THE LOCAL CONTACT. 763-229-5442
MJKOKOTOVICH@GMAIL.COM

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:

THIS INFORMATION IS IN A WELCOME BINDER KEPT ON SITE.

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.



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 23-024	Contact	John Kelley	
Type	Minor Subdivision	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 3, 2023	60 Days	April 4, 2023
	Date Extension Letter Mailed	February 16, 2023	120 Days	June 3, 2023
Location of Subject	PID #'s 010-0315-00060, 010-0315-00070, 010-0315-00080, & 010-0315-00085			
Applicant	Frank Messina	Contact		
Agent		Contact		
Legal Description	See Attached			
Site Visit Date	March 3, 2023	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 two undeveloped parcels and rearrange two parcels to increase the size of their lot and the adjacent lot to the north in the Kenwood neighborhood. All parcels will have frontage on Sockeye Drive.

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	R-1	Residential	Traditional Neighborhood/Open Space

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):

Future Land Use: Traditional Neighborhood - Characterized by grid or connected street pattern... Limited commercial, schools, churches, and home businesses... Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: The site is made up of four parcels with two of the parcels being undeveloped land in the Kenwood neighborhood. The underlying plat is "Bristolwood" platted in 1996.

Review and Discussion Items

Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide two parcels and rearrange two other parcels to increase the lot size of the applicants parcel and their neighbor's lot to the north. The two lots to be split are undeveloped lots between the applicant's lot and their neighbor.
2. The proposed minor subdivision parcels are currently undeveloped land owned by the applicant with the adjacent lots to the north and south having single family homes on them. The subdivision will create lots that meet the zoning requirements of the R-1 district.
3. The parcels have the required street frontage along Sockeye Drive. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. 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 23-024
Minor Subdivision
Site Map

PC Packet 03-14-2023
433000970

Legend
Zoning Boundaries

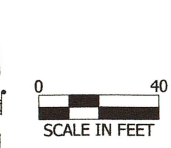
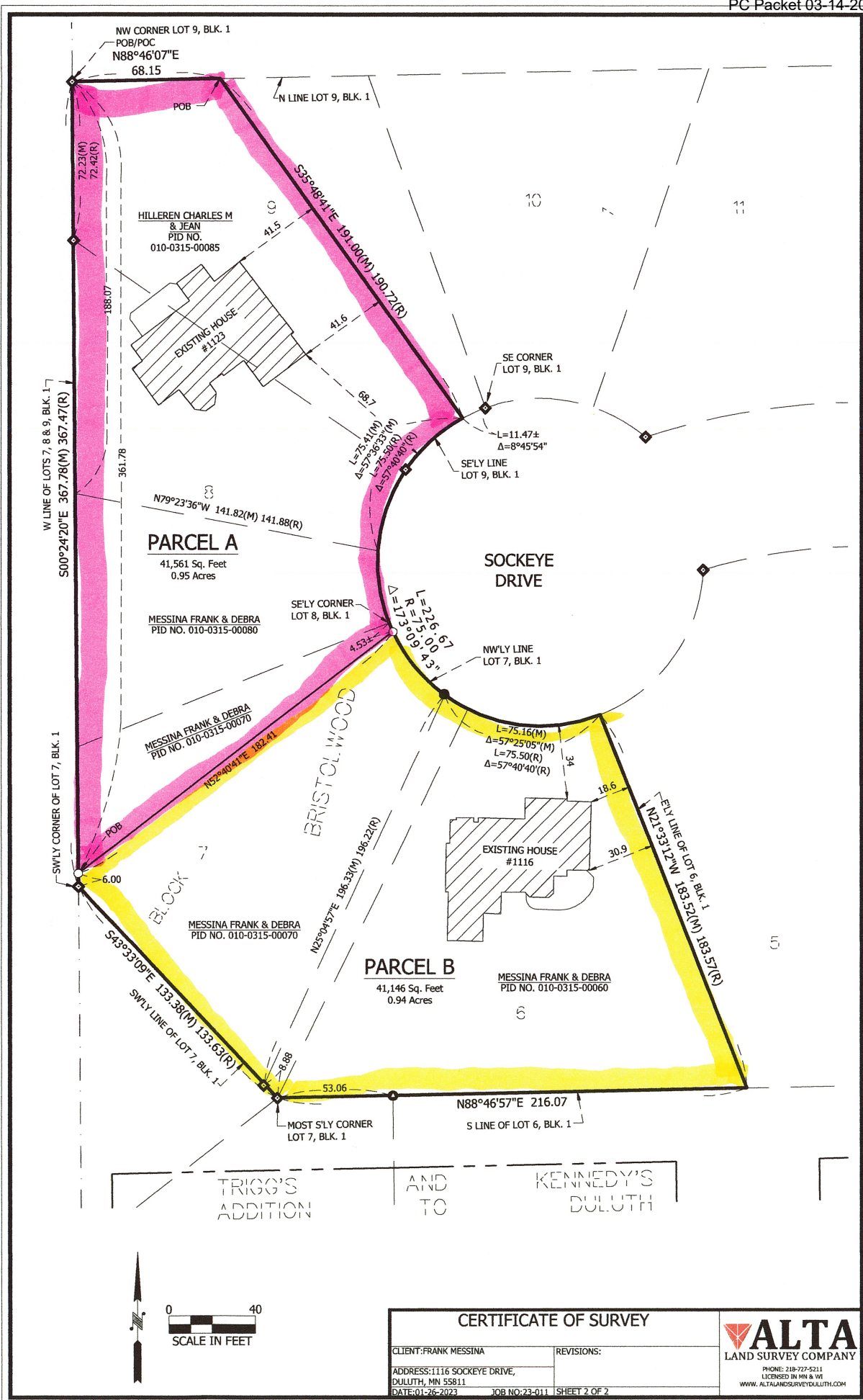
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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 2016

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





CERTIFICATE OF SURVEY	
CLIENT: FRANK MESSINA	REVISIONS:
ADDRESS: 1116 SOCKEY DRIVE, DULUTH, MN 55811	
DATE: 01-26-2023	JOB NO: 23-011 SHEET 2 OF 2

ALTA
LAND SURVEY COMPANY
PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.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 23-028	Contact	Kyle Deming	
Type	Amend Existing R-P Regulating Plan	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 7, 2023	60 Days	April 8, 2023
	Date Extension Letter Mailed	March 2, 2023	120 Days	June 7, 2023
Location of Subject	Between 52 nd and 53 rd Ave. W north of Wadena St. (Spirit Valley)			
Applicant	Center City Housing Corp.	Contact	Nancy Cashman	
Agent	Bill Burns/Terri Crossmon	Contact	Hanft Fride	
Legal Description	See Attached Map			
Site Visit Date	March 2, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 24, 2023	Number of Letters Sent	48	

Proposal

Applicant is requesting to amend the existing Ramsey Village Regulating Plan to designate an area without a building type (shown as Menards’s parking) and another area shown as neighborhood park to be Type VIII (Mixed Use Commercial and Residential Building), and to add Type VIII (Mixed Use Building) to the existing Type VI (4-plex) area at the northwest corner of Wadena St. and 52nd Ave. W.

Any amendment to the Regulating Plan that involves changes to land use, density, or height is required to follow the rezoning process and receive approval from City Council.

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the rezoning amendment to the City Council (via ordinance).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-P	Residential	Urban Residential
North	MU-N	Commercial	General Mixed Use
South	R-P	Residential	Urban Residential
East	R-P/MU-B	Residential/Commercial	Urban Residential/General Mixed Use
West	R-P	Residential	Central Business Secondary

Summary of Code Requirements

- UDC Sec. 50-14.07.E: 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.
- UDC Sec. 50-14.7.I: 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 R-P developments, and will be rezoned to the R-P district.

- UDC Sec. 50-14.7.J: 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.
- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application: 1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

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

Governing Principles

- Governing Principle #1 – Reuse previously developed lands. This rezoning will facilitate the development of the property with mixed use building(s) where three dwellings were previously located.
- Governing Principle #5 – Promote reinvestment in neighborhoods. This rezoning will allow the landowner to develop needed housing.

Comprehensive Plan Policies and Strategies

- Housing Policy #1 – Increase density in and around the designated Core Investment Areas. This rezoning is in the Spirit Valley Core Investment Area and will allow for a modest increase in housing density over existing zoning.
 - Strategy #1 – Promote infill development with a mix of densities appropriate to the context of the surrounding neighborhood.
- Housing Policy #2 – Provide affordable, attainable housing opportunities.

Future Land Use

- Urban Residential: Greatest variety of building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. Connected or adjacent to parks and open space.

Related File: PL 23-029 Vacation of alleys

Recent History

The Ramsey Village Neighborhood Plan (a Traditional Neighborhood Design – TND zone) was approved by City Council in 2003. The associated Regulating Plan has had several zoning map amendments to allow additional building types including:

- PL 13-119 to allow Type VII, eight-unit apartment structures at the NE corner of Ramsey Street and North Central Avenue Alley,
- PL 16-087 to allow Type VIII, a mixed use residential and commercial structure at 5103 Ramsey Street,
- PL 17-058 to a Type VII, eight-unit multi-family near Ramsey and North 53rd and 54th Avenues West,
- PL 18-044 to allow a Type VII, eight-unit multi-family structure on the west side of N. 54th Ave. W. near Wadena St,
- PL 19-032, to allow a Type IV, a townhouse, near Ramsey Street and North 53rd Avenue West.
- PL 21-112, to allow Type VIII (Mixed Use Commercial and Residential) at 5019 Ramsey Street and Type IV (Townhome) at 411 North 50th Avenue West.
- PL 21-209, to allow construction of a 4-unit structure (Type VI Building) or an 8-unit structure (Type VII Building) rather than the allowed Type I, II, III, and IV Buildings on two sites between 53rd and 54th Ave. W. and Ramsey St. and Wadena St.

Review and Discussion Items:

Staff finds that:

1. Any proposed change to the R-P Regulating Plan that involves land use, density, or height needs to be approved by City Council through the process used for rezoning. The applicant is proposing a change in the building type (i.e. use and density) on their property.
2. Applicant seeks to amend the approved Regulating Plan in three ways. First, to designate Type VIII (Mixed Use Commercial and Residential Buildings) in an area that previously had no building type because it was shown as additional parking for the adjacent Menards store on the Master Plan map. Second, to designate Type VIII (Mixed Use Buildings) in an area that previously had no building type because the site was shown on the Master Plan map as being a neighborhood park with community building. And third, to add Type VIII (Mixed Use Buildings) to an area designated Type VI (4-plex) buildings at the northwest corner of Wadena St. and 52nd Ave. W.
3. The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area and the generally applicable provisions of the adopted comprehensive plan. A residential planned development is an appropriate zone district for an urban residential future land use, and the dictates of the selected building types address conformity to the comprehensive plan.
4. The Ramsey Village Master Plan map shows Type VIII (Mixed Use Buildings) around a neighborhood park and this proposal is to expand Type VIII (Mixed Use Commercial and Residential) to encompass most of the platted block to form an area where larger format buildings and parking can be constructed. This is to meet a community need for affordable housing provided in a multi-story building with related services.
5. The proposed neighborhood park was an aspiration of the original Ramsey Village Neighborhood Plan, but the City Parks and Recreation Department "has no current plans to initiate any City-led improvements at this location."
6. The proposed rezoning expands north into an area shown on the Ramsey Village Master Plan map as parking for the adjacent Menards store. Since the Master Plan map was created, Menards redeveloped their site by relocating the front door to the southeast side of the building and creating more parking there. This leaves the area formerly shown as parking on the Master Plan map available for community housing needs and expanding the adjacent Type VIII (Mixed Use Commercial and Residential Building) is an appropriate transition from the lower intensity housing south of Wadena St. and the Menards store.
7. The proposed building type is not expected to result in site development that create material adverse impacts on nearby properties. This is because the development standards found in Article 4 of the UDC and the Regulating Plan can mitigate any potential impacts through building height limitations (3 stories), exterior lighting standards, trash and mechanical screening, and parking lot interior and buffer landscaping.
8. Comment from Jessica Peterson, Manager, Parks and Recreation concerning the park (see above). No additional comments were received.

Staff Recommendation:

Based on the above findings, staff recommends to Planning Commission that the proposed amendment to change the density and use of the R-P Regulating Plan be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan Governing Principles and Policies.
- 2) The proposal amendment to the Regulating Plan District is consistent with the future land use category "Urban Residential."
- 3) Material adverse impacts on nearby properties are not anticipated or can be mitigated through implementation of UDC and Regulating Plan-specific development standards.



Area Map



Legend

- Zoning Boundaries
- Streams
- Other 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: flowm2021





Future Land Use Map

Legend

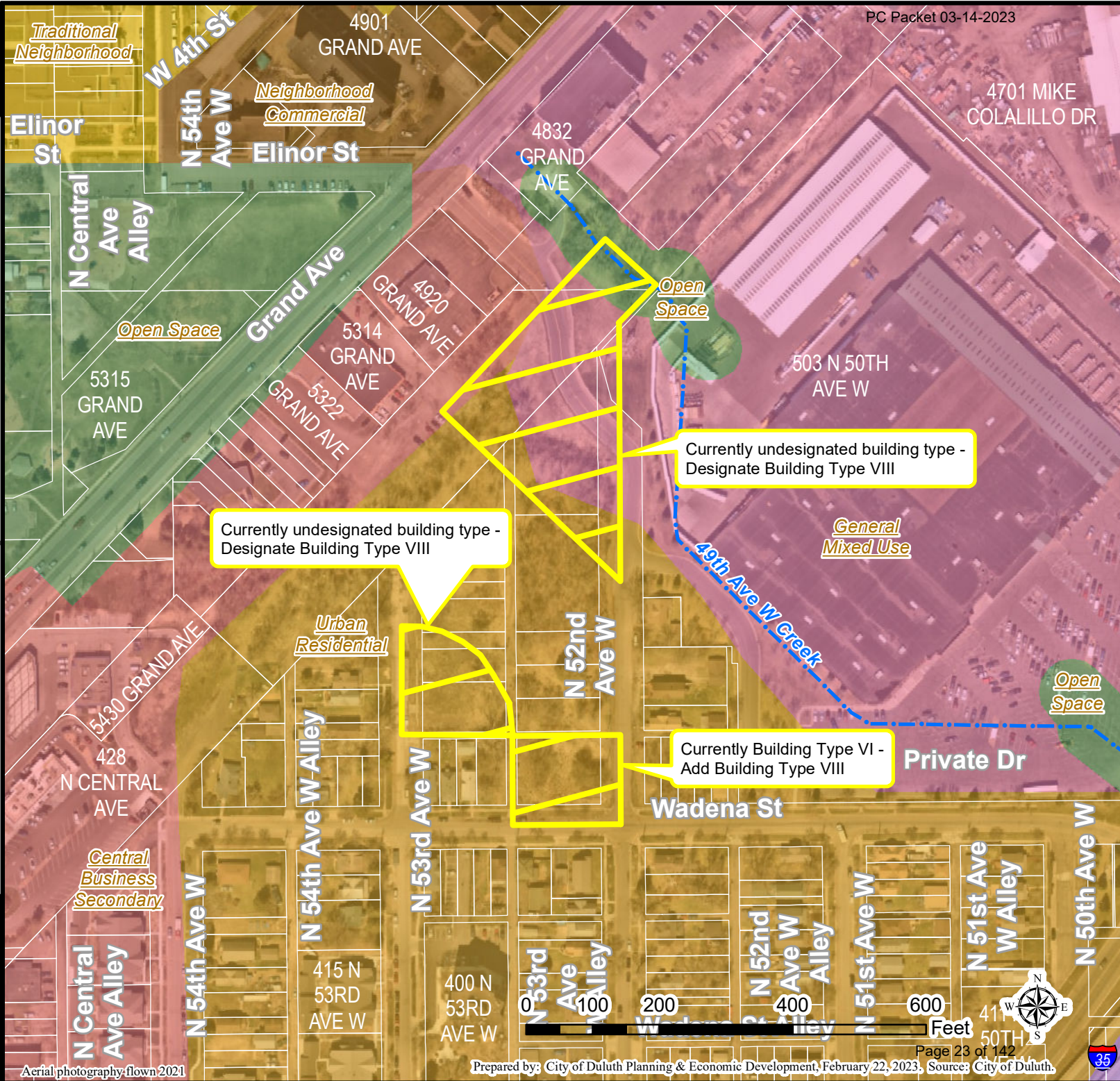
Streams

- Other Stream (GPS)

Future Land Use

- Open Space
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- General Mixed Use
- General Industrial

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.

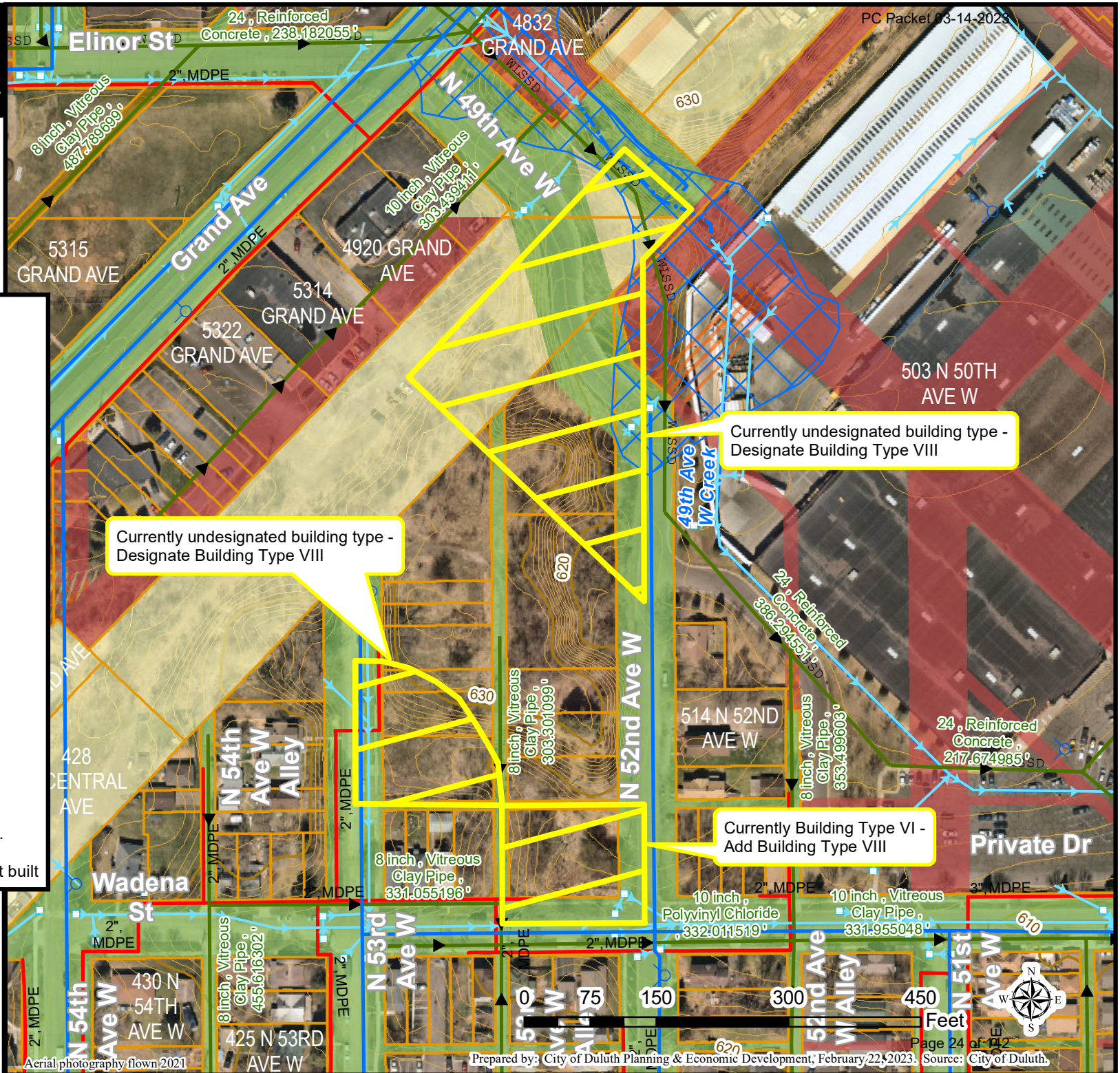




Site Map

Legend

- Streams**
- Other Stream (GPS)
- Floodplain (UDC)**
- Flood Way
- Parcels**
- Distribution Main**
- Water Main
- Hydrant
- Gas Main
- Sanitary Sewer Mains**
- City of Duluth
- WLSSD; Private
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Elevation**
- 1 Ft contour
- 10 Ft contour
- Undefined ROW Status
- ROW Status**
- Utility, Active
- Railroad, Active
- Access, Active - currently in use
- Road, Active - currently in use
- Utility, Vacated - via recorded doc.
- Road, Vacated - vacated
- Railroad, Inactive - Dedicated, not built



Currently undesignated building type - Designate Building Type VIII

Currently undesignated building type - Designate Building Type VIII

Currently Building Type VI - Add Building Type VIII

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.

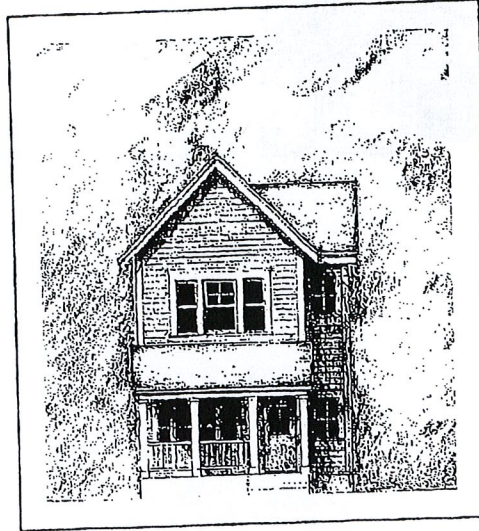
MAR 24 2003

COUNCIL COPY

To City Council _____
Pub. Doc. No. 03-0324-15
Referred to _____

RAMSEY VILLAGE
NEIGHBORHOOD

*As amended
Ord. 9635 & 9753*

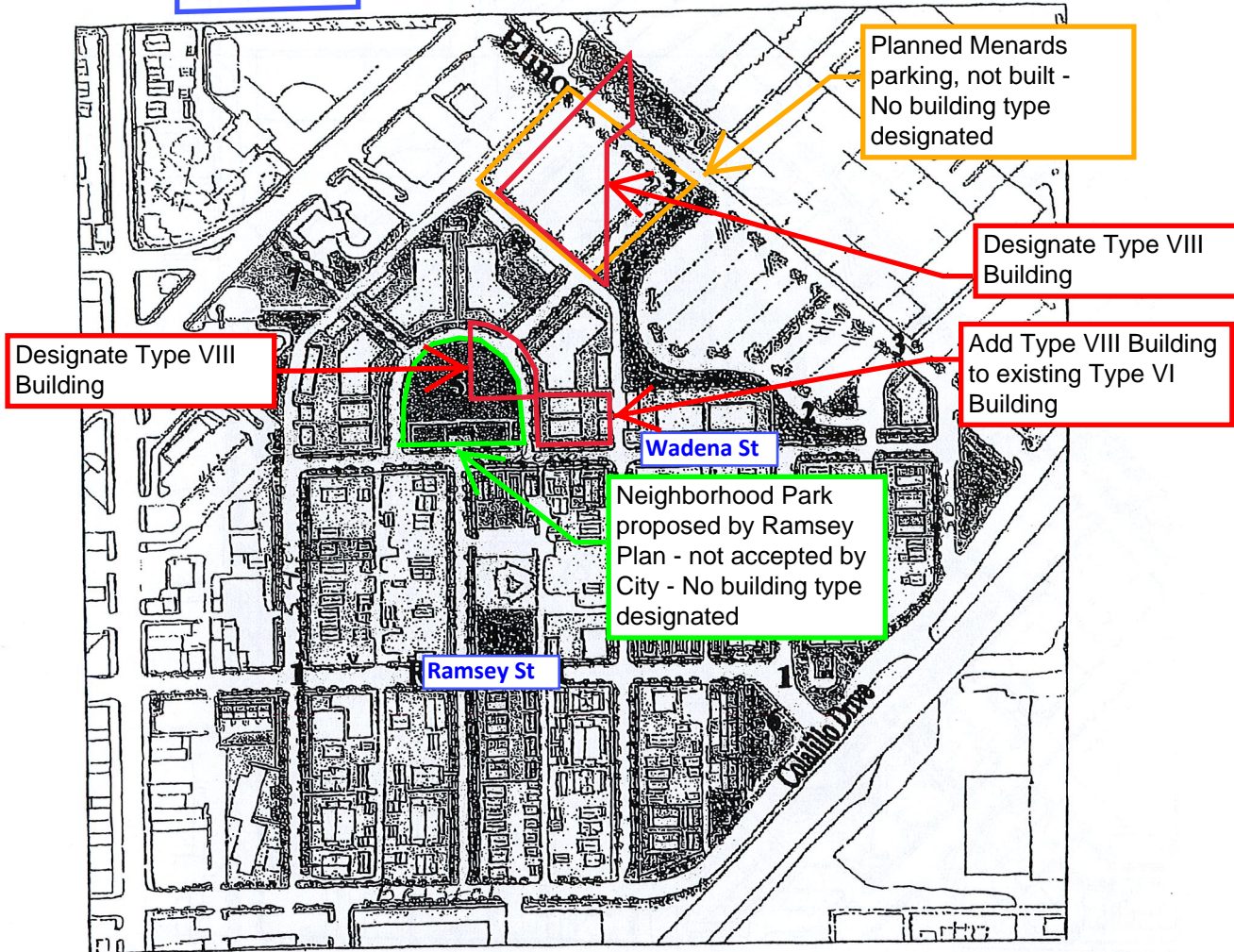


DOCUMENTS
of
IMPLEMENTATION

Prepared for
Spirit Valley Citizens Neighborhood
Development Association, Inc.

DULUTH, MINNESOTA
March 2003

Revised Master Plan Summary



1. Ramsey Street is proposed to be rebuilt as a more neighborhood scale, pedestrian-friendly street including welcoming signage at each end announcing arrival in the Ramsey Village. Larger scale residential or mixed used buildings facing Ramsey are planned for each entrance to create a sense of "arrival" into the residential neighborhood.
2. A grass covered berm, with significant shrub and tree plantings along with a decorative fence is necessary to buffer the residential area from Menard's facility. No entrances from the Menard parking lot will connect to the residential street of Wadena.
3. Elinor Street is suggested to be an entrance to the Menard facility from Grand Avenue and exit on to Colalillo Drive, with no access to Wadena Street.
4. The site on Ramsey Street alongside of Ramsey Manor is proposed to be a gentle use "pocket park" for all area residents.
5. A new neighborhood park terminates 53rd Avenue West North of Wadena Street, including a small community building.
6. Additional green space is realized along Colalillo Drive on the South side of Ramsey Street as redevelopment occurs in that area. Passive green space with trees and native plantings should be developed in the block at the SW corner of 51st Avenue West and Ramsey Street from the alley to Colalillo Drive.
7. A lighted, gravel walkway at least 15 feet wide is proposed from the new neighborhood park North of Wadena to Grand Avenue creating neighborhood access to the facilities and activities of Memorial Park.
8. Implementation of a variety of new housing units will occur on an incremental basis throughout the neighborhood.

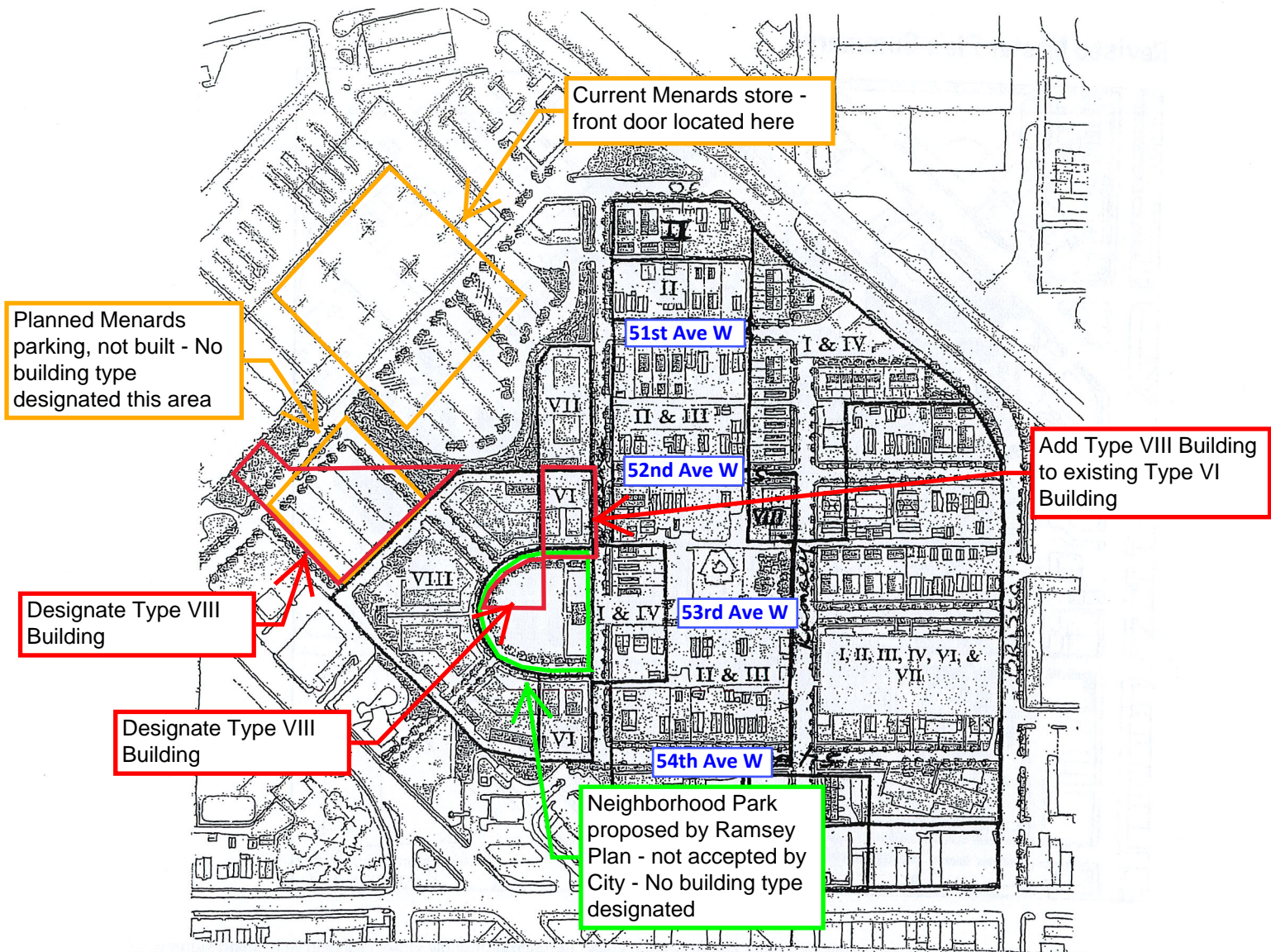
COUNCIL COPY

To City Council NOV 24 2023

Pub. Doc. No. 03-1124-20

Referred to _____

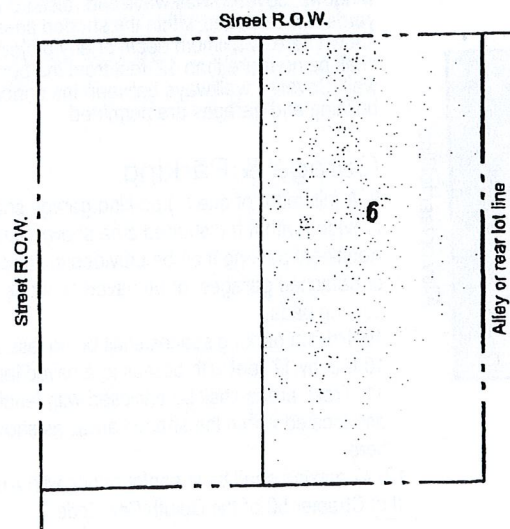
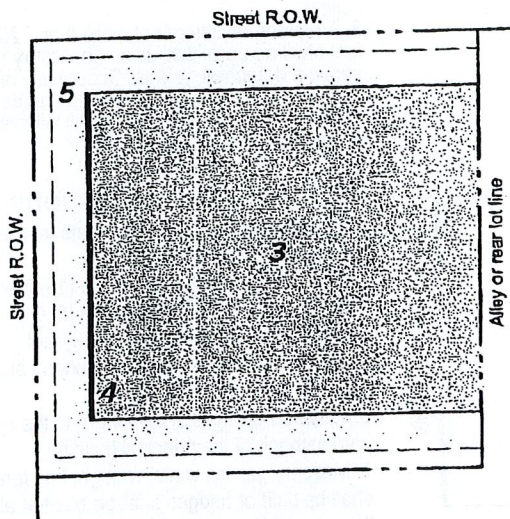
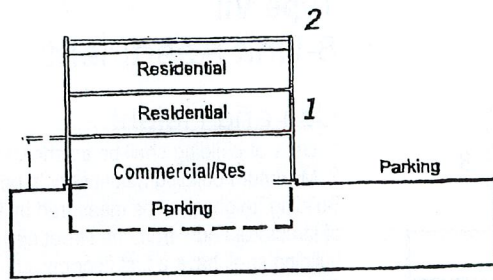
Regulating Plan



1. Reference applicable Urban Standards (shown in Roman Numerals above) for designated building types.
2. Maximum lot width South of Ramsey Street shall be sixty feet (60').
3. Maximum lot width North of Ramsey Street shall be fifty feet (50').
4. Building Type V - Accessory Unit - is allowed on all lots.
5. Residential units built North of Ramsey Street should front either
 - i. Wadena Street I built adjacent to Wadena or
 - ii. The new neighborhood park
6. "Main street" building types should be located at the SE and SW corner of 54th Avenue West and Ramsey Street
7. Passive green space with trees and native plantings should be developed in the block at the SW corner of 51st Avenue West and Ramsey Street from the alley to Colalillo Drive.

amended
 109635
 9753 II instead of IV

A-5 10



Type VIII Mixed-Use Building

Use and Height

1. Only the main floor of the building may house retail or commercial uses.
2. Residential space may be located on any of the three stories.
3. The building shall have a first floor elevation not to exceed twelve (12) inches above grade; on-grade is preferred.
4. Maximum building height is three (3) stories.
5. Each building's first story shall not exceed fourteen (14) feet in height measured from floor to ceiling.
6. Garages may be attached to the rear of the principal building.
7. Enclosed garage parking spaces may also be accommodated under the building.

Placement & Projections

8. Maximum front setback—ten (10) feet. Buildings should be set within lots relative to the property lines as shown here.
9. Maximum corner setback—ten (10) feet.
10. Building facades shall face the adjacent street.
11. Rear setback—six (6) feet.
12. Balconies, stoops, open porches, bay windows, covered walkways and raised door yards are permitted within the shaded areas as shown here. Maximum depth of any projection shall be no more than ten (10) feet from the building wall; in no case shall encroachments extend beyond the property line. Covered walkways between the principal building and garages are permitted.

Garage & Parking

13. Private parking spaces shall be no less than 10 feet by 17 feet with access to a paved lane.
14. Trash areas shall be enclosed with fencing and located within the shaded areas as shown here.
15. All parking shall be in conformance with Article III of Chapter 50 of the Duluth City Code.



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 23-029	Contact	Kyle Deming	
Type	Vacation of Alleys	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 7, 2023	60 Days	April 8, 2023
	Date Extension Letter Mailed	March 2, 2023	120 Days	June 7, 2023
Location of Subject	Between 52 nd and 53 rd Ave. W north of Wadena St. (Spirit Valley)			
Applicant	Center City Housing Corp.	Contact	Nancy Cashman	
Agent	Bill Burns/Terri Crossmon	Contact	Hanft Fride	
Legal Description	That part of the 16-foot-wide north/south alley abutting Lots 1-18, Block 168 and Lots 6-23, Block 169, West Duluth 7 th Division; and that part of the 10-foot-wide east/west alley abutting Lots 23-28, Block 169, West Duluth 7 th Division. (see attached Exhibit A)			
Site Visit Date	March 2, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 24, 2023	Number of Letters Sent	48	

Proposal: Vacation of parts of two alleys to form a unified parcel in preparation for site development.

Staff Recommendation

Approval of the vacation contingent upon retaining a utility easement over part of the north/south alley.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-P	Residential	Urban Residential
North	R-P	Vacant	Urban Residential
South	R-P	Residential	Urban Residential
East	R-P	Vacant	Urban Residential
West	R-P	Vacant	Urban Residential

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 Principles and Policies:

The following Imagine Duluth 2035 Governing Principles should be considered when reviewing the request:

- Governing Principle #7 – Create and maintain connectivity. The proposed vacation will reduce connectivity overall, but will result in a unified parcel to support a larger format development.
- Governing Principle #9 – Support private actions that contribute to the public realm. Vacation will allow for the development of the block to support community housing needs.
- Governing Principle #12- Create efficiencies in delivery of public services. Vacation will reduce the need for future alleyway construction.
- Housing Policy #1 – Increase density in and around the designated Core Investment Areas. Vacation is in the Spirit Valley Core Investment Area and will allow for a modest increase in housing density over the previous dwellings.
- Housing Policy #2 - Provide affordable, attainable housing opportunities. The vacation will support a development of a larger format affordable housing project.

Future Land Use

- Urban Residential: Greatest variety of residential building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers. Connected or adjacent to parks and open space. Overall residential density of 8 units/acre and up. Design standards ensure pedestrian orientation and mix of housing.

Zoning

- Residential-Planned (R-P): 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.

Related File: PL23-028 UDC Map Amendment

History:

- Ramsey Village Neighborhood Plan and associated Regulating Plan was approved by City Council in 2003.
- Dwellings adjacent to the proposed alley vacations were torn down in 1994 and 2013.
- The sanitary sewer in the alley is from 1928.

Review and Discussion Items

1. The proposal is to vacate existing alleys in preparation for development of a larger format building and parking in keeping with the zoning of the area. With the larger format development, access through the middle of the block for vehicles and pedestrians is not needed.
2. The proposal would not vacate all of the alleys in the block, thereby retaining the potential for vehicle and pedestrian connectivity for the portion of the block containing existing dwellings, one of which is using a portion of the alley for access to 53rd Ave. W.
3. The proposal would retain a utility easement over that portion of the alley containing a municipal sanitary sewer pipe.
4. MN Power has noted the presence of power line facilities in both the east-west alley and the entire length of the north-south alley and has requested retaining a utility easement over both alleys unless the power lines are relocated. Discussions between the applicant and MN Power for the relocation of those power lines is underway and, therefore, staff recommendation is to retain utility easements over the entire length and width of both alleys unless the power line facilities are relocated and any replacement easements granted by the applicant.
5. Currently, there remains a gravel alley that served the three dwellings removed from the northerly part of the block. This alley is useless at this point and will be removed if the petitioned vacation is approved.
6. MN Power commented that there are power lines in both alleys proposed for vacation and City Engineering provided technical comments on the vacation exhibit. No other comments have been received on the proposed vacations.
7. 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 alley vacation and retention of a utility easement, as petitioned, with the following condition:

1. The full width and length of the alleys proposed for vacation be retained as utility easements unless the applicant provides a written agreement for the relocation of power lines and any replacement easements are dedicated.
2. The Council approve the vacation with at least a 6/9's vote.
3. Applicant must present a vacation plat meeting the City Engineer's requirements within 90 days of Planning Commission's recommendation or the application will be denied.
4. The vacation must be recorded within 90 days of final approval by City Council, or such approval will lapse.



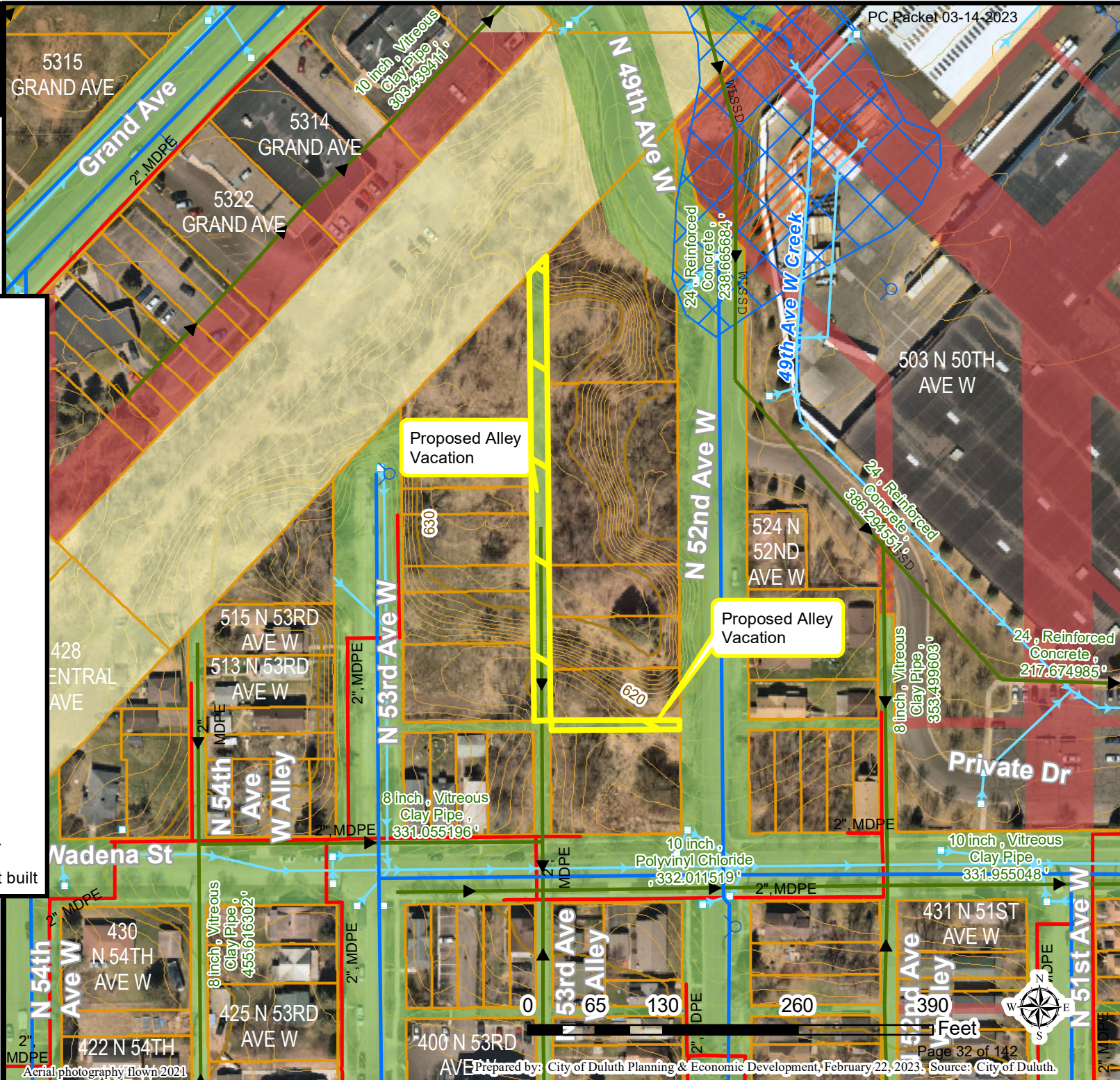
PL 23-029
Alley Vacation
Center City Housing Corp.

Site Map

Legend

- Streams**
- Other Stream (GPS)
- Floodplain (UDC)**
- Flood Way
- Parcels**
- Parcels
- Distribution Main**
- Water Main
- Hydrant
- Gas Main
- Sanitary Sewer Mains**
- City of Duluth
- WLSSD; Private
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Elevation**
- 1 Ft contour
- 10 Ft contour
- Undefined ROW Status
- ROW Status**
- Utility, Active
- Railroad, Active
- Access, Active - currently in use
- Road, Active - currently in use
- Utility, Vacated - via recorded doc.
- Road, Vacated - vacated
- Railroad, Inactive - Dedicated, not built

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.



PC Packet 03-14-2023

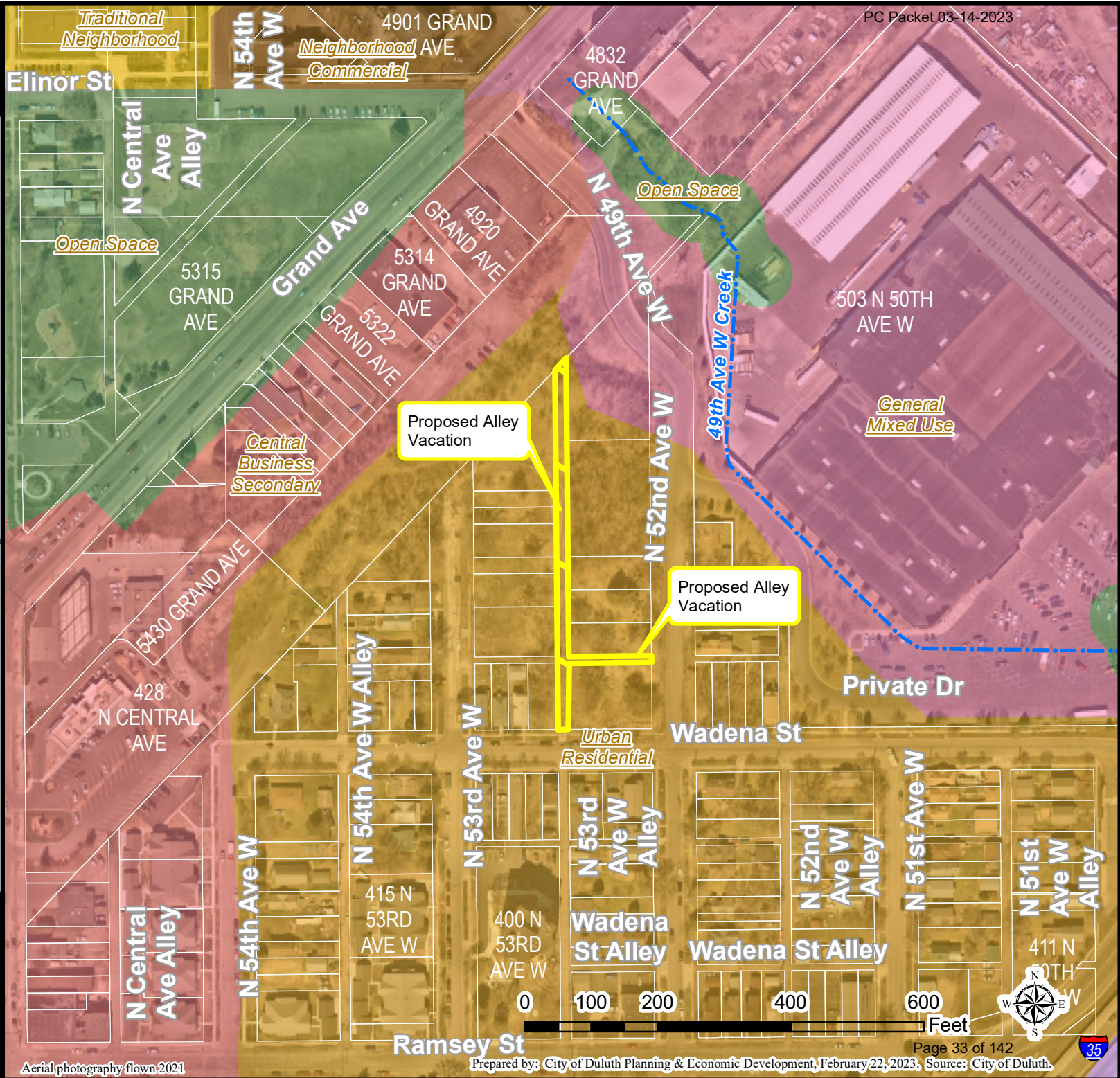
Aerial photography flown 2021

Prepared by: City of Duluth Planning & Economic Development, February 22, 2023. Source: City of Duluth.



PL 23-029
Alley Vacation
Center City Housing Corp.

Future Land Use Map



Legend

Streams

- Other Stream (GPS)

Future Land Use

- Open Space
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- General Mixed Use
- General Industrial

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.



PETITION TO VACATE STREET ALLEY OR UTILITY EASEMENT

Name: Center City Housing Corp., (Holder of Option from the Duluth Economic Development Authority)

Description of street, alley, or easement to vacate:

1. A Sixteen (16) Foot Public Alley between Blocks 168 and 169, WEST DULUTH SEVENTH DIVISION, adjacent to Lots 1 thru 18, inclusive, Block 168 and Lots 6 thru 13, inclusive, Block 169, WEST DULUTH SEVENTH DIVISION, dedicated in the recorded Plat of WEST DULUTH SEVENTH DIVISION, SPECIFICALLY retaining the easement for sanitary sewer purposes located therein.

AND

2. A Ten (10) Foot Public Alley between Lot 23, Block 169, WEST DULUTH SEVENTH DIVISION, and Lots 24 thru 28, Block 169, WEST DULUTH SEVENTH DIVISION, dedicated in the recorded Plat of WEST DULUTH SEVENTH DIVISION.

A map disclosing those specific portions described is attached hereto as Exhibit A.

My request for this vacation is to (indicate purpose of vacation): Petitioner/Owner requests the vacations to accrue to the adjacent property for which it has an interest or owns at least 51%. The vacations will allow for proposed future development by Petitioner/Owner.

The City of Duluth will not need this street, alley, or easement in the future because: Neither of these two public alleys have been built, the property is currently vacant, the Petitioner/Owner either have an interest in or own the property on either side and have determined they are no longer necessary. Additionally, Petitioner is working directly with Minnesota Power on the removal/relocation of its current overhead power lines at its expense.

PLEASE TAKE NOTICE: Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Counsel to vacate the street, alley, or easement described in the attached legal description.

This petition is made upon the following facts and reasons (identify the actual basis and reasons supporting the petition)¹:

1. Petitioner/Owner comprises at least 51% ownership of the real property abutting the property for which the vacations are sought, as depicted on the attached Exhibit A.
2. The subject alleys are 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 (other than sanitary sewer) in the city.
3. The subject alleys are not otherwise needed to promote the public health, safety or welfare of the citizens of Duluth.

¹ In order to vacate a public easement it must be demonstrated that the easement is useless for the purpose for which it was dedicated.

4. The vacations requested will allow for the continued, uninterrupted use of the adjacent properties.

This petition is supported by a majority of the person(s) who own a majority of the lineal frontage of the land abutting upon the portion of the public easement proposed to be vacated. A copy of the signature of these persons is attached hereto and made a part hereof.²

The petitioner(s) agree to provide the city with a plat of the easement(s) as required by Section 50-37.6B(3) of the Duluth City Code upon approval of the vacation. We understand that the vacation cannot occur without the submission of the required plat. We understand that the cost of producing the plat is the responsibility of the petitioner(s). We also understand that the approval will lapse and be of no effect if the plat and clerk certification is not recorded with the county recorder within 90 days after final approval.

Signature(s):  _____
Nancy Cashman, Executive Director of Center City Housing Corp.

Date: February 6, 2023.

Notice: This is public data.

² If a property is owned in joint tenancy or by tenants in common, each individual with an ownership interest will be counted to determine if a majority of owners have signed the petition. An owner cannot sign for another owner unless legally authorized to do so, i.e. power of attorney, trustee, or court approved guardianship or conservatorship.

Petition Signature Form

We, the undersigned, do hereby request that the City of Duluth consider vacation:

DULUTH ECONOMIC DEVELOPMENT
AUTHORITY

By Christopher E. Fleege
Its DIRECTOR PLANNING & ECONOMIC DEVELOPMENT

EXHIBIT A

VACATION EXHIBIT

VACATION DESCRIPTION:




That part of the 16 foot wide north/south Alley abutting and adjacent to Lots 1 - 18, Block 168 and Lots 6 - 23 Block 169, WEST DULUTH 7th DIVISION, City of Duluth St. Louis County, Minnesota. The south sideline terminating at the north line of the 10 foot wide east/west alley in Blocks 168 and 169. Retaining public utility easement for sanitary sewer purposes over, under and across those parts of said north/south alley abutting and adjacent to Lots 10 - 18, said Block 168 and Lots 15 - 23, said Block 169.

AND

That part of the 10 foot wide east/west Alley abutting and adjacent to Lots 23-28, Block 169, WEST DULUTH 7th DIVISION, City of Duluth St. Louis County, Minnesota. The west sideline terminating at the east line of the 16 foot wide north/south alley abutting and adjacent to said Block 169.

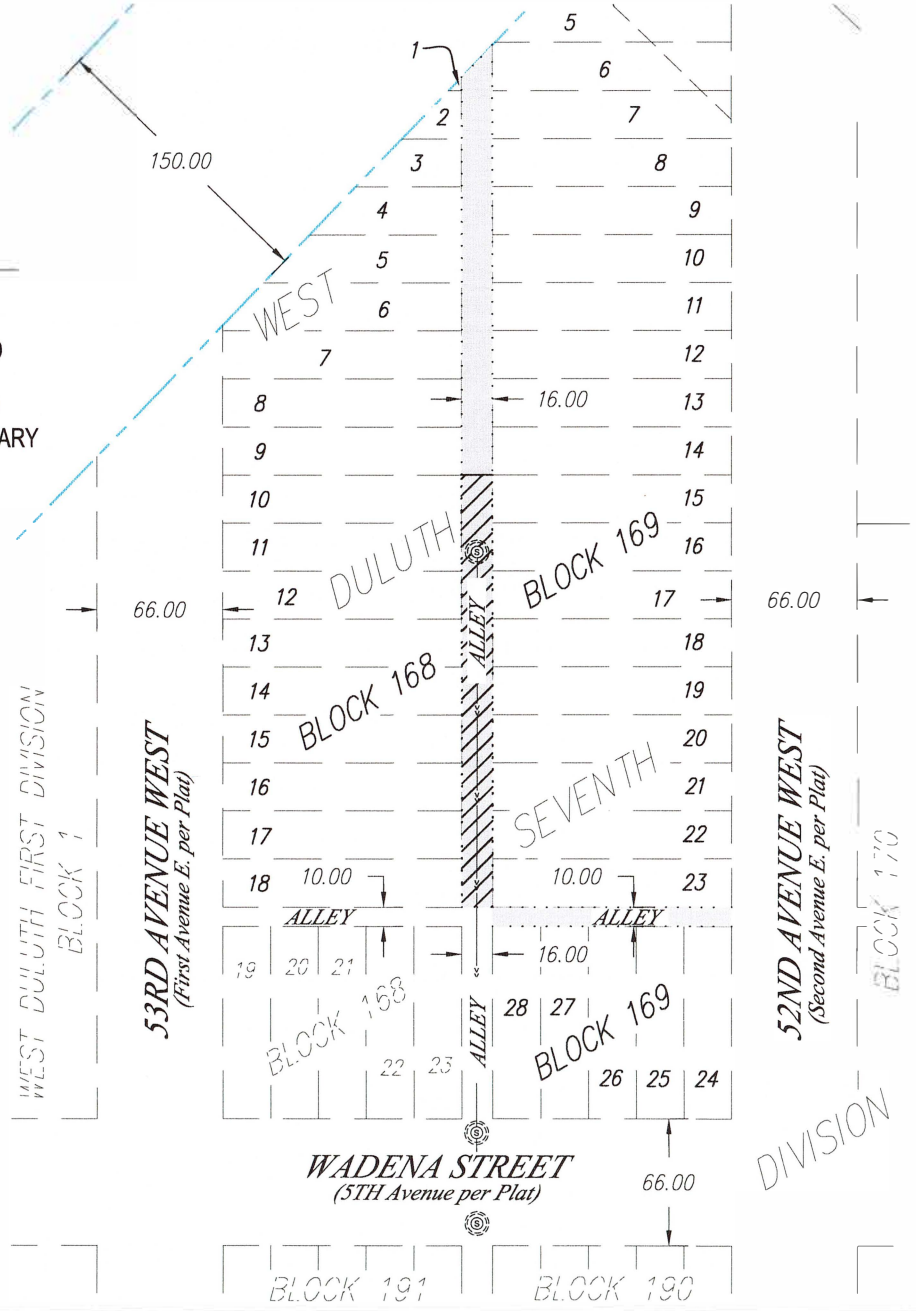
APPROVED BY:

CITY ENGINEER

-  = AREA TO BE VACATED
-  = AREA TO BE VACATED WITH RETAINED SANITARY SEWER EASEMENT
-  = EXISTING SANITARY SEWER MANHOLE



(SCALE IN FEET)
Basis of Bearing is Grid North,
St. Louis County Transverse
Mercator 96 Coordinate System.



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 Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel

License # 44075

Signature: 

Date: 2/06/2023

DATE PREPARED: 02/06/23

PROJ NO: xxxxx

FILE: 230100vExhib

SHEET 1 of 1 SHEETS



21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446

Date: February 24, 2023
 To: Planning Commission and Deputy Director Fulton
 From: Chris Lee, Planner II
 RE: PL 23-021 Master Sign Plan

The Jigsaw LLC and Kimley-Horn have submitted exhibits for a Master Sign Plan at the new Jigsaw development near the corner of Anderson Road and Central Entrance. The intent of a master sign plan is to provide a uniform signage plan for a large multi-tenant site. It also allows for more rapid zoning review of pending sign permit applications. The relevant UDC language is as follows:

50-27.9 Master sign plan.

A. Following the effective date of this Section, an applicant is required to submit a master sign plan for any new commercial multi-tenant building or development that includes non-residential uses, including mixed-use development, for review and approval by the planning commission. The planning commission shall review the application, conduct a public hearing pursuant to Section 50-37.1.I, with public notice as required by Section 50-37.1.H, and make a decision to adopt, adopt with modifications, or deny the application;

B. The master sign plan must provide a coordinated design for all building-mounted signs including, at a minimum, criteria and specifications for sign locations, general range of sign area, and lighting. All freestanding signs must be shown on the sign plan, including size, location and lighting;

C. Once approved, signs erected within the multi-tenant development must follow the master sign plan;

D. The review and approval process for a master sign plan does not allow for variations to the requirements of this Section. (Ord. No. 10204, 3-11-2013, § 1; cited only in Ord. No. 10222, 5-13-2013, § 1.)

The applicant has summarized that they wish to create a cohesive and unified plan keeping all signage at a scale that is compatible with visitors to the site while also avoiding conflicts with residential users.

The signage proposed in the master plan exceeds the UDC in one area: the size of monument signs (10 feet proposed versus 7 feet allowed). The remaining elements of the master sign plan place higher restrictions on allowed signage (signs on 3 walls only versus 4 walls).

Staff recommends approval of the master sign plan, with the following conditions:

1. The master pan is amended to indicate a maximum height of monument signs to 6' tall, and
2. Zoning and building permits are still required for signs allowed under this master sign plan, and
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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50

Master Sign Plan

The Jigsaw Commercial Development

West Central Entrance and Anderson Road, Duluth, MN 3.65 Acres (AC)

Legal Description: Jigsaw, Block 1, Lot 1 (1.12 AC), Lot 2 (0.71 AC) and Lot 3 (1.79 AC)

Prepared by: Launch Properties, LLC (Master Developer)

The Jigsaw

Master Sign Plan & Policy (MSP)

The Jigsaw (Jigsaw) is a 3.65-acre interconnected, cohesive, local, commercial goods and services development zoned MU-N “Mixed Use Neighborhood” made up of individual lot development with lot sales and leases to corporate users developed by The Jigsaw, LLC a Minnesota limited liability company, operated by Launch Properties, LLC. (“Master Developer”). This MSP shall be part of and incorporated into the development’s recorded Declarations.

Procedure for Sign Approval

Prior to any installations of any sign at Jigsaw, all tenants and/or owners must submit to the City of Duluth (City) a complete, official application for a City sign permit and receive a valid City Sign Permit which shall comply with the criteria herein this Master Sign Plan and City sign codes where the Master Sign Plan is silent in such instances. However, where different, The Jigsaw Master Sign Plan (MSP) shall prevail. No tenant sign shall be erected constructed, altered, rebuilt, or relocated until the City has issued a permit.

Monument Signs

The Jigsaw monument signs shall be strategically placed as shown on **Exhibit A**. The Jigsaw shall have one monument-style sign for each individual Lot, (except Lot 3, if split, shall share a monument sign as depicted in **Exhibit B**).

Each monument must be setback a minimum of five (5) feet from property line adjacent to West Central Entrance as shown on **Exhibit A**.

Each monument sign shall have a matching masonry base as determined by the final material selections of the monument for Lot 3. Each monument base may have a maximum height of three (3) feet. Each monument sign cabinet shall have a maximum height of ten (10) feet.

Each monument sign shall have an overall maximum height of thirteen (13) feet, except for the monument sign on Anderson Road on **Exhibit B2** which shall have a maximum height of seven (7) feet. Example: Sign base is three (3) feet high and sign cabinet is ten (10) feet high for a total of thirteen (13) feet. Each monument sign shall be a maximum of ten (10) feet wide. See **Exhibit B** and **Exhibit B-2** for depiction of sign dimensions. Sign cabinets may vary in size and shape so long as they are no wider than ten (10) feet.

All monument sign bases must be uniform in materials and color as described on **Exhibit B**. If a lot contains more than one business user, that lot may share space on the cabinet portion of the sign.

Building Signs of Wall Signs

All wall signs must comply with all City of Duluth sign codes and policies except and including:

- a.* The maximum size of a wall sign is two (2) square feet per linear foot of building façade where the wall sign will be mounted or 40 square feet, whichever is greater. Area of signs shall be determined by actual outline of the sign(s). In the case of individually lit letters, the actual outline of the letter will determine its square footage.
- b.* Logos are allowed and shall be measured individually to the outline of the logo to determine the area in relation to the overall sign area.
- c.* Three (3) wall elevations may be used so long as the total square footage on any wall does not exceed the above allowed amount per elevation.

Temporary Building Signs

Each building, or tenant in the case of a multi-tenant building, is allowed a one (1) thirty-day Grand Opening temporary sign and one (1) thirty-day re-grand opening temporary sign not less than five (5) years from the initial Grand Opening date.

Special event temporary signs are allowed once every year for thirty (30) days. Temporary signs shall be comprised/constructed of durable all-weather materials (such as, but not limited to plywood, coreoplast [plastic foam-core] alumacore, and polycarbonate [Lexan]) mounted to the

building on up to two (2) walls or they may be freestanding located on user's lot outside the public right-of-way. Temporary signs must not be larger than fifty (50) square feet. Temporary A-frame (sandwich board) signs may be used for ninety (90) days each year. A-frame signs must not be larger than five feet (5') high by three feet (3') wide and must not be in the public right-of-way of in the path of ingress or egress to a building. BANNERS ARE PROHIBITED.

Menu Board Signs

Drive-through menu board signs are allowed with the following criteria below:

- a. All drive-through menu board signs shall be single sided and located adjacent to the drive-through lane. Signs may be affixed to the building or free-standing.
- b. Drive-through menu board signs shall not exceed eight (8) feet above grade in height.
- c. Drive-through menu board sign shall not exceed fifty (50) square feet.
- d. Up to two drive-through menu board signs are permitted per drive-through lane (excludes directional sign(s)).
- e. Anytime a business or drive-through is closed to the public, any Drive-through menu board sign shall be turned off until the business or drive-through is open to the public.
- f. Drive-through sign(s) shall not be located as to impair the vision of the driver of a vehicle traveling either into or out of drive-through lane.
- g. Dynamic and interactive menu boards and point of sale systems may be used with custom and changing color displays, video, animation or interactive messages for customer's use during the ordering process.

Directional Signs

Each lot may have directional signs as needed for safe vehicular, bicycle, and pedestrian flow with the following criteria.

- a. Shall not exceed five (5) feet above grade in height.
- b. May be illuminated and double sided.
- c. May be affixed to the building or free-standing.
- d. Shall not exceed twenty (20) square feet.
- e. May include a clearance bar warning system for drive-through traffic.

The Jigsaw Development may have one (1) entrance sign monument installed on Anderson Road as depicted on **Exhibit A and Exhibit B-2**.

Prohibited Signs

All signs prohibited by the City of Duluth sign codes and policies including the following:

- a. Moving or rotating signs.
- b. Signs employing moving or flashing lights.
- c. Signs employing un-edged or uncapped plastic letters or letters with no returns or exposed fastenings.

- d. Flashing, pulsating, Signs employing noise making devices and components, rotating light (or lights), rooftop, mobile signs, and portable signs shall be prohibited, as well as other prohibited signs covered under §1010.03.C of the Roseville City Code.
- e. Cloth, wood, paper or cardboard signs, stickers, non-illuminated signs, decals or painted signs around or on exterior surfaces (door and/or windows) of the premises, unless previously approved by the Landlord.
- f. Non-illuminated signs.
- g. Inflatable advertising devices.

OTHER REQUIREMENTS

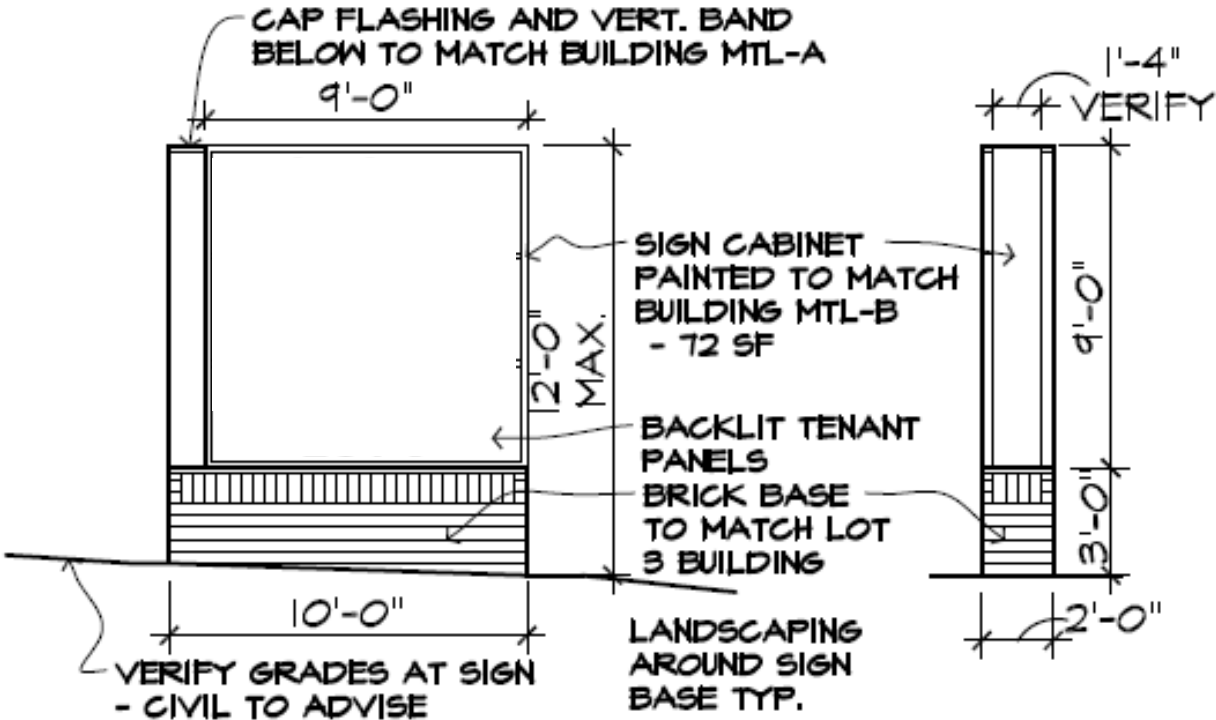
- a. The Master Developer or its assign(s) shall sign-off on any sign proposal and shall accompany any sign permit and shall meet the requirements of this Master Sign Plan and shall be part of the recorded Declaration.
- b. A sign permit is required for the installation of all signs on the premises, except the reinstallation of for-lease information on the freestanding sign when vacancies occur.

Master Developer Contact:

Dan Regan, principal: Launch Properties
612-987-9966 dregan@launchproperties.com

EXHIBIT B

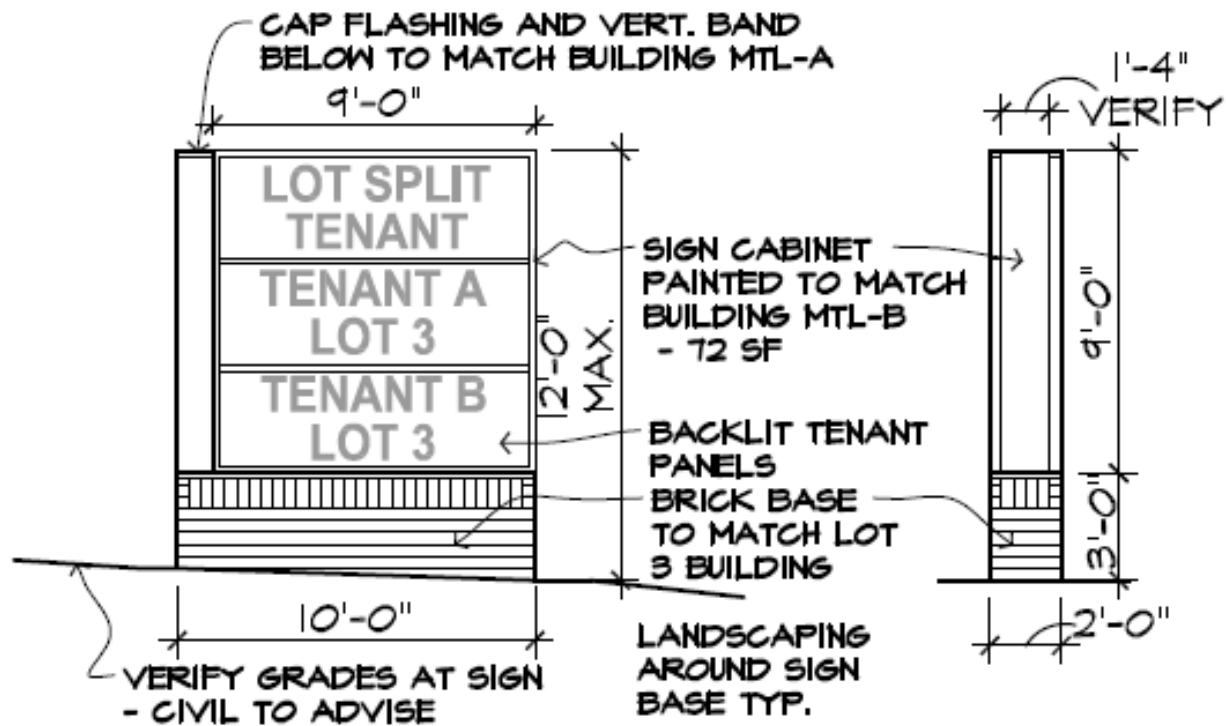
Parcels (Lots) 1 & 2



MONUMENT SIGN AT WEST CENTRAL ENTRANCE

EXHIBIT B-1

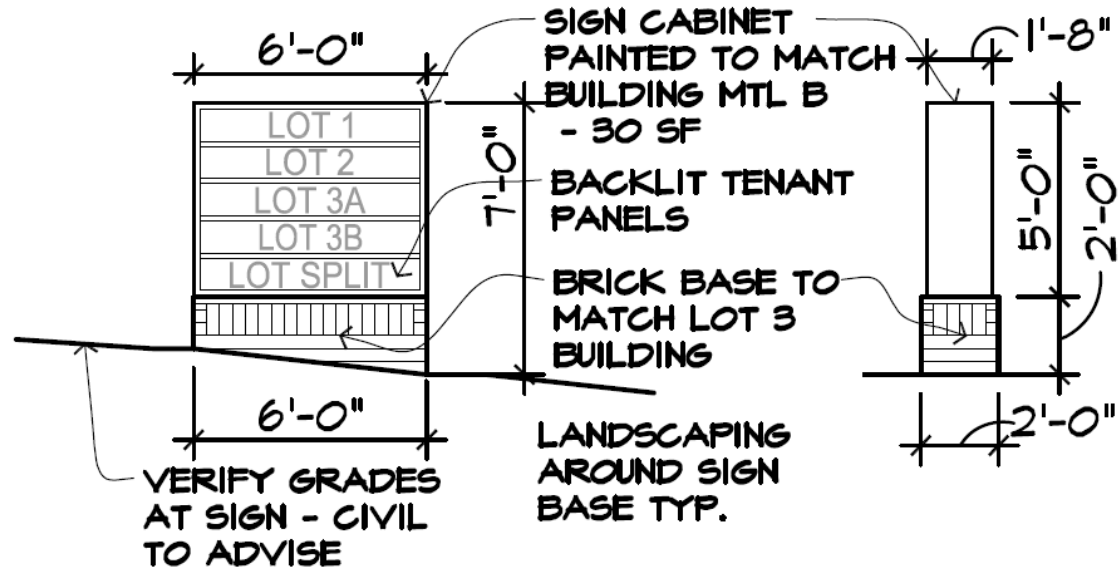
Parcel (Lot) 3



MONUMENT SIGN AT WEST CENTRAL ENTRANCE

EXHIBIT B-2

Parcel (Lot) 3



MONUMENT SIGN AT ANDERSON RD



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 23-004	Contact	Kyle Deming	
Type	Variance – building placement	Planning Commission Date	February 14, 2023	
Deadline for Action	Application Date	January 10, 2023	60 Days	March 11, 2023
	Date Extension Letter Mailed	January 20, 2023	120 Days	May 10, 2023
Location of Subject	30 S. 42 nd Ave E. (Lakeside-Lester Park)			
Applicant	Jack Shapiro	Contact	on file	
Agent		Contact		
Legal Description	Wly 75 feet of Dock Reservation, except part taken for street, London Addition (010-3070-02640)			
Site Visit Date	January 31, 2023	Sign Notice Date	January 31, 2023	
Neighbor Letter Date	January 20, 2023	Number of Letters Sent	16	

Proposal

A variance to allow placement of a 24-ft. by 28-ft. detached garage in the area between the front of the home and Quebec Ave.

Recommended Action: Approve 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	N/A	Lake Superior	N/A
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

Table 50-21-1: Exceptions and Encroachments – No accessory structure may be located (a) between a street and any façade of a primary building facing that street.

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. 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 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 Comprehensive Plan.

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

- #1 Reuse previously developed lands. The project would allow construction of a garage to accompany an existing dwelling.
- #5 Promote reinvestment in neighborhoods. The project would result in enhancing the value of an existing dwelling utilizing existing infrastructure.

Comprehensive Plan 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.

UDC Purpose (Sec. 50-2):

- (h) To enhance property values and the general appearance and natural beauty of the city;
- (k) To promote, preserve, and enhance the water resources and environment within the city and protect them from adverse effects caused by poorly sited or incompatible development in wetlands, shorelands and floodplains.
- The project would locate all vehicle driving surfaces on the north side of the dwelling away from Lake Superior.

UDC Zone District Purpose – Residential-Traditional (R-1) - Established to accommodate traditional neighborhoods of single-family detached residences, duplexes and townhouses on moderately sized lots. This district is intended to be used primarily in established neighborhoods.

History:

1. 1941 – Existing 1,083 sq. ft., 2-bedroom home constructed with no garage.

Review and Discussion Items

Staff finds that:

1. The lot is 75 feet wide by approximately 315 feet deep due to an undulating Lake Superior shoreline (see property boundary survey). The sanitary sewer service exits the rear (lake side) of the house and runs west to the property boundary and then heads northerly into the City main near the corner of Quebec Ave. and 42nd Ave. E. The water and gas services connect at the northwest corner of the house (see property boundary survey). The property is sloped toward the lake declining 18 feet from the street to the top of the bluff where it drops 17 feet to the Lake Superior shore.
2. The proposed detached accessory structure (garage) has overall dimensions of 24 ft. east-west (parallel to Quebec Ave.) by 28 ft. north-south. The garage is located at 6 feet from the east lot line, which results in 24 feet of the home's 42 feet of width being "blocked" by the garage. This garage is a reasonable use and scale for a residential property due to the need to store two vehicles as well as yard and recreational equipment sheltered from Duluth's sometimes harsh weather.
3. The home is sited 100-175 feet from Lake Superior, 6 feet from the east lot line, 105 feet from the north (Quebec Ave.) lot line, and 27 feet from the west (42nd Ave. E.) lot line. Since this is a corner lot, the side yard setback from the west property line is 15 feet, leaving an area of only 12 feet in width where the garage could be located in front of the home while complying with UDC requirements. The site plan shows the gas service being located in this area. A twelve-foot-wide garage would not provide the intended vehicle storage space.
4. The proposal is consistent with the Comprehensive Plan principles and UDC purpose by limiting impervious surfaces to the parts of the site furthest from Lake Superior and having a minimal driveway length. The proposed garage is sited to be sensitive to the aesthetics of the site when viewed from Quebec Ave. (see site plan) such that the home will still be highly visible when approaching the property from 42nd Ave. E. The applicant is proposing to reuse a previously developed site.
5. The need for a variance is caused by site constraints unique to this site and not caused by the applicant, including shallow subsurface soil conditions and the location of sanitary sewer service. The applicant's 1/19/2023 email (attached) provides professional judgement advising against locating a driveway along the west side of the home, which would be necessary if the garage was located in compliance with the UDC. The corner side yard setback and the presence of the home's gas service in the front yard prevents the garage from being located northeast of the home.

6. Granting the variance will not alter the essential character of the area because the neighbor to the east has a similarly sized garage sited adjacent to the applicant's proposed garage. The neighbor across Quebec Ave. has an approximately 16-foot by 16-foot garage across the street from the proposed garage. Additionally, placement of the garage in this area will be least impactful to views of the applicant's home and Lake Superior when viewed from the home across Quebec Ave.
7. The variance, if granted, will not impair an adequate supply of light or air or add to fire danger because the garage is proposed to exceed the building code's requirement of 5 feet setback from property lines.
8. Granting the variance is not expected to unreasonably diminish established property values in the area because the proposed garage is scaled and sited such that the view from the street to the dwelling is only minimally impacted. The proposed garage is not expected to impact the values of property on the upper side of Quebec Ave. due to the distance and home's elevation approximately 15 feet above grade of the proposed garage.
9. Granting the variance is not expected to increase congestion on public streets or impair the health, safety, or public welfare of inhabitants of the city due to factors identified above.
10. One comment from City Parks asking for consideration of the beach access trail running down the centerline of the platted, but unbuilt, 42nd Ave. E. adjacent to the subject property (see black dashed line on the GIS map attached). No other comments from citizens, City staff, or any other entity were received regarding the application.
11. 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, a 24-foot by 28-foot, one-story garage to be located at 6 feet to the east property line and 25 feet to the north property line as shown on the site plan.
- 2) The driveway not extend south of the south wall of the garage.
- 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL 23-004
 Variance
 30 S. 42nd Ave. E.
 Jack Shapiro



Legend

- Parks
- Trails**
- Hiking
- Multi-Use - Paved
- Municipal Boundary

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.



PL 23-004
 Variance
 30 S. 42nd Ave. E.
 Jack Shapiro

Future Land Use



Legend

Future Land Use

- Open Space
- Traditional Neighborhood
- Urban Residential
- Parks

Trails

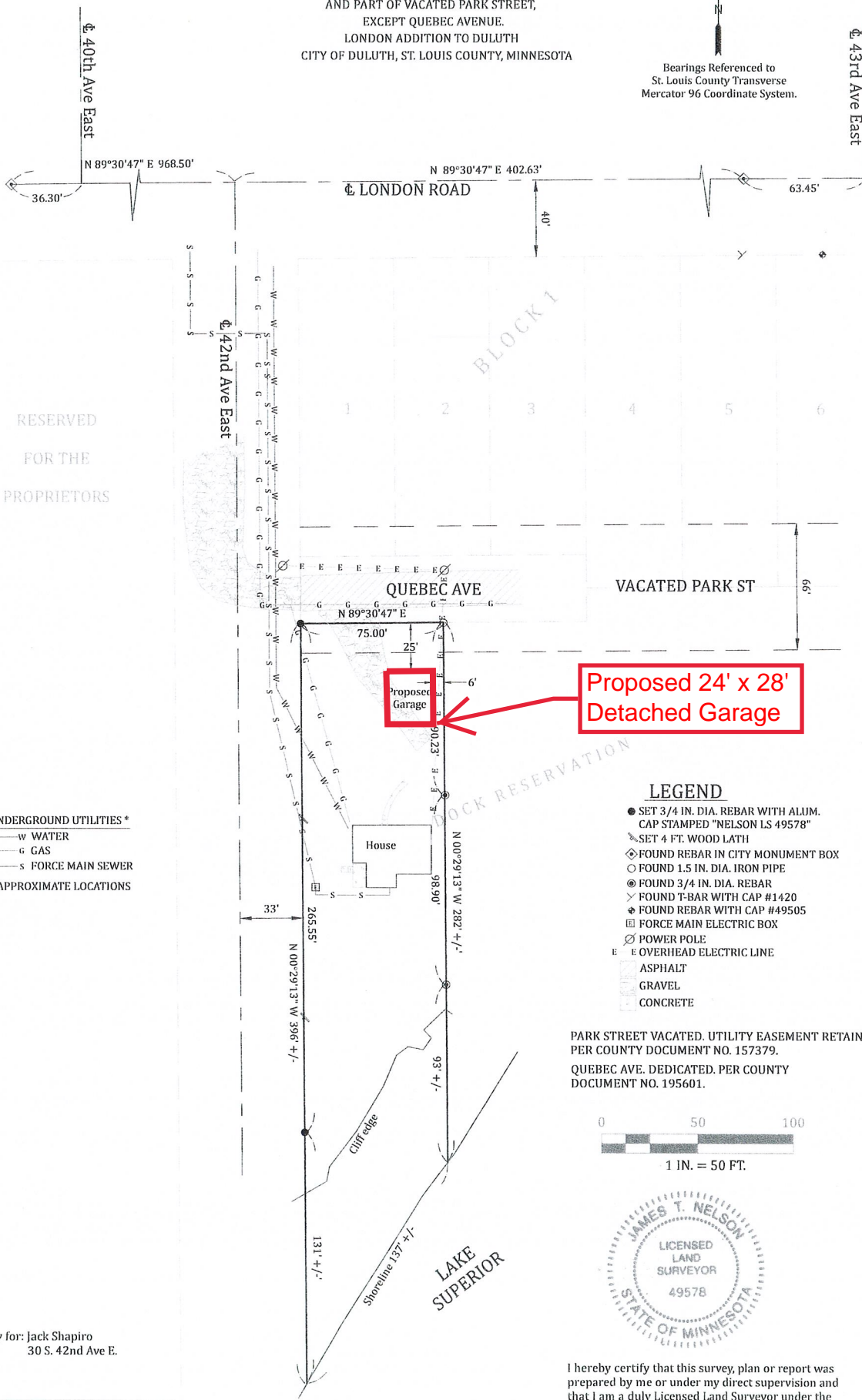
- Hiking
- Multi-Use - Paved
- Municipal Boundary

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.



CERTIFICATE OF SURVEY
THE WEST 75 FT. OF DOCK RESERVATION
AND PART OF VACATED PARK STREET,
EXCEPT QUEBEC AVENUE.
LONDON ADDITION TO DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

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



RESERVED
FOR THE
PROPRIETORS

BLOCK 1

Proposed
Garage

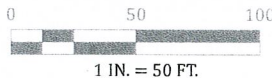
Proposed 24' x 28'
Detached Garage

UNDERGROUND UTILITIES *
w — w WATER
g — g GAS
s — s FORCE MAIN SEWER
* APPROXIMATE LOCATIONS

LEGEND

- SET 3/4 IN. DIA. REBAR WITH ALUM. CAP STAMPED "NELSON LS 49578"
- ▨ SET 4 FT. WOOD LATH
- ⊠ FOUND REBAR IN CITY MONUMENT BOX
- FOUND 1.5 IN. DIA. IRON PIPE
- ⊙ FOUND 3/4 IN. DIA. REBAR
- ⋈ FOUND T-BAR WITH CAP #1420
- ⬢ FOUND REBAR WITH CAP #49505
- ⊞ FORCE MAIN ELECTRIC BOX
- ⊕ POWER POLE
- OVERHEAD ELECTRIC LINE
- ASPHALT
- ▨ GRAVEL
- CONCRETE

PARK STREET VACATED. UTILITY EASEMENT RETAINED.
PER COUNTY DOCUMENT NO. 157379.
QUEBEC AVE. DEDICATED. PER COUNTY
DOCUMENT NO. 195601.



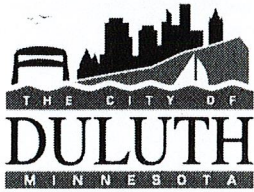
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

James T. Nelson
James T. Nelson

Date: 12/27/2022
License Number: 49578

Survey for: Jack Shapiro
30 S. 42nd Ave E.

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



Planning & Development Division
 Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

Variance Application Supplemental Form

In order to submit a complete variance application, please explain how your request meets all of the below variance criteria. This is information that is required by the zoning code and will be shared with the Planning Commission during their review. You may fill out this form, or attach your information in a separate letter. This information will be shared with the Planning Commission in order to help them determine the appropriateness of the variance application and request.

List the UDC Section you are seeking relief from (example: "50-14.5 – front yard setback in an R-1"):

~~Chapter 50 Article IV, Section 50-23.3 Exceptions and Encroachments, and Table 50-21.1 Exceptions and Encroachments, Accessory Structures, a. relief from required front yard setback for an accessory structure in the R-1 zone and Shoreland Overlay District.~~

1. Please explain how the exceptional narrowness, shallowness or shape of the property, or exceptional topographic or other conditions related to the property, would result in practical difficulties under strict application of the requirements of the UDC:

~~The subject property is a unique parcel among the other 14 parcels between 41st and 43rd Avenues east on the south (or Lake side) of London Road. Eleven (11) of the 14 parcels are developed, and nine (9) have London Road frontage and property access. South 42nd Ave east dead ends at the applicants north property line, but the platted ROW continues to the Lake. The roadway turns 90 degrees east and becomes Quebec Ave to the east line of parcel 010-3070-02655. The applicant's property is a corner~~

2. Please explain how the special circumstances or conditions that create the need for relief is due to circumstances unique to the property, and were NOT created by the property owner or the property owners' predecessors-in-interest:

~~The subject parcel is a corner lot with dedicated, but unimproved public right of way on the north and west sides of the lot. The UDC R-1 Zoning permits accessory structures with a 15-foot side yard setback and a 25 foot rear yard setback. However, Section 51-23.3 and Table 50.21.1.a-e. states; No Accessory Structure may be located between a street and facade of a primary building facing that street, or closer than 10 feet of a principle structure on any adjacent parcel, or closer than 5' to a rear property line, or closer than 3 feet to any side lot line.~~

3. Please explain the special circumstances or conditions applying to the building or land in question are peculiar to this property or immediately adjoining properties, and do not apply generally to other land or buildings in the vicinity:

~~The 10 properties east, west, and north of 30 South 42nd Ave east, are an interesting mix of lot sizes and shapes all intended or working to preserve shoreland characteristics and existing views of Lake Superior. Of the 9 parcels between 41st Ave East and 43rd Ave East that front on London Road, 6 have shoreline frontage and unobstructed views of the lake. The corner lot on the west side of 42nd does not have shoreland frontage but the unimproved right-of way and undeveloped westerly side of the applicants lot provides an unobstructed view corridor and lake shore access for this property. On the south side of Quebec Ave, there are five (5) parcels, two (2) are developed and three (3) are vacant. The two (2) most easterly parcels are owned by properties that front on London Road. The second lot on the southside of Quebec Ave has two Accessory structures both of which are located in front of the facade of the primary structure and have minimal side and rear yard setbacks. These two accessory buildings obstruct the easterly view corridor of parcel 010-2960-00800.~~

4. Please explain how the application proposes to use the property in a reasonable manner, which would not be permitted by this code except for a variance:

The applicant has a practical difficulty using the west side of the lot for a 24' by 28' detached garage. At one time the property had a septic system. When the sanitary sewer was extended to the lot, the septic tank location became a wet well and pump housing, with a six inch force main pumping up gradient to the public sewer in 42nd Ave E. Building over the pressurized sewer pipe is not an option. The owner believes the optimum location for the new garage is the northeast corner of the property with a 6 foot side yard setback, and a 25' foot rear yard setback. The owner also has a practical difficulty with the topography on the west side of the lot, the land slopes sharply to the lake shore, and also slopes west to the undeveloped platted street right-of way, which also contains an intermittent drainage way.

5. Please explain how that if the variance is granted it will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety or public welfare of the inhabitants of the city:

The variance if granted would allow the applicant reasonable use of a unique R-1 property in the London Road/North Shore/I-35 Corridor and Lake Superior Shoreland Zone. The proposed 24' by 28' garage would impact/disturb less than 1,500 square feet of grassed area and off street parking area. The project will cause a spike in traffic on Quebec and 42nd Avenues during construction. The location will minimally impact 2 adjacent properties, one with temporary construction noise and one with minimal intrusion into existing view corridors. The structure will meet all current building codes and not present a fire danger to any existing occupied dwellings. The project will comply with all shoreland zone requirements for erosion control and stormwater containment and routing. When complete the project will not adversely impact the value of the adjacent properties or impact the health safety or public welfare of the City.

6 Please explain 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 requested variance is for a one half acre, corner lot, in the R-1 Zone, with 75 feet of frontage, on a public street, in a shoreland overlay zone, to allow an accessory structure. The proposed accessory structure will not be visible to other residential development facing London Road, and it will not be visible from the shoreline. The applicants plan has a minimal impact on two adjacent properties, and no impacts on 11 properties with in 500 feet of the site. The project protects Lake water quality and shoreland character. The plight of the owner is strict interpretation regarding the applicability of 51-23.3, which only results in more practical difficulties for the owner and unnecessarily increases the cost of the project.

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D through M (E. Unsewered Areas, F. Two Family Dwellings in R-1, G. Parking Regulations, H. Reduce Setbacks, I. MU-C District, J. Airport Overlay, K. Flood Plain Regulations, L. Shorelands, or M. Non-Conforming Buildings)?

Yes No

Discuss what subsections are applicable and how this request meets those: _____

The proposed project meets the specific criteria of Subsection H. Variance to Reduce Setbacks, and Subsection L. Standards for Variances in Shorelands. A landscaping plan for the area between the proposed garage and the right-of -way for Quebec Ave is not required and existing vegetation will remain. The project will not compromise Section 50-18 1 D or result in Adverse Consequences to the environment. Subsection C. Variance Criteria: 1. The location, size and slope of the applicant's land creates unique circumstances warranting a variance. 2. The plight of the owner is due to circumstances unique to the property and are not created by the applicant/owner. 3. The special circumstances and conditions applying to this property are peculiar to the site and do not generally apply to other land and buildings in the vicinity. 4. The owner proposes to use the property in a reasonable manner not permitted by the code, 5. Relief will not impair an adequate supply of light and air to adjacent property or unreasonably increase congestion on public streets, or the danger of fire or imperil public safety, or unreasonably diminish or impair established property values within surrounding areas. or in any other

JACK E. SHAPIRO VARIANCE APPLICATION

ADDITIONAL PAGE TO VARIANCE APPLICATION SUPPLEMENTAL FORM, PAGE 2, ITEM IS UNNUMBERED FOLLOWING #6 OF THE FORM.

DOES THE VARIANCE REQUEST NEED TO MEET ANY OF THE SPECIFIC CRITERIA IN UDC SECTION 50-39.9, SUBSECTIONS D THROUGH M. etc.

SUBSECTION C. GENERAL VARIANCE CRITERIA: CONTINUED FROM THE BOTTOM OF PAGE 2.

respect impair the health, safety or public welfare of the inhabitants of the city.

6. The relief may be granted without substantially impairing the intent of this Chapter and the official zoning map, and will not alter the essential character of the locality.
7. Relief does not allow any type of sign that is not allowed in the zone district where the property is located pursuant to Section 50-27.
8. The relief complies with any additional limitations or criteria applicable to that variance in Subsections D through M.
9. Economic considerations alone do not constitute a practical difficulty.

Kyle Deming

From: Jack Shapiro <>
Sent: Thursday, January 19, 2023 4:58 PM
To: Kyle Deming
Subject: Variance Request – 30 S 42nd Avenue East, Duluth, MN

Dear Mr. Deming,

The following is some supplemental information pertaining to the above captioned matter that I thought may give you additional insight.

It is my understanding the forced main sewer line extending from the holding tank (wet well and pump housing) on the west side of the dwelling is shallow in nature due to the subsurface soil conditions. The aforementioned was related to me by the contractor who installed the sewer line.

Duane Peterson, Superior Construction said although it is possible to install a driveway above such conditions, it is highly inadvisable due to potential recurring winter frost problems. Bill Bergstrom from City Engineering preferred the term “Not ideal” and concurred with a location that would not incur such potential problems.

Feel free to contact me if you need any additional information or have any more questions or concerns.

Sincerely,

Jack

Jack Shapiro

File Number	PL 23-026	Contact	John Kelley	
Type	Variance from corner side yard setback	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 6, 2023	60 Days	April 7, 2023
	Date Extension Letter Mailed	February 22, 2023	120 Days	June 6, 2023
Location of Subject	Parcel 010-0290-00500 located between 7035 and 7101 East Superior Street			
Applicant	Charles Obije	Contact		
Agent	Gary Turpening	Contact		
Legal Description	See Attached	Sign Notice Date	February 28, 2023	
Site Visit Date	March 3, 2023	Number of Letters Sent	7	

Proposal

The applicant is seeking a corner side yard variance to reduce the setback from the required 25' setback to 15' to construct a new house and garage on a 60' x 300' lot in the RR-2, Rural Residential 2 zone district.

Staff Recommendation

Staff recommends that the Planning Commission approve the variance.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	RR-2	Vacant land	Rural Residential
North	RR-2	Vacant land/ROW	Rural Residential
South	RR-2	Street	Rural Residential
East	RR-2	ROW/Residential	Rural Residential
West	RR-2	Residential	Rural Residential

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):Future Land Use

Rural Residential: Areas of single family lots of at least five acres. Limits the extension of municipal utilities for new development. Includes existing rural density areas with lots as small as an acre now served by municipal utilities but not planned for further subdivision.

History

The lot was created prior to the RR-2 zoning. The lot is considered a legal nonconforming lot of record and can be built on.

Review and Discussion Items:

- 1) The applicant is seeking a variance to the corner side yard setback to construct a new single-family home and garage. The parcel is considered a corner lot as it is adjacent to the unimproved right of way for 71st Street East. The variance is for a reduction in the corner side yard setback from 25' to 15' along the east property line.
- 2) The applicant states that the variance is requested due to the 60' lot width; a 25' side yard setback requirement creates a practical difficulty in designing a structure for this lot. A setback of 15' is a reasonable setback for a lot of this size.
- 3) The property is considered a legal non-conforming lot in terms of lot area and lot frontage in the RR-2 (Rural Residential 2) zoning district. This area was platted prior to the existing setback standards, which were designed for the minimum lot size of 2 acres in the RR-2 district.
- 4) The applicant is proposing to use the property in a reasonable manner by constructing a single-family house and garage. The applicant is working with City Engineering on their driveway permit and the placement of the parking pad within the unimproved right of way for 71st Street East.
- 5) The applicant's practical difficulty was not created by the landowner but rather is due to the existing lot size and proximity to the unimproved right of way for 71st Street East. The variance will not alter the essential character of the neighborhood as there are homes on similar sized lots with reduced setbacks in proximity to the applicants.
- 6) The variance will not impair an adequate supply of light and air to adjacent properties as the area is rural in nature with forested area to the south and west and an unimproved right of way to the north and east. The proposed use of the property for a single-family home will not unreasonably increase the congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 7) No public, agency, or other City comments were received.
- 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.

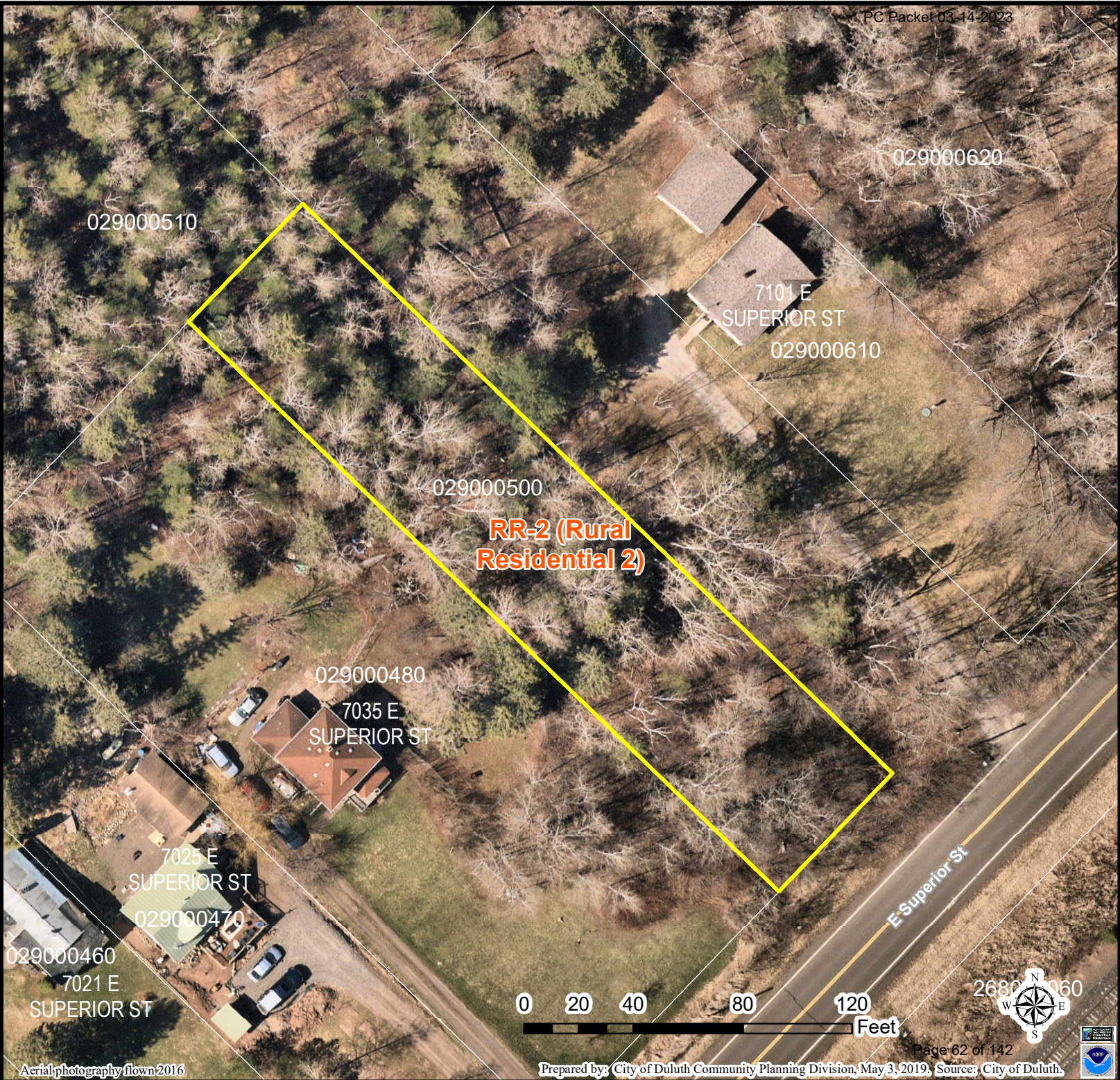
Staff Recommendation

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

- 1) 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.



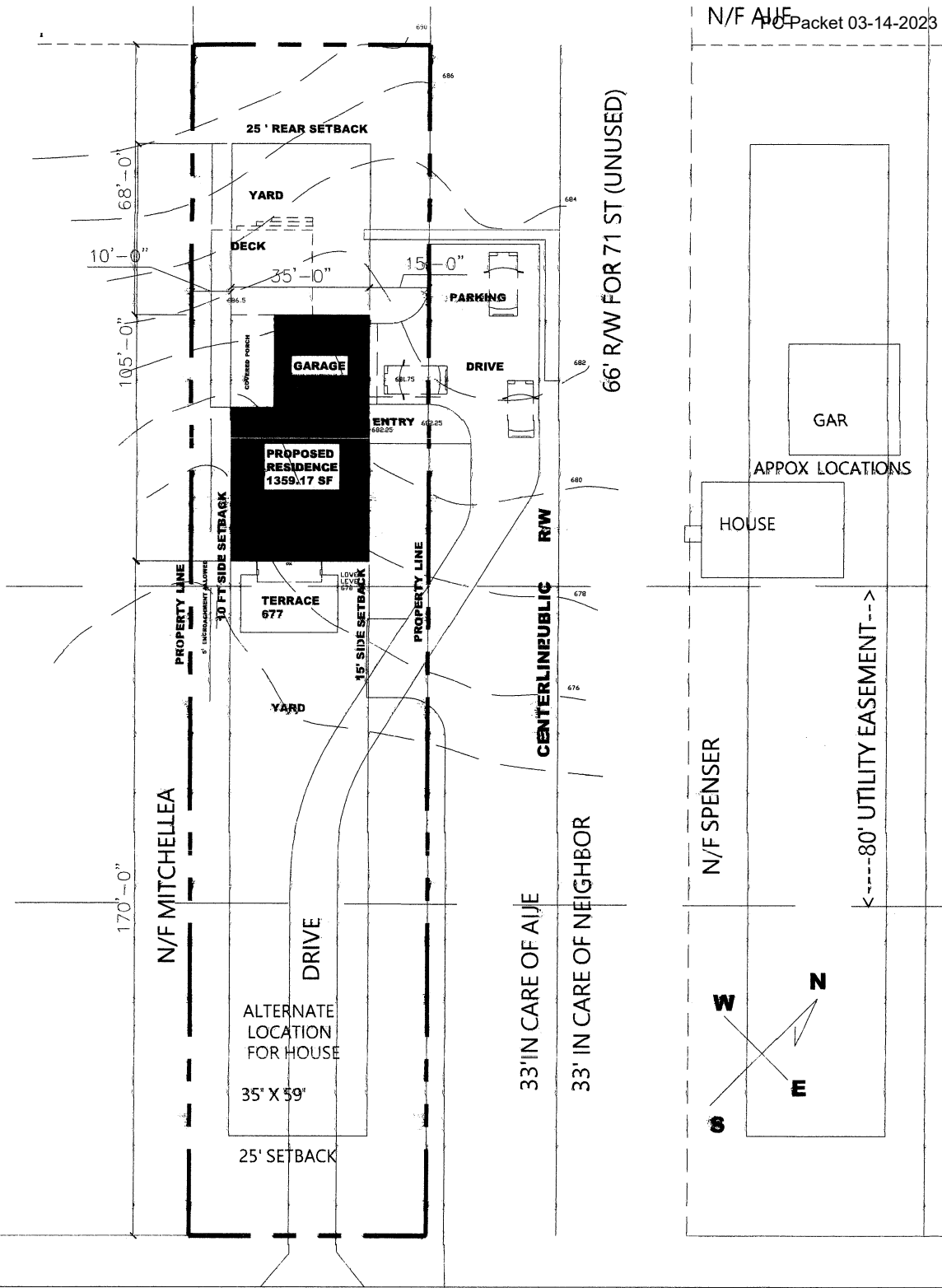
Legend
 Zoning Boundaries



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 2016





PROPOSED USE OF 7039 E SUPERIOR ST DULUTH MN
 SHOWING PROPOSED HOUSE WITH 10' SIDE SETBACK
 (VARIANCE)
 GARY TURPENING ARCHITECT FEBRUARY 3, 2023

EAST SUPERIOR STREET
 FROM SURVEY BY JOHN NELSON RLS

SCALE IN FEET

SITE PLAN



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 23-035	Contact	Kyle Deming	
Type	UDC Map Amendment	Planning Commission Date	March 14, 2022	
Deadline for Action	Application Date	N/A	60 Days	N/A
	Date Extension Letter Mailed	N/A	120 Days	N/A
Location of Subject	Duluth International Airport operations areas and an area northwest of the airport			
Applicant	City of Duluth	Contact		
Agent		Contact		
Legal Description	See Attached Map			
Site Visit Date	February 28, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 27, 2023	Number of Letters Sent	24	

Proposal

UDC Map Amendment/Rezoning to change the zoning of 660 acres from MU-N to AP (Airport) and to change 110 acres from MU-B to AP in order to reflect the actual use of the land and to implement the comprehensive plan.

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the rezoning amendment to the City Council (via ordinance).

	<i>Current Zoning</i>	<i>Existing Land Use</i>	<i>Future Land Use Map</i>
Subject	MU-N, MU-B, RR-1	Airport operations (proposed AP) and open space (proposed RC)	Transportation and Utilities
North	I-G and RR-1	Airport-related businesses and fire station	Transportation and Utilities
South	MU-B	Airport-related businesses and aircraft control tower	Transportation and Utilities
East	RR-1	MN Air National Guard operations area and open space	Transportation and Utilities
West	Hermantown	Businesses and open space	Hermantown

Summary of Code Requirements

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.
- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application: 1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

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

- Governing Principle #4 – Support economic growth sectors. The aviation industry continues to grow and this rezoning clarifies areas for airport operations. It does not affect related businesses located outside the proposed AP zone.
- Governing Principle #2 – Declare the necessity and secure the future of undeveloped places. The proposed rezoning from RR-1 to R-C (Rural Conservation) will more completely establish this wetland area for preservation.

Comprehensive Plan Policies and Strategies

- Economic Development Policy #2 – Foster growth of existing employers and strategically recruit new employers.
 - Strategy S7 - Promote opportunities for easing travel for employees to and from Duluth, especially via initiatives such as the Northern Lights Express and through air service.
- Economic Development Policy #3 – Build on existing economic strengths and competitive advantage.
 - Strategy S3 - Maximize opportunities for economic growth on and around port and airport properties, consistent with their respective priorities. This rezoning clarifies areas for airport operations from business development.

Zoning:

- Airport (AP): Intended to protect and reserve lands dedicated for airport operations. Structures and development (e.g., parking, hangars) that are incidental to and supportive of airport operations may be permitted.
- Rural-Conservation (R-C): The district encourages conservation of open space, natural resources, and rural character. Allows residential and complimentary uses such as limited agriculture.

Future Land Use:

- Transportation and Utilities: Applicable to airports, the port terminals, large highway rights-of-way, and similar uses. Applies primarily to existing facilities.

History:

- Airport development began in 1930 with the creation of a municipal airport with turf runways. Development continued in 1942 with the paving of runways, extending the east-west runway to roughly its present length in 1951. The MN Air National Guard and the U.S. Air Force base began construction in the late 1940s and continued into the 1950s. The Air Force base closed in 1982, but the Air National Guard base remains active. The passenger terminal moved to the east end of the runways in the 1974 and was reconstructed in 2012. Cirrus Aircraft opened in their present location on the south side of the runway in 1994 and have expanded multiple times on adjacent sites. Northwest airlines constructed the maintenance base on the north side of the runway in 1995, which was recently sold to Cirrus Aircraft.

Review and Discussion Items:

Staff finds that:

1. The areas proposed for rezoning are owned by the City of Duluth with the Duluth Airport Authority managing the lands for airport operations.
2. The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area and the generally applicable provisions of the adopted comprehensive plan. The Future Land Use Map in the Comprehensive Plan shows all of the land proposed for rezoning classified as Transportation and Utilities. The zone district that most appropriately implements this future land use is AP (Airport).
3. Comprehensive Plan Governing Principles, Policies, and strategies listed above recognize the role the airport has in business growth and expansion and the proposed rezoning helps that by identifying area reserved for airport operations.
4. This rezoning will not create material adverse impacts on nearby properties because the AP zoning boundary is a recognition of the status quo, largely following the extent of land identified in the Airport's Layout Plan for airport operations
5. The proposed zoning amendment is consistent with the purpose statements of the AP zone reserving land for airport operations.

6. Staff has discussed this rezoning with Airport Authority staff. No other agency, public, or City comments were received.

Staff Recommendation:

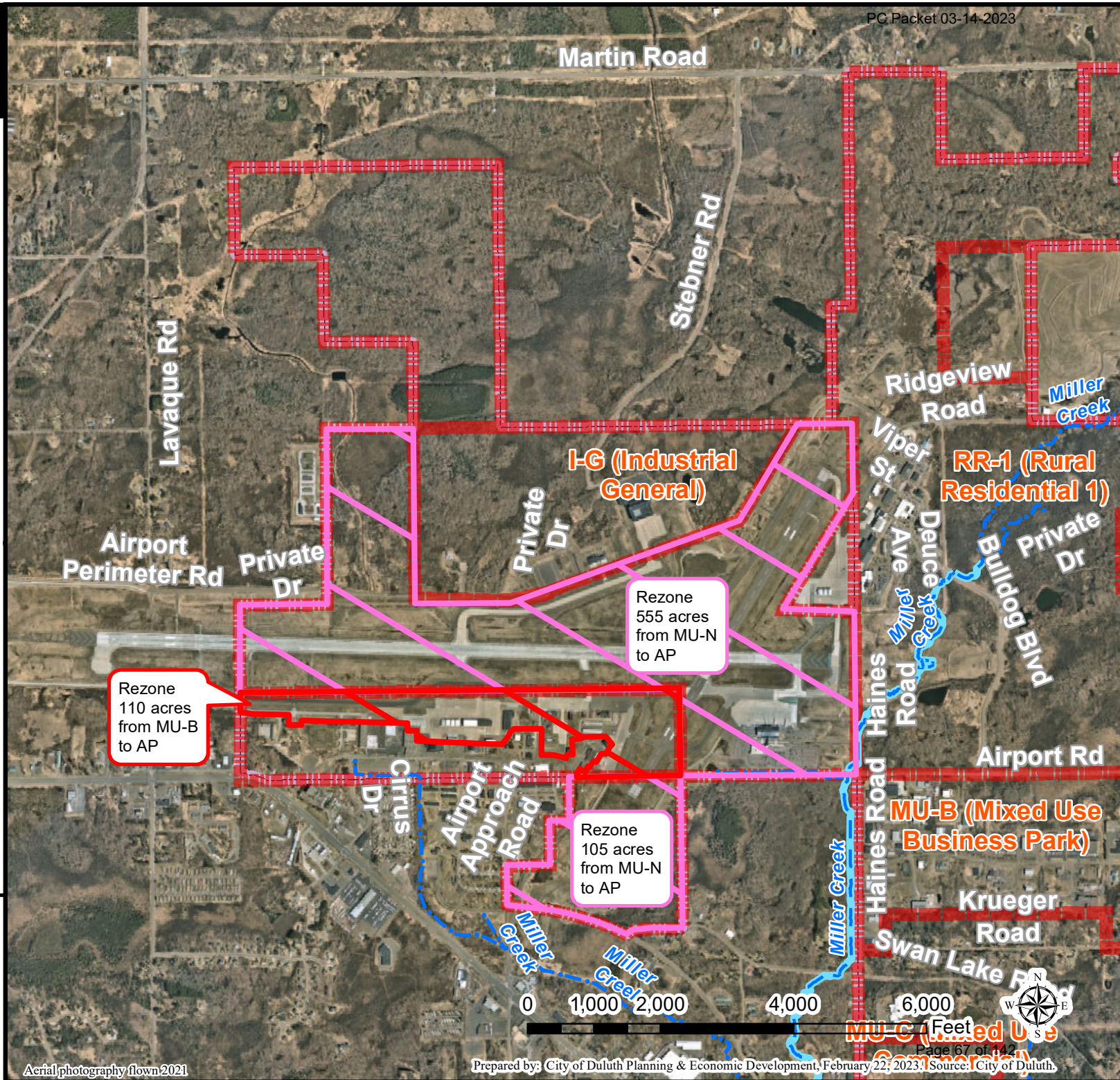
Based on the above findings, staff recommends to Planning Commission the UDC Map Amendment be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan.
- 2) The proposed amendment is consistent with the future land use category of "Transportation and Utilities."
- 3) Material adverse impacts on nearby properties are not anticipated.



PL 23-035
UDC Map Amendment
Duluth International Airport

Area Map



Legend

- Zoning Boundaries
- Streams
 - Trout Stream (GPS)
 - Other Stream (GPS)
- Municipal Boundary

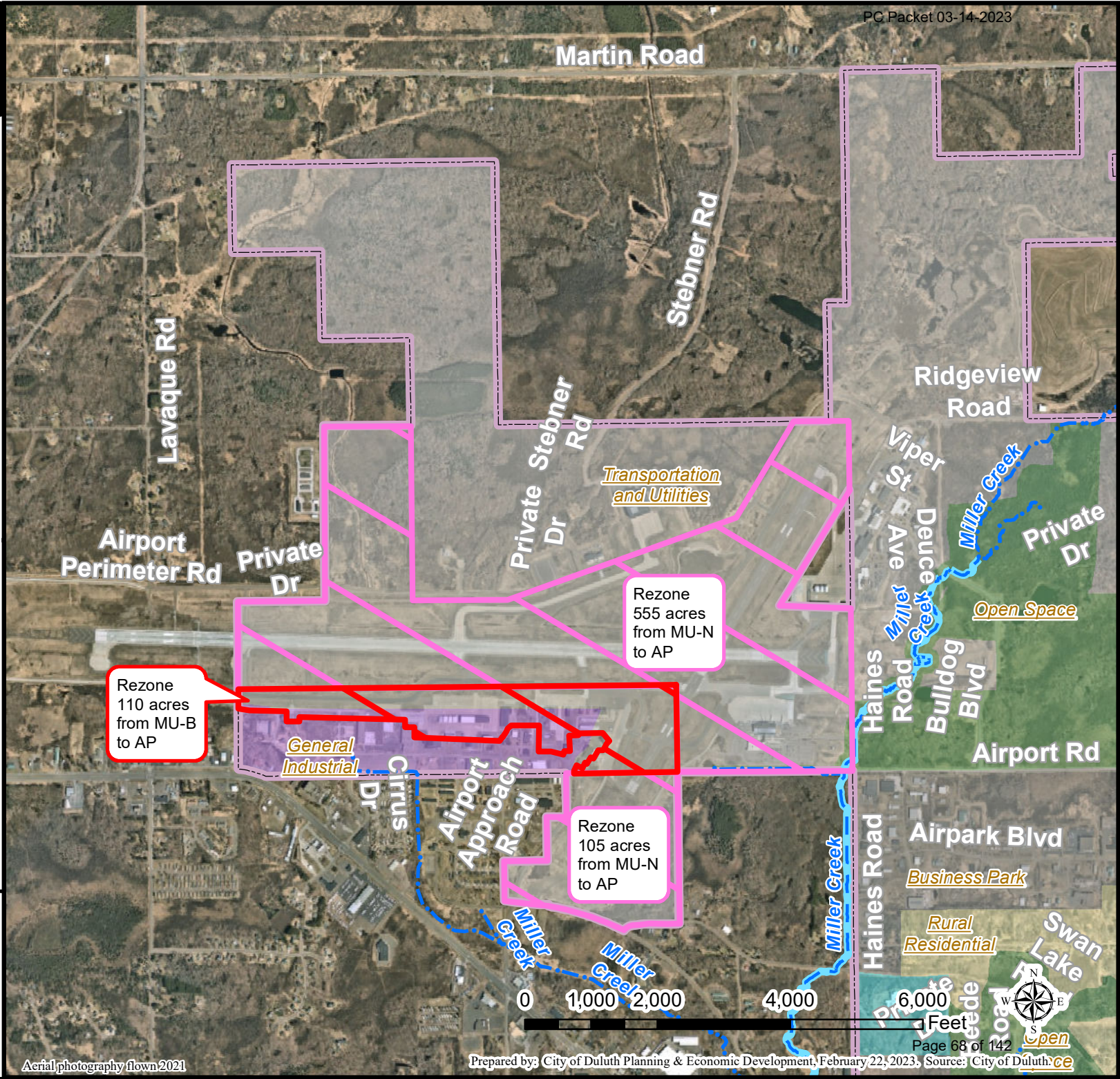
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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.





PL 23-035
UDC Map Amendment
Duluth International Airport

Future Land Use Map



Legend

Streams

- Trout Stream (GPS)
- Other Stream (GPS)

Future Land Use

- Open Space
- Rural Residential
- General Industrial
- Business Park
- Transportation and Utilities
- Institutional
- Municipal Boundary

Rezone 110 acres from MU-B to AP

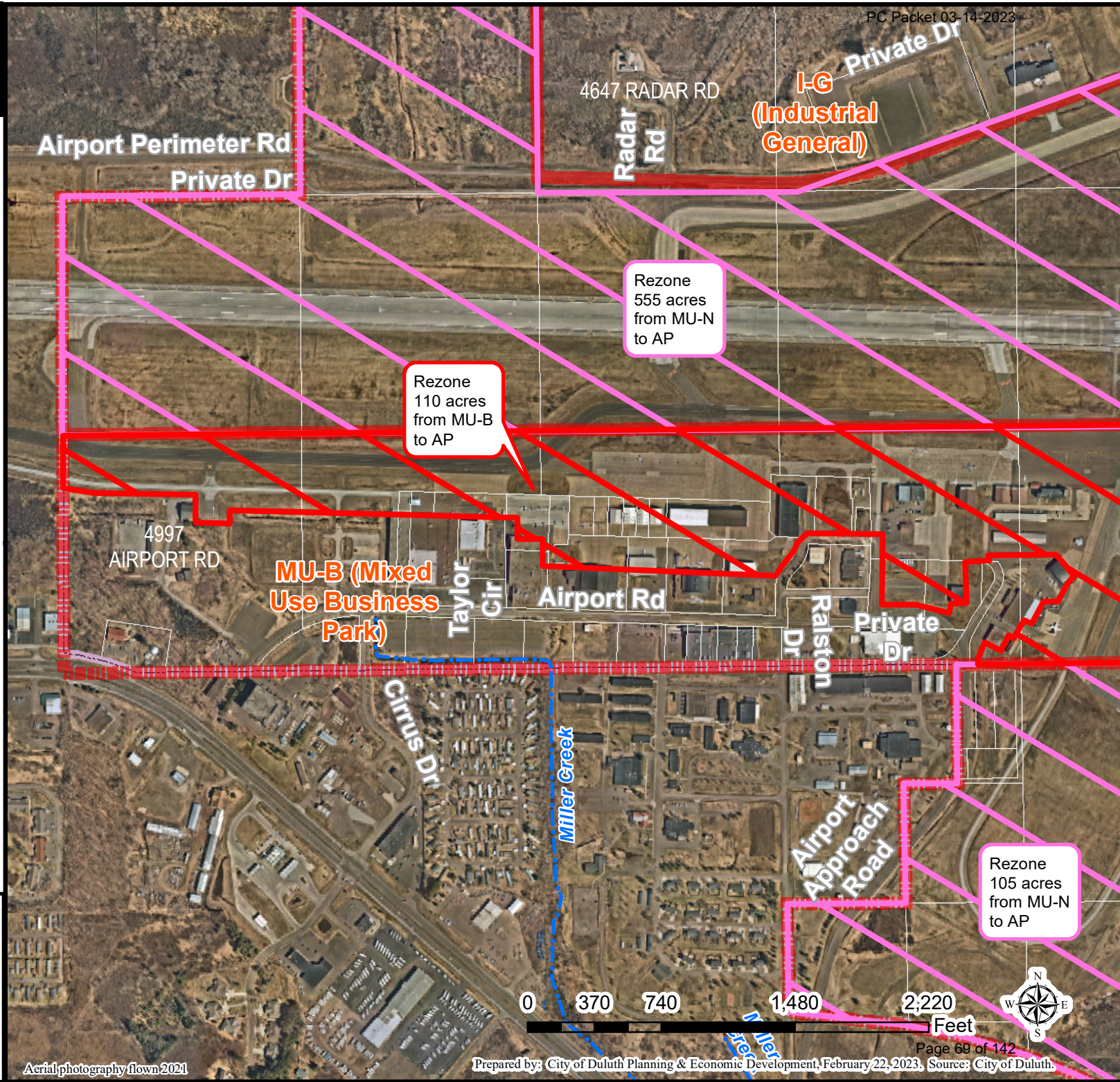
Rezone 555 acres from MU-N to AP

Rezone 105 acres from MU-N to AP

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.



Site Map - Airport Rd. area



Legend

- Zoning Boundaries
- Streams
- Other Stream (GPS)
- Municipal Boundary

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.





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 23-037	Contact	Kyle Deming	
Type	Minor Subdivision	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 17, 2023	60 Days	April 18, 2023
	Date Extension Letter Mailed	February 23, 2023	120 Days	June 17, 2023
Location of Subject	Southwest corner of Anderson Rd. and Central Entrance (Mall Area)			
Applicant	The Jigsaw, LLC	Contact	Dan Regan	
Agent	Kimley-Horn	Contact	Brian Wurdeman	
Legal Description	Lot 2, Block 1, Jigsaw Division			
Site Visit Date	March 3, 2023	Sign Notice Date	N/A	
Neighbor Letter Date	N/A	Number of Letters Sent	N/A	

Proposal

A subdivision of a part of Lot 2, Block 1 into 2 parcels for a proposed development.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Vacant	Neighborhood Mixed Use
North	MU-N	Hotel and bank	Neighborhood Mixed Use
South	MU-N and R-1	Dwellings	Neighborhood Mixed Use and Traditional Neighborhood
East	MU-N	Vacant	Neighborhood Mixed Use
West	MU-N	Vacant	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 the application:
 (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.

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

Governing Principle #8 – Encourage mix of activities, uses, and densities. Minor subdivision will facilitate sited development with restaurants, personal service, and a car wash.

Governing Principle #9 – Support private actions that contribute to the public realm. 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 (PL18-111).
3. A 1950s era home on the site was removed in 2020.
4. A special use permit for a 2,287 sq. ft. restaurant with 24 parking spaces on Lot 2 was approved by Planning Commission on May 11, 2021 (PL21-047).
5. A minor subdivision to combine parts of Lot 1 and 2 into a single lot for a restaurant was approved by Planning Commission on August 10, 2021 (PL21-120).

Review and Discussion Items

Staff finds that:

1. Applicant is seeking to further split Lot 2, Block 1 into two parcels (Parcel 3-1 and Parcel 3-2) to create tracts of land for a 660 sq. ft. coffee kiosk (Parcel 3-1) and a building to contain two other tenants (Parcel 3-2), a 2,500 sq. ft. restaurant and 3,500 sq. ft. personal services use (see attached).
2. Lot 2, Block 1 was previously subdivided by a minor subdivision (PL21-120) to combine the westerly approximately 30 feet of Lot 2 with part of Lot 1 to form a development parcel for another restaurant (restaurant special use permit (PL21-047)).
3. Parcel 3-1 is 0.27 ac. and Parcel 3-2 is 1.5 ac. There are no minimum lot area requirements for nonresidential uses in the MU-N zone district, however, the lots are of a sufficient size to accommodate small to medium-sized commercial uses. Additionally, the lots are large enough to meet minimum lot area per family requirements for all types of residential uses.
4. All parcels are sized to allow space for buildings to be constructed within applicable front (20 ft.), rear (25 ft.), and side (0 ft. to 10 ft.) yard setbacks.
5. Parcels 3-1 and 3-2 have frontage on Central Entrance and Parcel 3-2 also has frontage on Anderson Rd. and unbuilt Apple St. All of the parcel frontages exceed what is required for commercial and multi-family (50 ft.) uses as well as other residential uses (30 ft.).
6. MN-DOT is the right of way owner of Central Entrance (Trunk Highway 194) and has provided the comment that the applicant has obtained required access permits.
7. Applicant has indicated that cross easements will be placed on all of the parcels in order to meet MN-DOT's access limitation and to facilitate a full intersection with Anderson Rd. near Apple St. as was part of the access planned in the original Jigsaw Plat.
8. No public or agency comments were received.

9. The attached Minor Subdivision exhibit demonstrates compliance with MN States 463.358, 505, and 508, as applicable.
10. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements.
11. 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

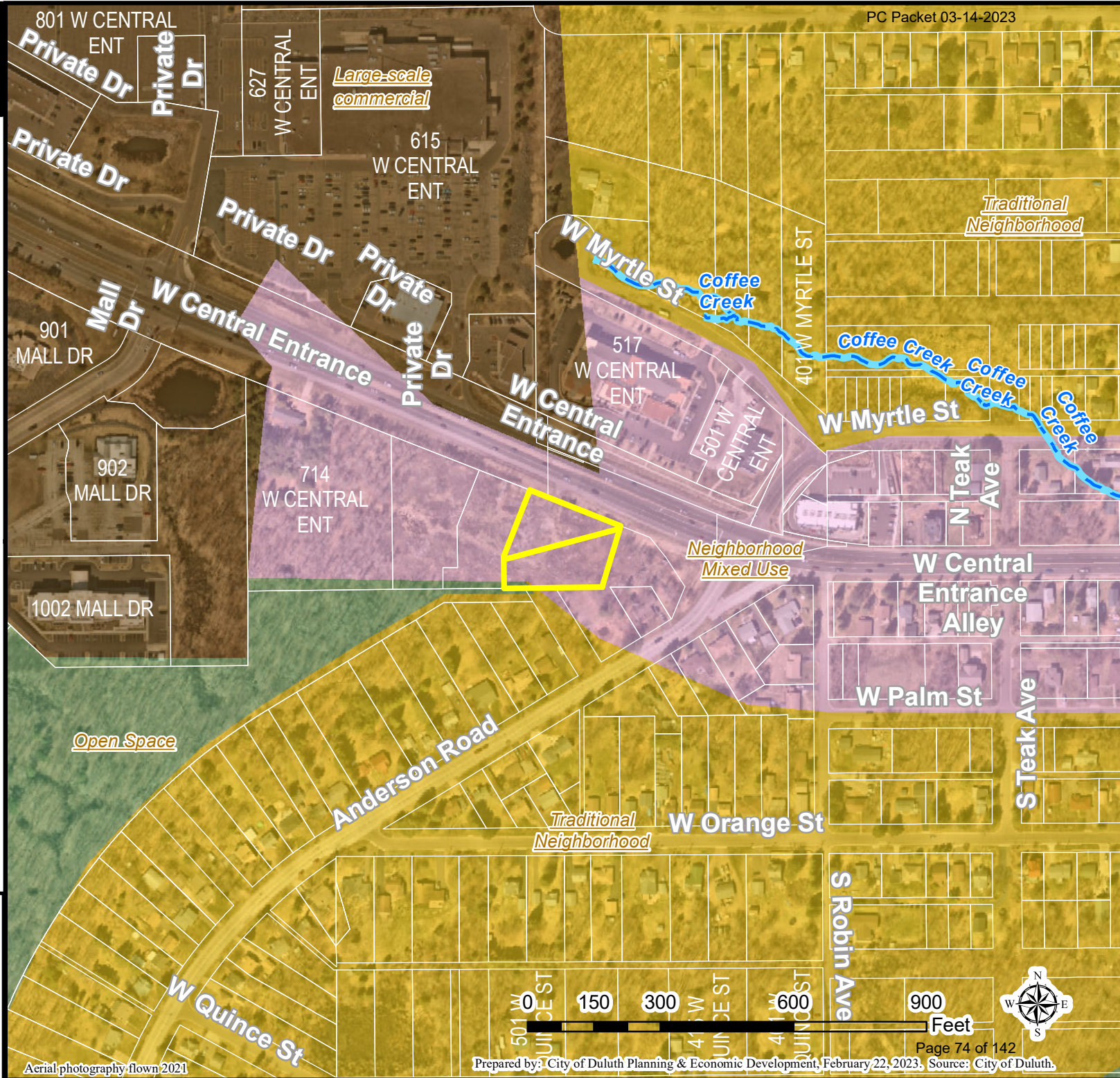
Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

- 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 23-037
 Minor Subdivision
 The Jigsaw, LLC

Future Land Use Map



Legend

Streams
 — Coffee Creek (GPS)

Future Land Use

- Open Space
- Traditional Neighborhood
- Large-scale commercial
- Neighborhood Mixed Use

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.



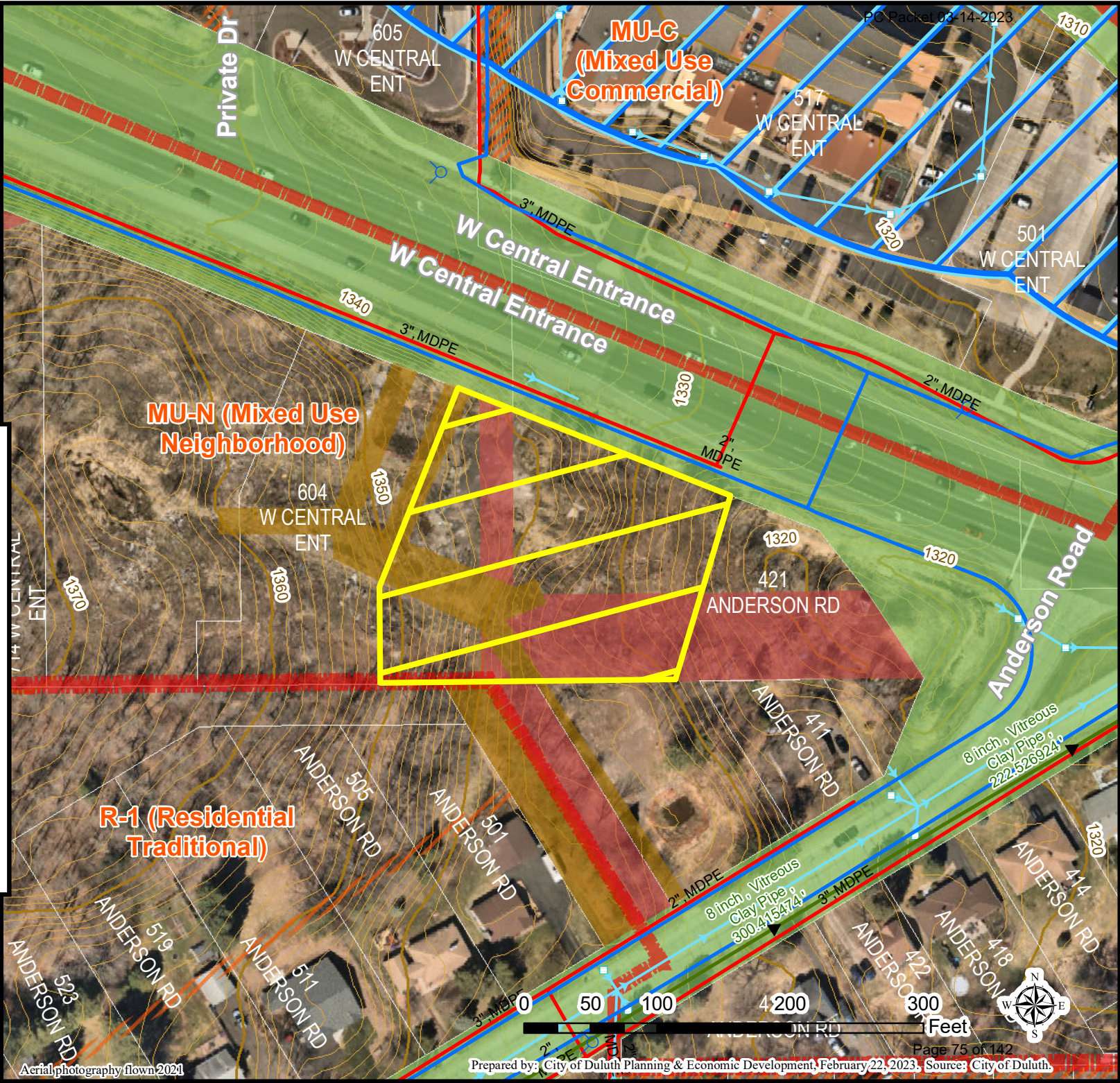
PL 23-037
 Minor Subdivision
 The Jigsaw, LLC

Site Map

Legend

- Zoning Boundaries
- Shoreland (UDC)**
- Cold Water
- Distribution Main**
- Water Main
- Hydrant
- Gas Main
- Sanitary Sewer Mains**
- City of Duluth
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Elevation**
- 1 Ft contour
- 10 Ft contour
- Undefined ROW Status
- ROW Status**
- Utility, Active
- Road, Active - currently in use
- Utility, Vacated - via recorded doc.
- Road, Vacated - vacated

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.



CERTIFICATE OF SURVEY FOR: Kimley-Horn & Associates

EXISTING LEGAL DESCRIPTION:

That part of Lot 2, Block 1, JIGSAW, St. Louis County, Minnesota lying easterly of and adjoining the following described line:

Commencing at the southwest corner of Lot 1, Block 1, JIGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 250.69 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East, a distance of 72.36 feet; thence North 21 degrees 59 minutes 16 seconds East, a distance of 161.17 feet to the northerly line of said Lot 2 and said line there terminating.

NOTES:

- The orientation of this bearing system is based on the St. Louis County Transverse Mercator coordinate grid (NAD 83-96 Adj.).
- The total area of the property described herein is 78,667 square feet or 1.80595 acres.
- Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify ownership, the legal description, or the existence of any easements or encumbrances.

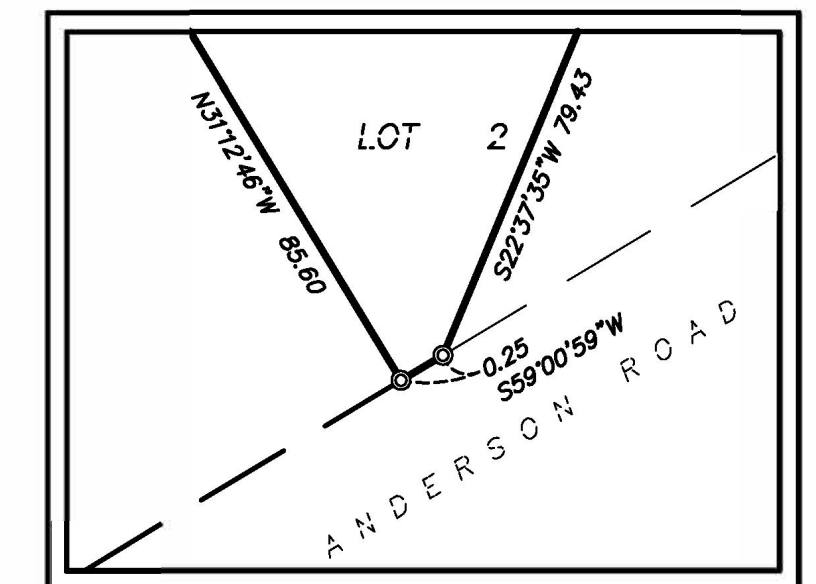
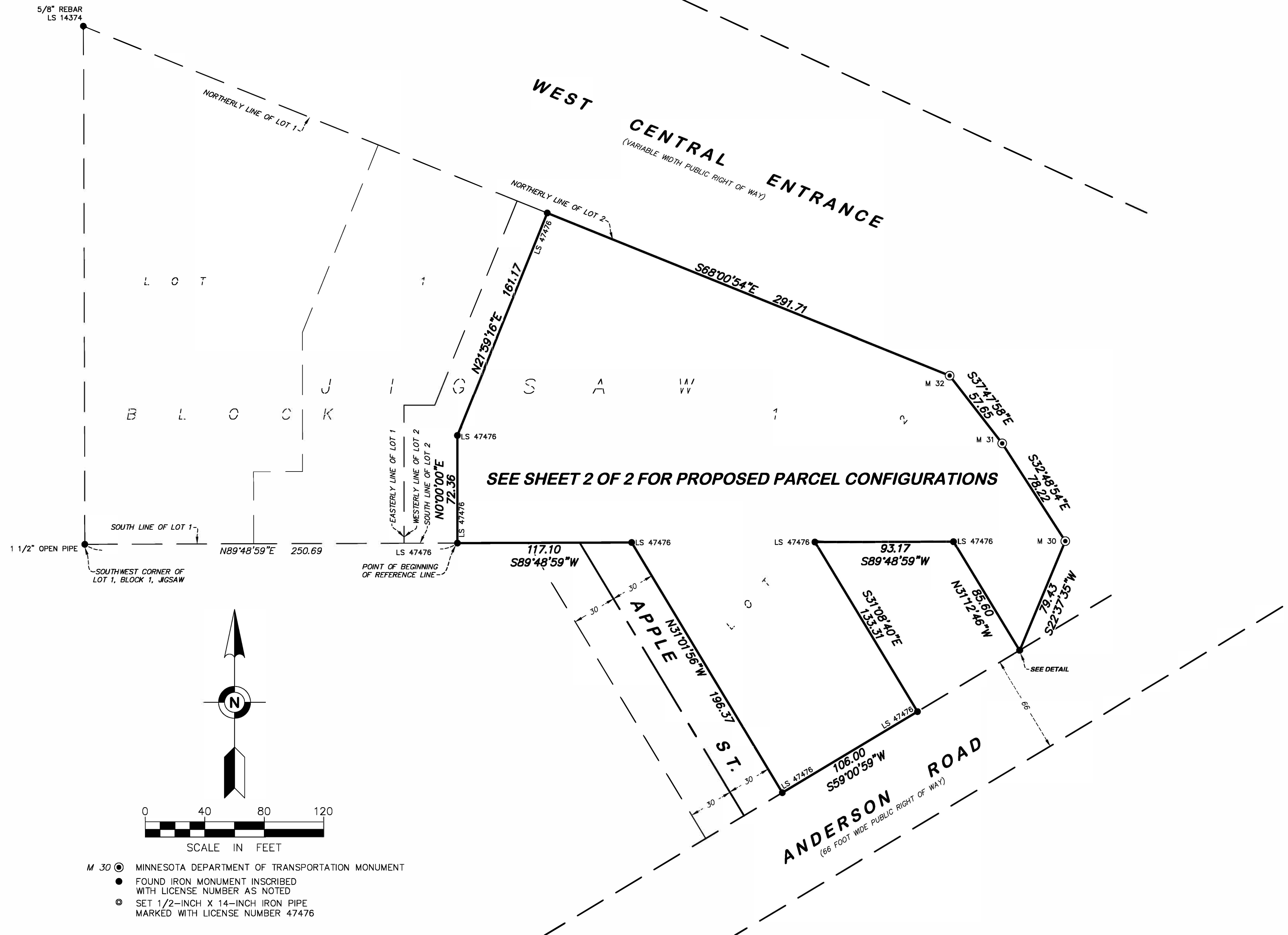
CERTIFICATION:

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.

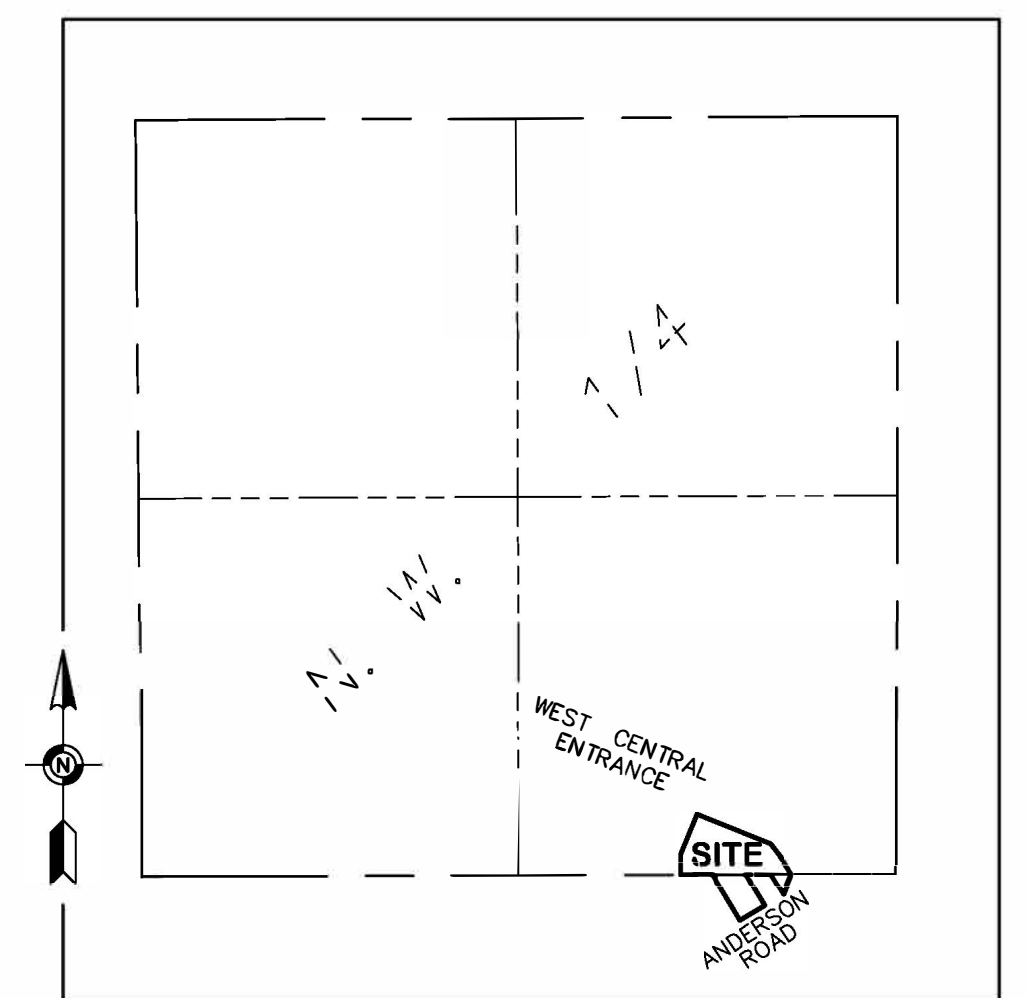
Date of survey: March 12, 2018.
Date of signature: December 2, 2022.

Eric A. Roeser

Eric A. Roeser
Minnesota License No. 47476
eroeser@efnsurvey.com



DETAIL
NOT TO SCALE



VICINITY MAP
NORTHWEST 1/4, SECTION 20, TOWNSHIP 50 NORTH, RANGE 14 WEST
NOT TO SCALE

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
		SPK	NO.	DATE
		DRAWN BY:	DESCRIPTION	
		LS		
		PMD		
DRAWING NAME:				
37563 PARCEL 3 CERT.dwg				
JOB NO. 37563				
FILE NO. 6011				
		CHECKED BY:		
		EAR		

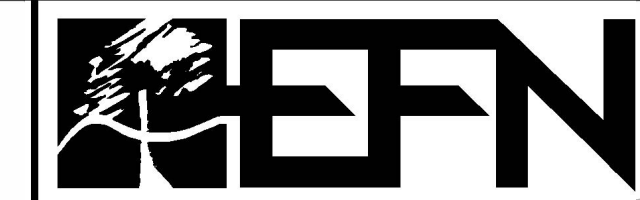
CERTIFICATE OF SURVEY

SURVEY FOR:

Kimley-Horn & Associates

PROPERTY ADDRESS:

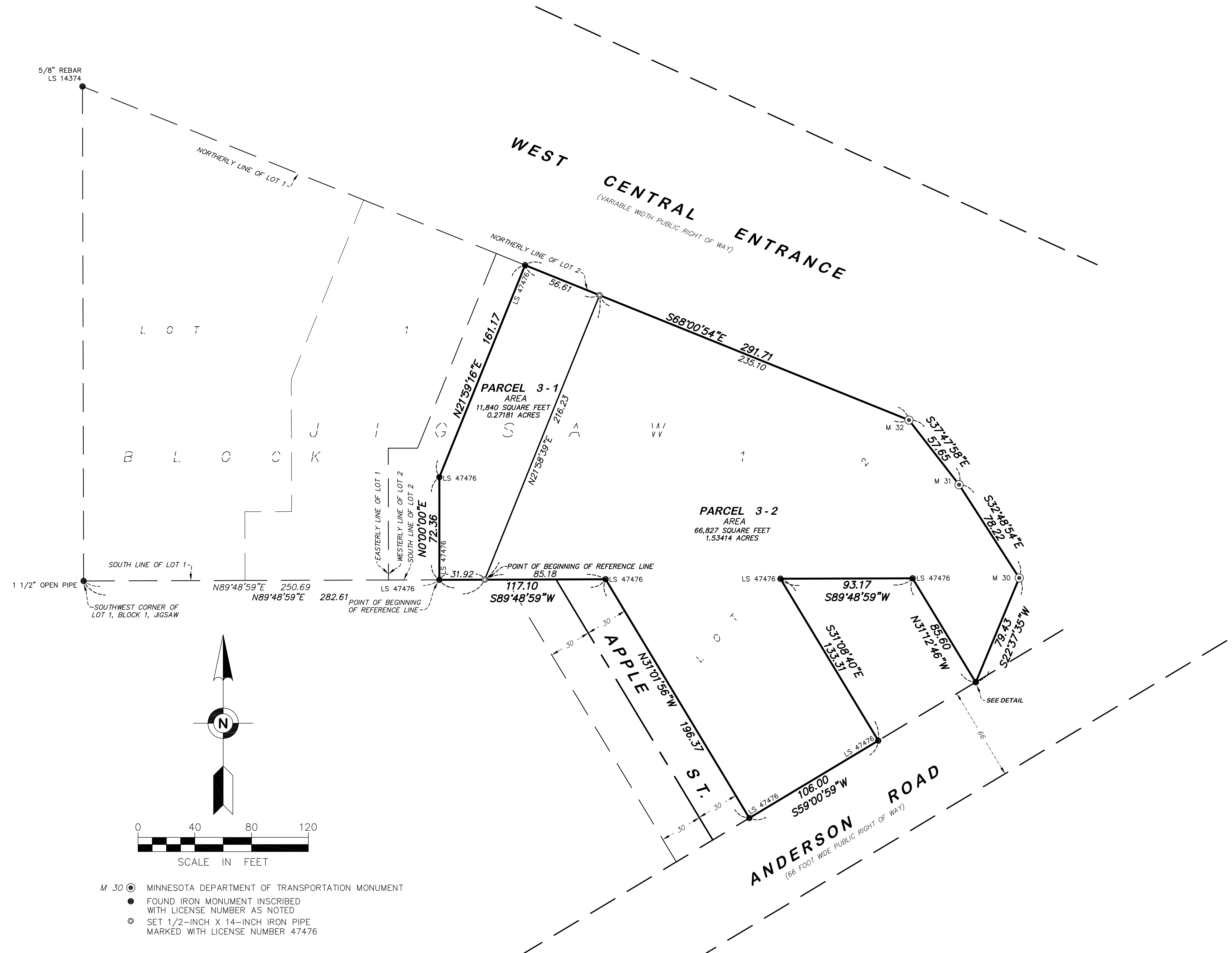
604 West Central Entrance
Duluth, Minnesota 55811



Egan, Field & Nowak, Inc.
land surveyors since 1872

475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
FAX: (612) 466-3383
WWW.EFNSURVEY.COM
COPYRIGHT © 2022 BY EGAN, FIELD & NOWAK, INC.

CERTIFICATE OF SURVEY FOR: Kimley-Horn & Associates



PROPOSED LEGAL DESCRIPTION:

Proposed Parcel 3-1
That part of Lot 2, Block 1, JGSAW, St. Louis County, Minnesota lying easterly of and adjoining the following described line:

Commencing at the southwest corner of Lot 1, Block 1, JGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 250.69 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East, a distance of 72.36 feet; thence North 21 degrees 59 minutes 16 seconds East, a distance of 161.17 feet to the northerly line of said Lot 2 and said line there terminating.

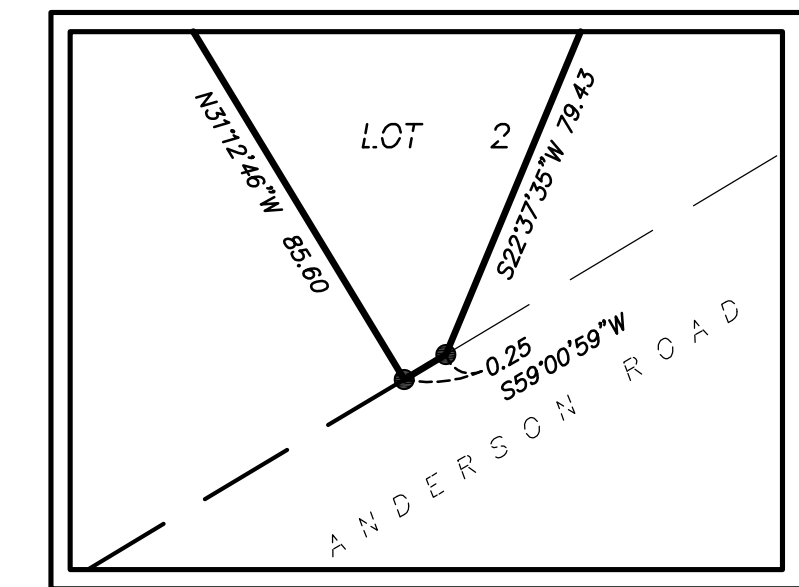
And lying westerly of and adjoining the following described line:
Commencing at the southwest corner of Lot 1, Block 1, JGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 282.61 feet to the point of beginning of the line to be described; thence North 21 degrees 58 minutes 39 seconds East, a distance of 216.23 feet to the northerly line of said Lot 2 and said line there terminating.

(Said Parcel 3-1 Contains 11,840 square feet or 0.27181 acres)

Proposed Parcel 3-2
That part of Lot 2, Block 1, JGSAW, St. Louis County, Minnesota lying easterly of and adjoining the following described line:

Commencing at the southwest corner of Lot 1, Block 1, JGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 282.61 feet to the point of beginning of the line to be described; thence North 21 degrees 58 minutes 39 seconds East, a distance of 216.23 feet to the northerly line of said Lot 2 and said line there terminating.

(Said Parcel 3-2 Contains 66,827 square feet or 1.53414 acres)



- M 30 (M) MINNESOTA DEPARTMENT OF TRANSPORTATION MONUMENT
- (●) FOUND IRON MONUMENT INSCRIBED WITH LICENSE NUMBER AS NOTED
- (○) SET 1/2-INCH X 14-INCH IRON PIPE MARKED WITH LICENSE NUMBER 47476

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
		SFK	NO.	DATE
				DESCRIPTION
DRAWN BY:				
LS				
PMD				
CHECKED BY:				
EAR				
DRAWING NAME: 37563 PARCEL 3 CERT.dwg				
JOB NO. 37563				
FILE NO. 6011				

CERTIFICATE OF SURVEY

SURVEY FOR:
Kimley-Horn & Associates

PROPERTY ADDRESS:
**604 West Central Entrance
Duluth, Minnesota 55811**

Egan, Field & Nowak, Inc.
475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
FAX: (612) 466-3383
WWW.EFNSURVEY.COM
COPYRIGHT © 2022 By EGAN, FIELD & NOWAK, INC.
Land surveyors since 1872



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 23-038	Contact	Kyle Deming	
Type	Special Use Permit – Restaurant	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	February 17, 2023	60 Days	April 18, 2023
	Date Extension Letter Mailed	February 23, 2023	120 Days	June 17, 2023
Location of Subject	Southwest corner of Anderson Rd. and Central Entrance (Mall Area)			
Applicant	The Jigsaw, LLC	Contact	Dan Regan	
Agent	Kimley-Horn	Contact	Brian Wurdeman	
Legal Description	Lot 2, Block 1, Jigsaw Division			
Site Visit Date	March 3, 2023	Sign Notice Date	February 27, 2023	
Neighbor Letter Date	February 24, 2023	Number of Letters Sent	24	

Proposal

A Special Use Permit to allow two restaurants in the Jigsaw development at the southwest corner of Central Entrance and Anderson Rd. The project will consist of a 2,500 sq. ft. restaurant and a 660 sq. ft. drive-thru coffee kiosk and related parking and landscaping.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Vacant	Neighborhood Mixed Use
North	MU-C	Hotel and bank	Neighborhood Mixed Use
South	MU-N and R-1	Dwellings	Neighborhood Mixed Use and Traditional Neighborhood
East	MU-N	Vacant	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 of this Chapter; including without limitations to any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area.
3. Without limiting the previous criteria, 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 on the community.

Sec. 50-20.3.Q – Restaurant Use Specific Standards.

1. In the R-2 and MU-N district, no use shall exceed 5,000 sq. ft. in gross floor area;
2. Drive-ins and drive-throughs for restaurants are only allowed in the MU-N, MU-C, MU-B, MU-P, F-2, F-3, F-4, and F-5 zone districts;
3. Drive-through lanes shall allow for stacking space for 5 cars;
4. When in the MU-N district, the following additional standards apply: (a) The speaker box and drive-through window must be at least 50 feet from any property line containing a residential structure; (b) Drive-through may not open before 7:00 a.m. or after 10:00 p.m. during the weekday, or before 8:00 a.m. or after 10:00 p.m. on the weekend. Drive-through may be open at 6:00 a.m. during the weekday or at 7:00 a.m. on the weekend only if all speaker boxes and drive through windows are at least 125 feet from any residential structure, or open until 11:00 pm on Friday and Saturday if all speaker boxes and drive-through windows are at least 250 feet from any residential structure, excluding any residential use or structure on the same property or within the same development; (c) Glare and noise from cars in the drive-through lane and stacking space shall be shielded from adjacent residential properties through the use of screening, fencing, and/or a dense urban screen; (d) The land use supervisor may require that the drive-through be located on the opposite side of the building from a residential use or that a masonry sound wall be constructed; (e) Restaurants are limited to one drive through lane and one speaker box;

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

Governing Principle #8 – Encourage mix of activities, uses, and densities. The two proposed restaurants would follow a fast food restaurant approved for the parcel to the west in the Jigsaw development. There are two additional sites within the Jigsaw development for additional uses.

Governing Principle #9 – Support private actions that contribute to the public realm. – 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. May 11, 2021 Planning Commission approved a special use permit for a 2,287 sq. ft. restaurant (PL 21-047) on a parcel west of the proposed restaurants.
5. August 10, 2021 Planning Commission approved a minor subdivision (PL 21-120) on Lot 1 and Lot 2 to create a parcel for the restaurant approved in May 2021.

Review and Discussion Items**Staff finds that:**

1. The proposed special use permit is to allow two restaurants on Lot 2 of Jigsaw Division, one, 2,500 sq. ft. with no drive-thru, and the second, 664 sq. ft. coffee kiosk with a drive-thru. The 2,500 sq. ft. restaurant is proposed to be in a building with a 3,500 sq. ft. aesthetic studio (personal service).
2. The proposed coffee kiosk includes a one-lane drive-thru with more than 5 vehicle stacking space, as is required.
3. The drive-thru may be open from 6 a.m. until 10 p.m. on weekdays and 7 a.m. until 11 p.m. on weekends since the speaker box is more than 250 feet from a residential structure. No screening is required for vehicles using the drive-thru due to its location away from residential properties.
4. The site plan shows 38 parking spaces for the two proposed restaurants and anticipated personal service use. This is within the range allowed for the three businesses (minimum of 29 parking spaces and a maximum of 43 spaces).

Here is the calculation: the personal services use requires 2.5 parking spaces per 1,000 sq. ft. of building space yielding a minimum of 8 space and maximum of 13 spaces, the coffee kiosk requires 4 spaces with a maximum of 6 spaces (6.5 parking spaces per 1,000 sq. ft. of building area for restaurants), and the other restaurant requires 16 spaces with a maximum of 24 spaces.

5. The applicant provided an updated trip generation memo indicating that vehicle trips to/from the site are not expected to increase with the proposed restaurants when compared with the original volumes forecasted in the 2018 Traffic Impact Analysis.
6. The landscape plan submitted does not provide enough trees along the Central Entrance frontage (8 are required, 3 are shown). This will need to be corrected before the building permit application.
7. HVAC mechanical units are not shown and will need to be screened from view, which can be verified at time of building permit application.
8. Trash screening is shown on the plans with compliant materials.
9. Retaining wall shown on the site plan complies with height limits, including required landscaping between terraces.
10. Ground-mounted and building mounted signs shown on the plans will need to comply with the Master Sign Plan, which is to be reviewed by the Planning Commission at this March meeting (PL 23-021).
11. Sustainability and building design standards do not apply due to the size of the structures.
12. Exterior lighting details were not provided with the plans. A photometric plan and fixture details will need to be reviewed during the building permitting process.
13. One comment: MN-DOT commented that the driveway is to be installed as permitted by them. No other comments.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission adopt the findings of fact in the staff report and approve the special use permit with the following conditions:

1. The project be limited, constructed, and maintained consistent with plans titled "Site Development Plans for The Jigsaw" by Kimley-Horn, dated 12/6/2022, including Sheet C3.0 – Site Plan, Sheet C4.0 – Grading Plan, Sheet L1.0 – Landscape Plan, and Sheet L1.1 – Landscape Details and any amendments approved by the Land Use Supervisor as listed below.
2. Applicant provide additional trees along the Central Entrance frontage to comply with the UDC.
3. Applicant provide mechanical screening details.
4. Applicant provide a photometric plan with light fixtures compliant with UDC requirements.
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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL 23-038
Special Use Permit -
Restaurant
The Jigsaw, LLC

Area Map



Legend

- Zoning Boundaries
- Streams
- 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.

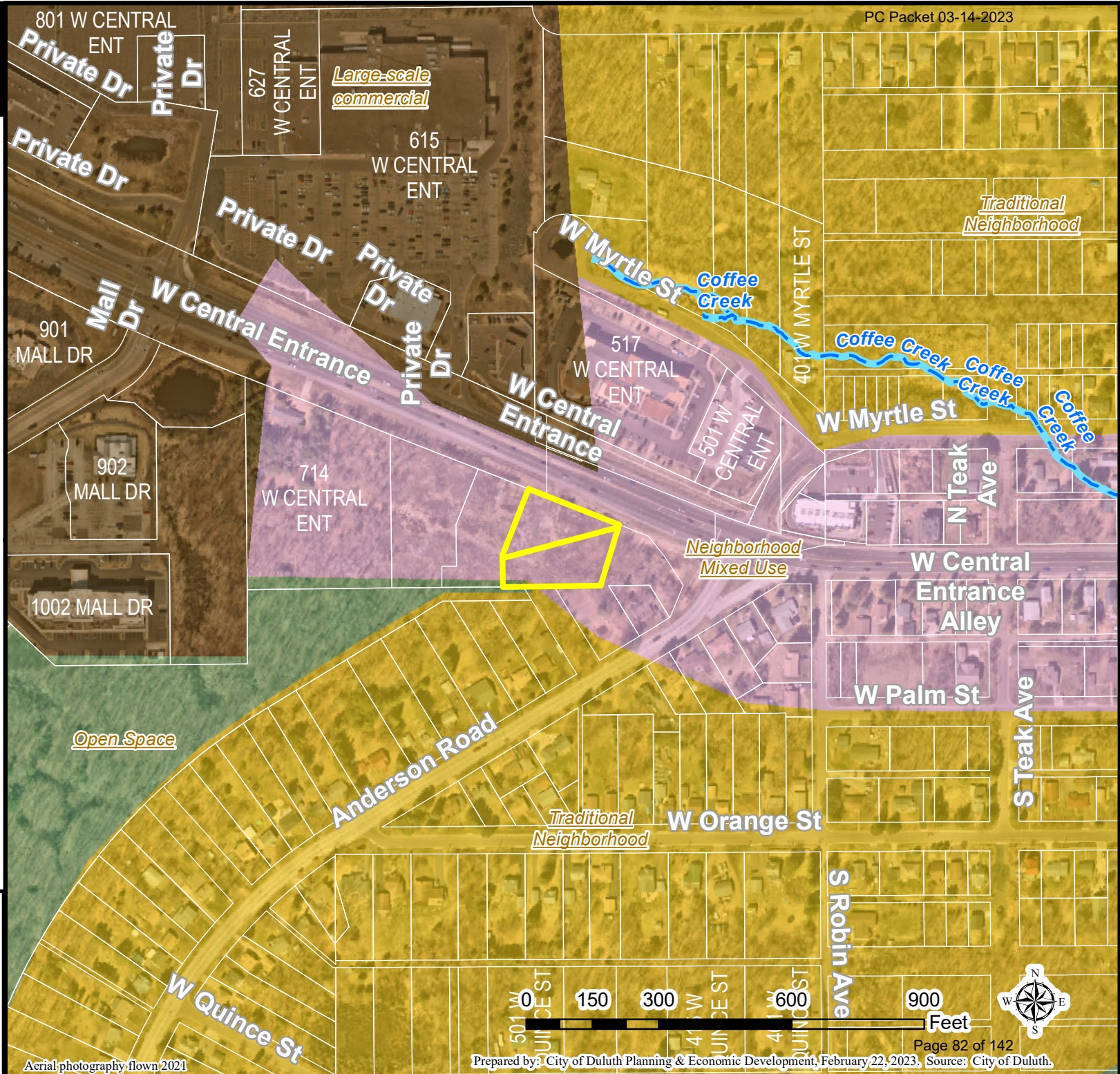
900 Feet

Page 81 of 142



PL 23-038
Special Use Permit -
Restaurant
The Jigsaw, LLC

Future Land Use Map



Legend

Streams
 Trout Stream (GPS)

Future Land Use

- Open Space
- Traditional Neighborhood
- Large-scale commercial
- Neighborhood Mixed Use

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 2021



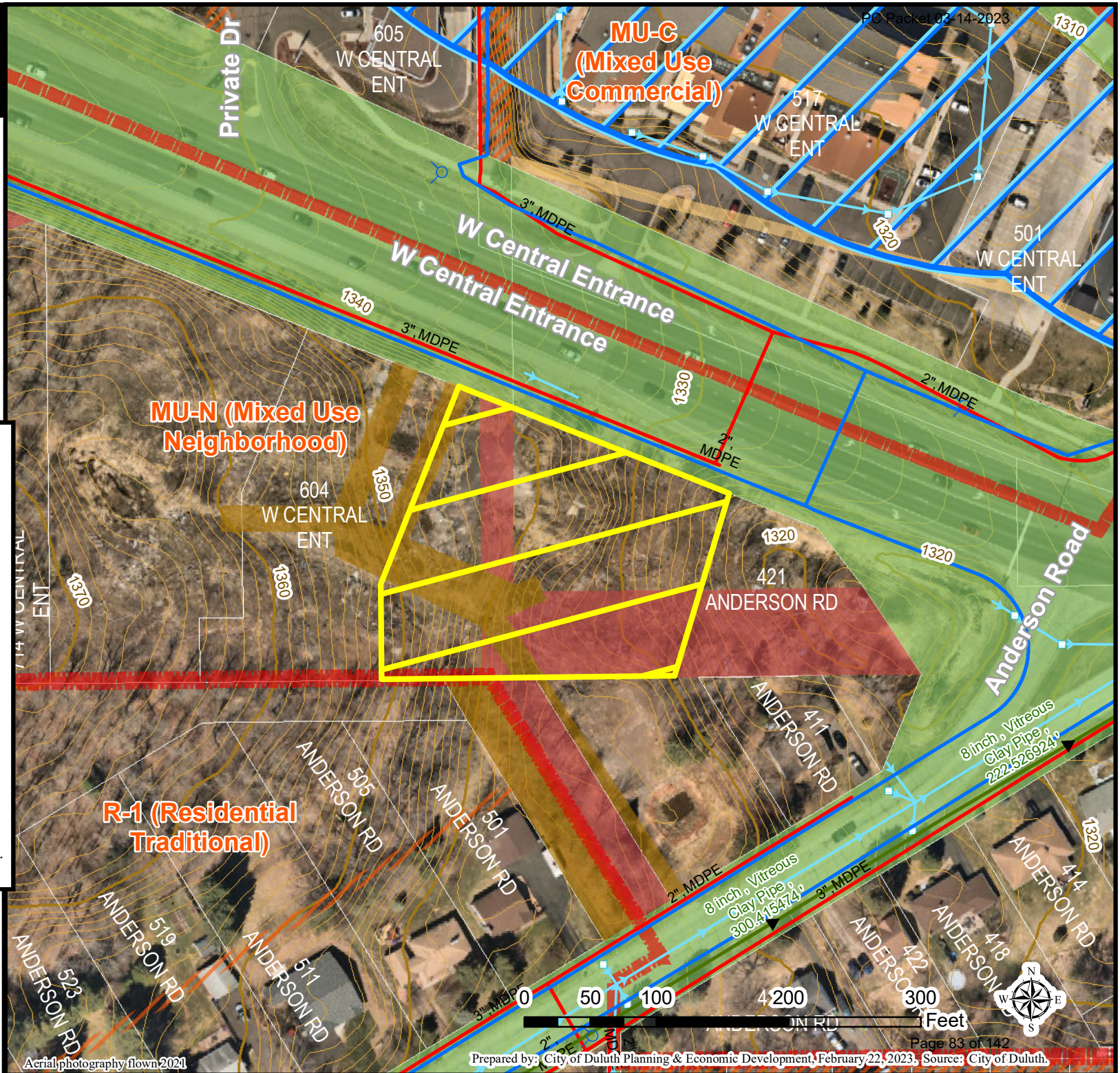
PL 23-038
Special Use Permit -
Restaurant
The Jigsaw, LLC

Site Map

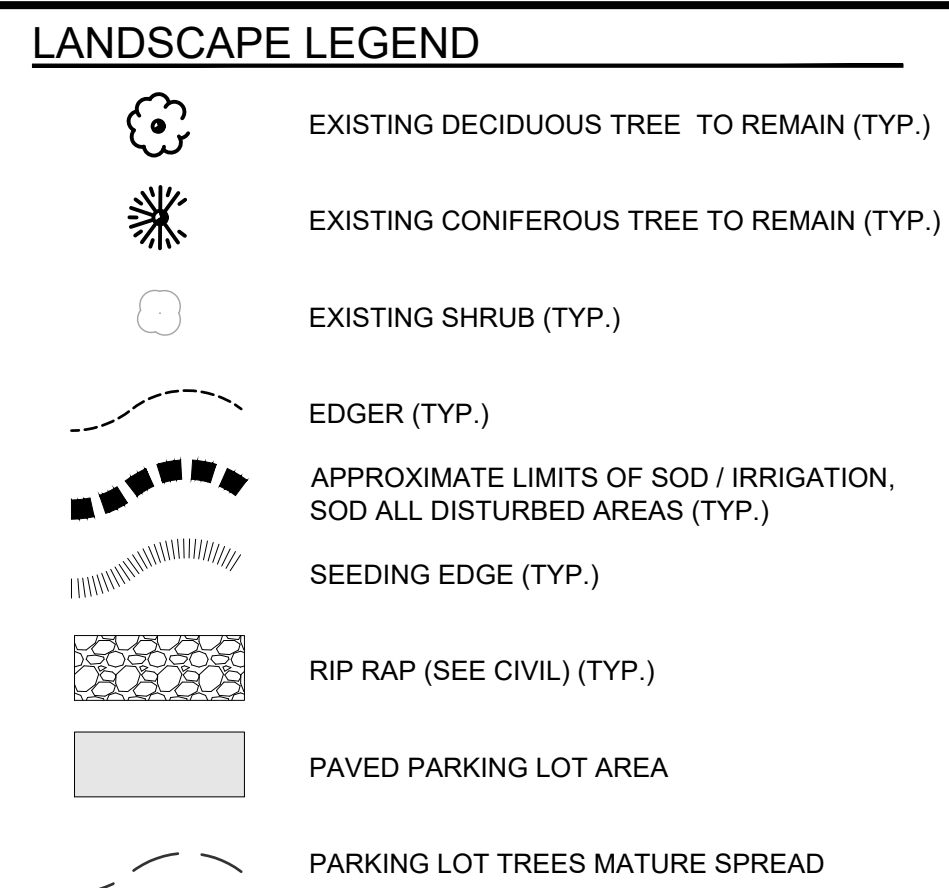
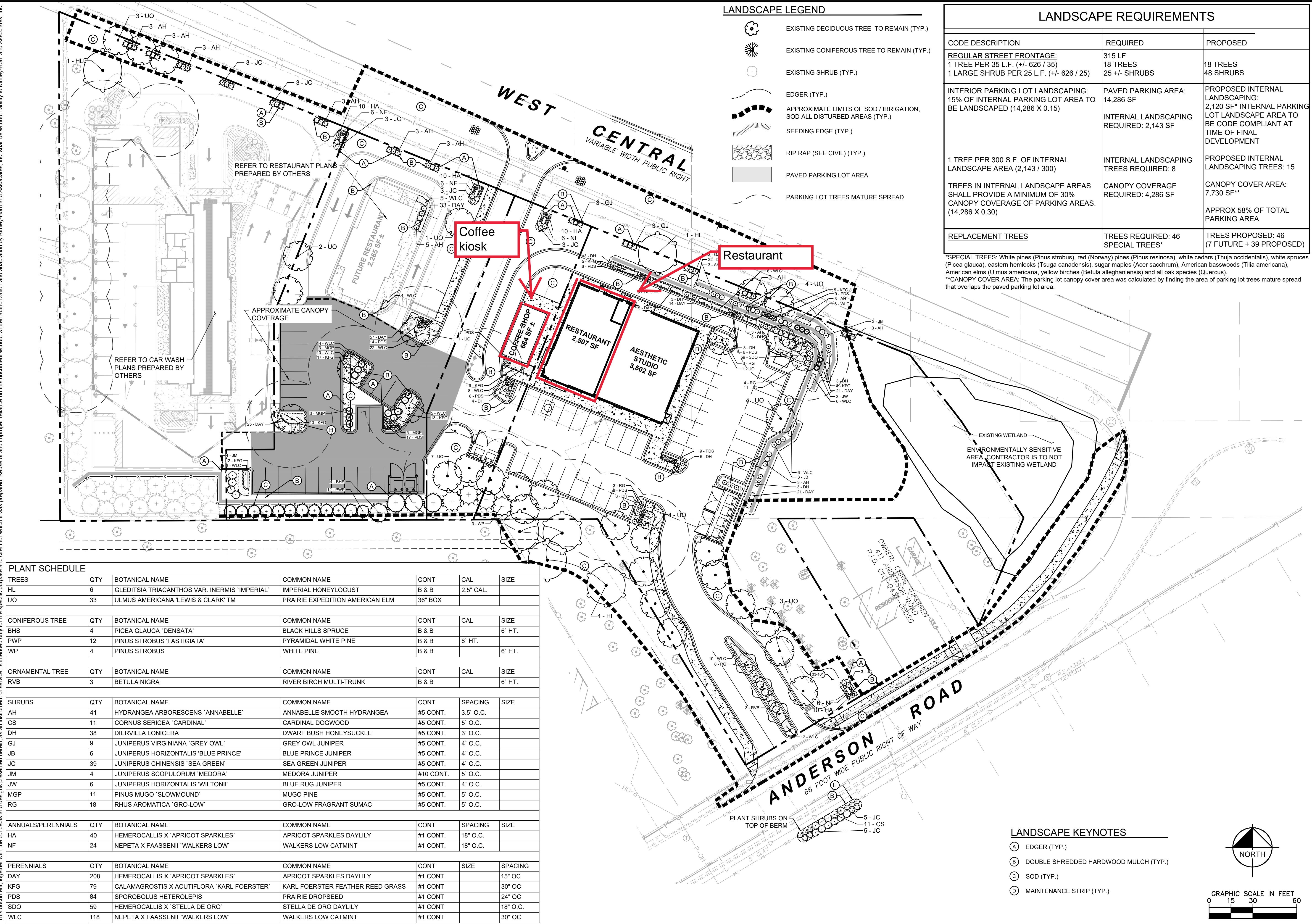
Legend

- Zoning Boundaries
- Shoreland (UDC)**
- Cold Water
- Distribution Main**
- Water Main
- Hydrant
- Gas Main
- Sanitary Sewer Mains**
- City of Duluth
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Elevation**
- 1 Ft contour
- 10 Ft contour
- Undefined ROW Status
- ROW Status**
- Utility, Active
- Road, Active - currently in use
- Utility, Vacated - via recorded doc.
- Road, Vacated - vacated

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.



K:\TWC_LDEV\LAUNCH PROPERTIES\DULUTH\JIGSAW3 Design\CAD\PlanSheets\L1-LANDSCAPE PLAN.dwg January 05, 2023 - 1:44pm



LANDSCAPE REQUIREMENTS

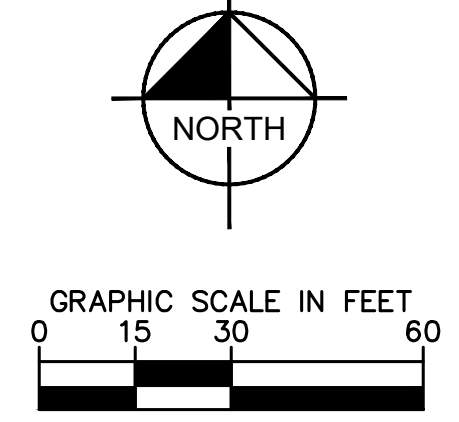
CODE DESCRIPTION	REQUIRED	PROPOSED
REGULAR STREET FRONTAGE: 1 TREE PER 35 L.F. (+/- 626 / 35) 1 LARGE SHRUB PER 25 L.F. (+/- 626 / 25)	315 LF 18 TREES 25 +/- SHRUBS	18 TREES 48 SHRUBS
INTERIOR PARKING LOT LANDSCAPING: 15% OF INTERNAL PARKING LOT AREA TO BE LANDSCAPED (14,286 X 0.15)	PAVED PARKING AREA: 14,286 SF INTERNAL LANDSCAPING REQUIRED: 2,143 SF	PROPOSED INTERNAL LANDSCAPING: 2,120 SF* INTERNAL PARKING LOT LANDSCAPE AREA TO BE CODE COMPLIANT AT TIME OF FINAL DEVELOPMENT
1 TREE PER 300 S.F. OF INTERNAL LANDSCAPE AREA (2,143 / 300)	INTERNAL LANDSCAPING TREES REQUIRED: 8	PROPOSED INTERNAL LANDSCAPING TREES: 15
TREES IN INTERNAL LANDSCAPE AREAS SHALL PROVIDE A MINIMUM OF 30% CANOPY COVERAGE OF PARKING AREAS. (14,286 X 0.30)	CANOPY COVERAGE REQUIRED: 4,286 SF	CANOPY COVER AREA: 7,730 SF** APPROX 58% OF TOTAL PARKING AREA
REPLACEMENT TREES	TREES REQUIRED: 46 SPECIAL TREES*	TREES PROPOSED: 46 (7 FUTURE + 39 PROPOSED)

*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 SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
HL	6	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPERIAL'	IMPERIAL HONEYLOCUST	B & B	2.5" CAL.	
UO	33	ULMUS AMERICANA 'LEWIS & CLARK' TM	PRAIRIE EXPEDITION AMERICAN ELM	36" BOX		
CONIFEROUS TREE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
BHS	4	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	B & B		6' HT.
PWP	12	PINUS STROBUS 'FASTIGIATA'	PYRAMIDAL WHITE PINE	B & B	8' HT.	
WP	4	PINUS STROBUS	WHITE PINE	B & B		6' HT.
ORNAMENTAL TREE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
RVB	3	BETULA NIGRA	RIVER BIRCH MULTI-TRUNK	B & B		6' HT.
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
AH	41	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE SMOOTH HYDRANGEA	#5 CONT.	3.5' O.C.	
CS	11	CORNUS SERICEA 'CARDINAL'	CARDINAL DOGWOOD	#5 CONT.	5' O.C.	
DH	38	DIERVILLA LONICERA	DWARF BUSH HONEYSUCKLE	#5 CONT.	3' O.C.	
GJ	9	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	#5 CONT.	4' O.C.	
JB	6	JUNIPERUS HORIZONTALIS 'BLUE PRINCE'	BLUE PRINCE JUNIPER	#5 CONT.	4' O.C.	
JC	39	JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER	#5 CONT.	4' O.C.	
JM	4	JUNIPERUS SCOPULORUM 'MEDORA'	MEDORA JUNIPER	#10 CONT.	5' O.C.	
JW	6	JUNIPERUS HORIZONTALIS 'WILTONII'	BLUE RUG JUNIPER	#5 CONT.	4' O.C.	
MGP	11	PINUS MUGO 'SLOWMOUND'	MUGO PINE	#5 CONT.	5' O.C.	
RG	18	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	#5 CONT.	5' O.C.	
ANNUALS/PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
HA	40	HEMEROCALLIS X 'APRICOT SPARKLES'	APRICOT SPARKLES DAYLILY	#1 CONT.	18" O.C.	
NF	24	NEPETA X FAASSENII 'WALKERS LOW'	WALKERS LOW CATMINT	#1 CONT.	18" O.C.	
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE	SPACING
DAY	208	HEMEROCALLIS X 'APRICOT SPARKLES'	APRICOT SPARKLES DAYLILY	#1 CONT.		15" OC
KFG	79	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	#1 CONT.		30" OC
PDS	84	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED	#1 CONT.		24" OC
SDO	59	HEMEROCALLIS X 'STELLA DE ORO'	STELLA DE ORO DAYLILY	#1 CONT.		18" O.C.
WLC	118	NEPETA X FAASSENII 'WALKERS LOW'	WALKERS LOW CATMINT	#1 CONT.		30" OC

- ### LANDSCAPE KEYNOTES
- (A) EDGER (TYP.)
 - (B) DOUBLE SHREDDED HARDWOOD MULCH (TYP.)
 - (C) SOD (TYP.)
 - (D) MAINTENANCE STRIP (TYP.)



THE JIGSAW
PREPARED FOR
LAUNCH
PROPERTIES

DULLUTH

© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
787 EUSTIS ST, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-454-1877
WWW.KIMLEY-HORN.COM

KHA PROJECT
160734013

DATE
12/06/2022

SCALE
AS SHOWN

DESIGNED BY
MPI

DRAWN BY
MPI

CHECKED BY
RAH

DATE
12/06/2022

MN LIC. NO.
53828

REVISIONS

BY

SHEET NUMBER
L1.0

DATE

PROPERTY SUMMARY	
DEVELOPMENT	
EXISTING ZONING	MU-N (MIXED USE NEIGHBORHOOD)
PROPOSED ZONING	MU-N (MIXED USE NEIGHBORHOOD)
PROPOSED LOT AREA SUMMARY	
LOT 1	1.12 AC
LOT 2	0.71 AC
LOT 3	0.27 AC
LOT 4	1.55 AC
TOTAL PROPERTY	3.65 AC

LEGEND	
	PROPERTY LINE
	PROPOSED 4' PICKET FENCE
	SETBACK LINE
	EXISTING WETLAND PROTECTION BOUNDARY
	RETAINING WALL
	PROPOSED CURB AND GUTTER. SEE DETAILS.
	PROPOSED CONCRETE PAVEMENT. SEE DETAILS.
	PROPOSED STORMWATER MANAGEMENT AREA

- ### 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 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. DATED 01/31/2018
 - KIMLEY-HORN ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES, OR OMISSIONS CONTAINED THEREIN.
 - PYLON / MONUMENT / PROJECT 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.

KEYNOTE LEGEND

(A) ACCESSIBLE STALL	(O) PAVEMENT MARKING; 4" DOUBLE YELLOW SOLID LINE
(B) ACCESSIBLE SIGN MOUNTED TO BUILDING WALL	(R) NOT USED
(C) CURB RAMP; PROVIDE PEDESTRIAN RAMP WITH PAINTED TRUNCATED DOMES	(S) DIRECTIONAL PAVEMENT MARKING
(D) DUMPSTER ENCLOSURE. REF ARCH PLANS	(T) MATCH EDGE OF PAVEMENT/FLUSH
(E) 20' SITE TRIANGLE	(U) LIMITS OF ASPHALT PAVING
(F) GENERAL LOCATION OF MONUMENT/PYLON/PROJECT SIGNS. REF ARCH PLANS. LOCATION PROVIDED FOR REFERENCE ONLY. EXACT LOCATION OF SIGN TO BE PROVIDED WITH SIGN PERMIT	(V) "CHUCK AND DON'S PARKING ONLY" SIGN MOUNTED TO BUILDING
(G) PAVEMENT MARKING. 4" SOLID WHITE (TYP.)	(W) "COMPACT CARS ONLY" SIGN
(H) PEDESTRIAN CROSSWALK.	(X) 4" SOLID YELLOW STRIPING 2" O.C. AT 45°
(I) STOP SIGN	(Y) CONCRETE WHEEL STOP
(J) CONCRETE SIDEWALK	(Z) NOT USED
(K) B612 CURB AND GUTTER	(AA) BIKE RACK
(L) PROPOSED STAIRS WITH RAILING	(BB) PAVEMENT MARKING; 6" SINGLE WHITE SOLID LINE
(M) THICKENED EDGE SIDEWALK AND 4" FENCE	(CC) FLUSH CURB AND GUTTER
(N) TRANSFORMER PAD. COORDINATE WITH MNPPOWER	(DD) 4" STEEL PICKET FENCE
(O) TRANSITION TO B618 CURB AND GUTTER	(EE) PAVEMENT LIMITS
(P) MATCH TO EXISTING B618 CURB AND GUTTER	(FF) LIMITS OF UNDERGROUND FILTRATION SYSTEM
	(GG) COMPACT CAR PARKING SIGN
	(HH) DO NOT ENTER SIGN

CODE REQUIREMENTS SUMMARY

PERVIOUS/PARKING SUMMARY		
		COMPLIANCE
INTERIOR PERVIOUS AREA	15% PERVIOUS FOR 50 SPACES OR MORE	YES; PROPOSING +/- 18% AT BUILD-OUT
INTERIOR LANDSCAPE AREA WIDTH	MINIMUM 8' WIDTH	YES
COMMERCIAL-RESIDENTIAL BUFFER	MINIMUM 15' LANDSCAPE BUFFER ON SHARED BORDER OR FENCE	YES, PROPOSING LANDSCAPE BUFFER
PARKING STALL SIZE	COMPACT: 8.5'X15' STANDARD: 9'X17'	YES
MAX. ALLOWABLE COMPACT STALLS	45% FOR 100- 149 PROPOSED STALLS	YES, PROPOSING +/- 13.28% AT BUILD-OUT
RETAIL PARKING	3 SPACES/ 1,000 SF	YES
RESTAURANT PARKING	6.5 SPACES/ 1,000 SF	YES

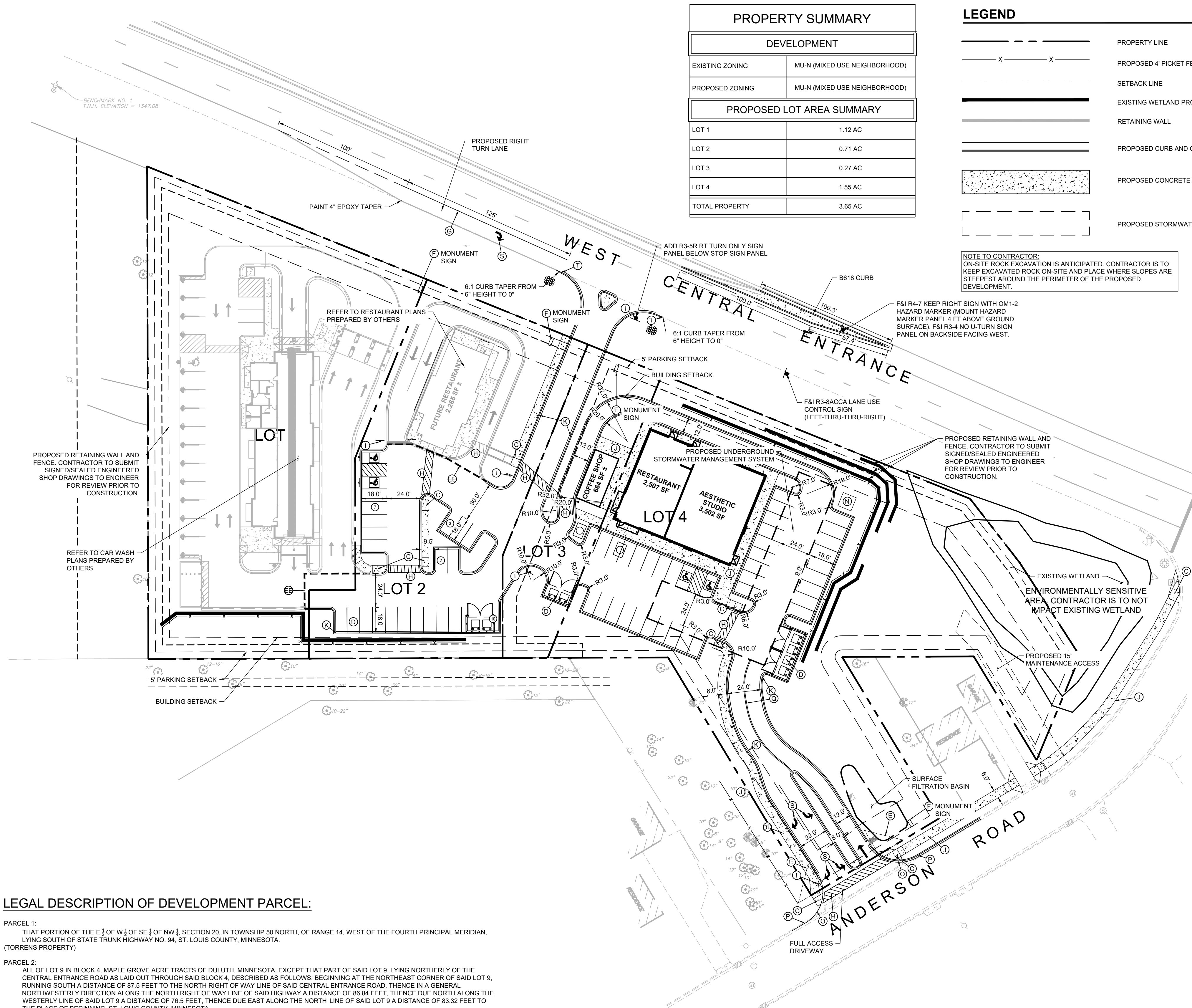
SETBACKS SUMMARY

BUILDING		
SIDE	WIDTH	COMPLIANCE
SIDE (EAST)	15'	YES
SIDE (WEST)	15'	YES
REAR	25'	YES
STREET FRONTAGE LANDSCAPE		
FRONT	AVERAGE 15'	YES
SIDE	AVERAGE 10'	YES
REAR	AVERAGE 5' ON LOT LINES OF DOUBLE FRONTAGE	YES
SIDEWALK		
SIDEWALK WIDTH	5' MINIMUM WIDTH	YES

OVERALL SITE DATA TABLE

	BUILDING	PARKING PROVIDED	RATIO PROVIDED	PARKING REQUIRED	RATIO REQUIRED*	MAXIMUM RATIO PERMITTED	ADA REQUIRED/ADA PROVIDED
LOT 2	2,265 SQ. FT.	22 SPACES	9.71	15 SPACES	6.62	9.93	1 SPACE / 2 SPACES
LOT 3	664 SQ. FT.	1 SPACES	1.51	5 SPACES	7.53	11.30	1 SPACE / 0 SPACES
LOT 4	6,009 SQ. FT.	38 SPACES	6.32	26 SPACES	4.33	6.49	2 SPACES / 2 SPACES

*CITY OF DULUTH MINIMUM REQUIRED PARKING RATIOS:
 RETAIL - 3.0 / 1,000 SF
 RESTAURANT - 6.5 / 1,000 SF
 AUTOMOBILE AND LIGHT VEHICLE REPAIR AND SERVICE - 2 / 1,000 SF
 PERSONAL SERVICE - 2.5 / 1,000 SF
 **CITY OF DULUTH MAXIMUM PERMITTED PARKING RATIO: 1.5 TIMES MINIMUM REQUIRED PARKING RATIO
 ***PRELIMINARY - FINAL CAR WASH DEVELOPMENT PLANS TO BE SUBMITTED IN FUTURE



LEGAL DESCRIPTION OF DEVELOPMENT PARCEL:

PARCEL 1:
 THAT PORTION OF THE E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4, SECTION 20, IN TOWNSHIP 50 NORTH, OF RANGE 14, WEST OF THE FOURTH PRINCIPAL MERIDIAN, LYING SOUTH OF STATE TRUNK HIGHWAY NO. 94, ST. LOUIS COUNTY, MINNESOTA. (TORRENS PROPERTY)

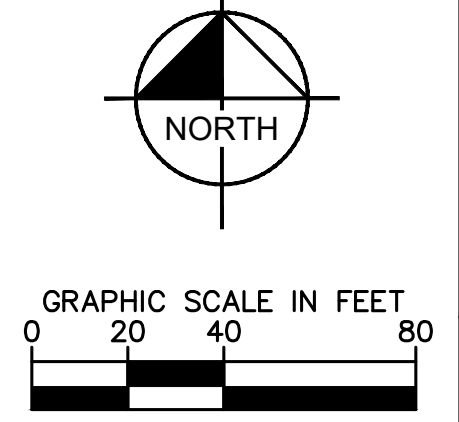
PARCEL 2:
 ALL OF LOT 9 IN BLOCK 4, MAPLE GROVE ACRE TRACTS OF DULUTH, MINNESOTA, EXCEPT THAT PART OF SAID LOT 9 LYING NORTHERLY OF THE CENTRAL ENTRANCE ROAD AS LAID OUT THROUGH SAID BLOCK 4, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9, RUNNING SOUTH A DISTANCE OF 87.5 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID CENTRAL ENTRANCE ROAD, THENCE IN A GENERAL NORTHWESTERLY DIRECTION ALONG THE NORTH RIGHT OF WAY LINE OF SAID HIGHWAY A DISTANCE OF 86.84 FEET, THENCE DUE NORTH ALONG THE WESTERLY LINE OF SAID LOT 9 A DISTANCE OF 76.5 FEET, THENCE DUE EAST ALONG THE NORTH LINE OF SAID LOT 9 A DISTANCE OF 83.32 FEET TO THE PLACE OF BEGINNING, ST. LOUIS COUNTY, MINNESOTA. (TORRENS PROPERTY)

PARCEL 3:
 LOTS 10, 11, 12, AND 13, BLOCK 4, MAPLE GROVE ACRES TRACTS OF DULUTH EXCEPT THAT PART LYING NORTH OF THE CENTRAL HIGHWAY ENTRANCE TO DULUTH, COMMONLY KNOWN AS THE NEW MILLER TRUNK HIGHWAY, ST. LOUIS COUNTY, MINNESOTA. (TORRENS PROPERTY)

PARCEL 4:
 LOT 1, CENTRAL ENTRANCE ADDITION, ST. LOUIS COUNTY, MINNESOTA. (TORRENS PROPERTY)

PARCEL 5:
 LOT 4, CENTRAL ENTRANCE ADDITION AND LOT 3, EXCEPT THE EASTERLY 20 FEET, CENTRAL ENTRANCE ADDITION, ST. LOUIS COUNTY, MINNESOTA. (TORRENS PROPERTY)

TORRENS PROPERTY



Kimley»Horn
 © 2021 KIMLEY-HORN AND ASSOCIATES, INC.
 767 EUSTIS ST, SUITE 100, ST. PAUL, MN 55114
 PHONE: 651-454-4197
 WWW.KIMLEY-HORN.COM

THIS PROJECT WAS DESIGNED BY AN ENGINEER OR ARCHITECT AS SPECIFIED OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULUTH LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Brian N. Wurdeiman, P.E.
 BRIAN N. WURDEIMAN, P.E.
 MN LIC. NO. 5313
 DATE: 12/06/2022

KHA PROJECT	DATE	SCALE	DESIGNED BY	ACL	DRAWN BY	ACL	CHECKED BY	BMW
160734013	06/03/2022	AS SHOWN						

SITE PLAN

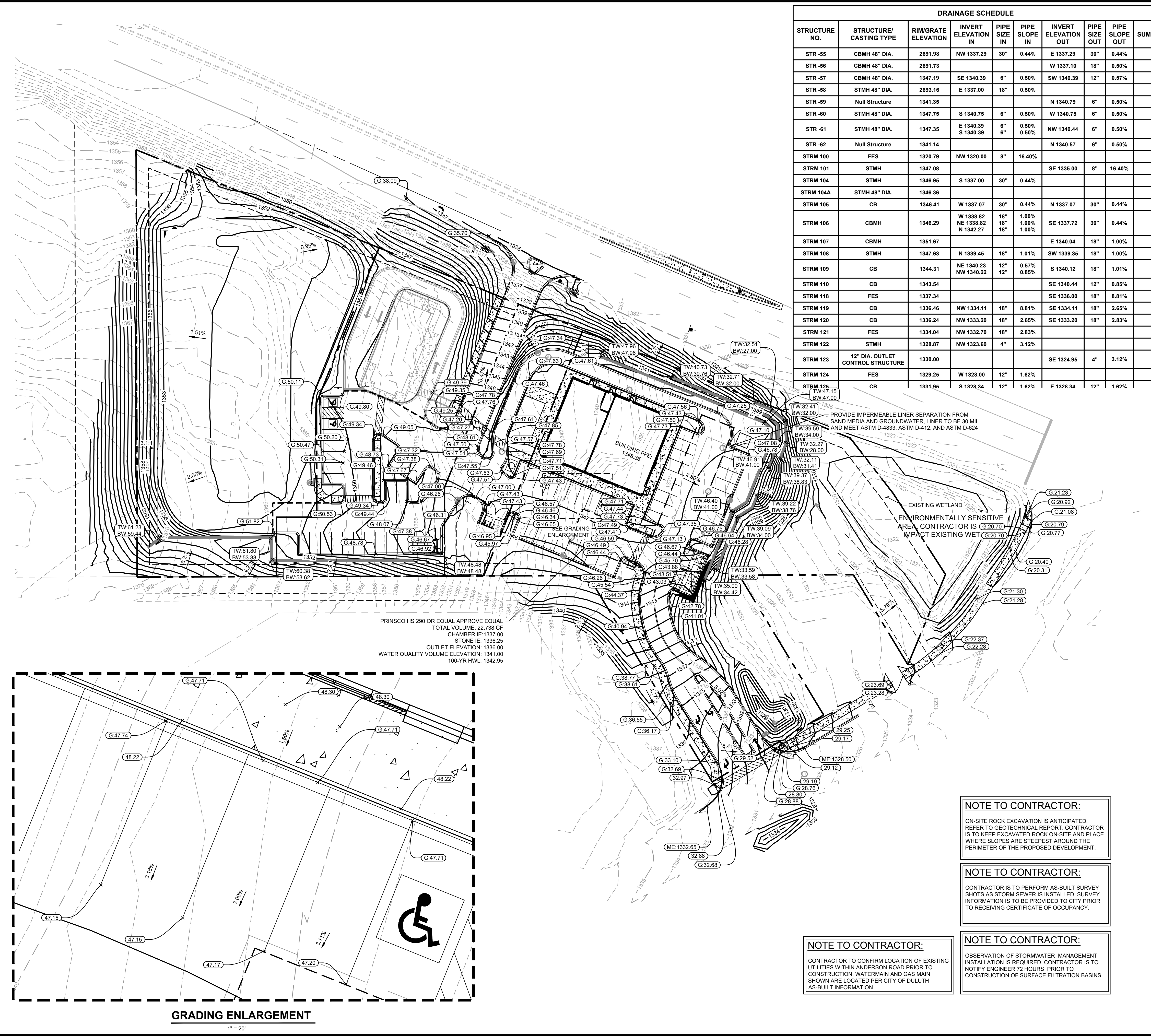
THE JIGSAW
PREPARED FOR
LAUNCH
PROPERTIES

SHEET NUMBER
C3.0

K:\TWC_LDEV\LAUNCH PROPERTIES\DULUTH\JIGSAW3 Design\CAD\PlanSheets\C4-SITE PLAN.dwg January 05, 2023 - 1:40pm
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

K:\ITWC_LDEVLAUNCH PROPERTIES\DULUTH\JIGSAW3 Design\CAD\PlanSheets\C5-GRADING PLAN.dwg January 05, 2023 - 1:42pm

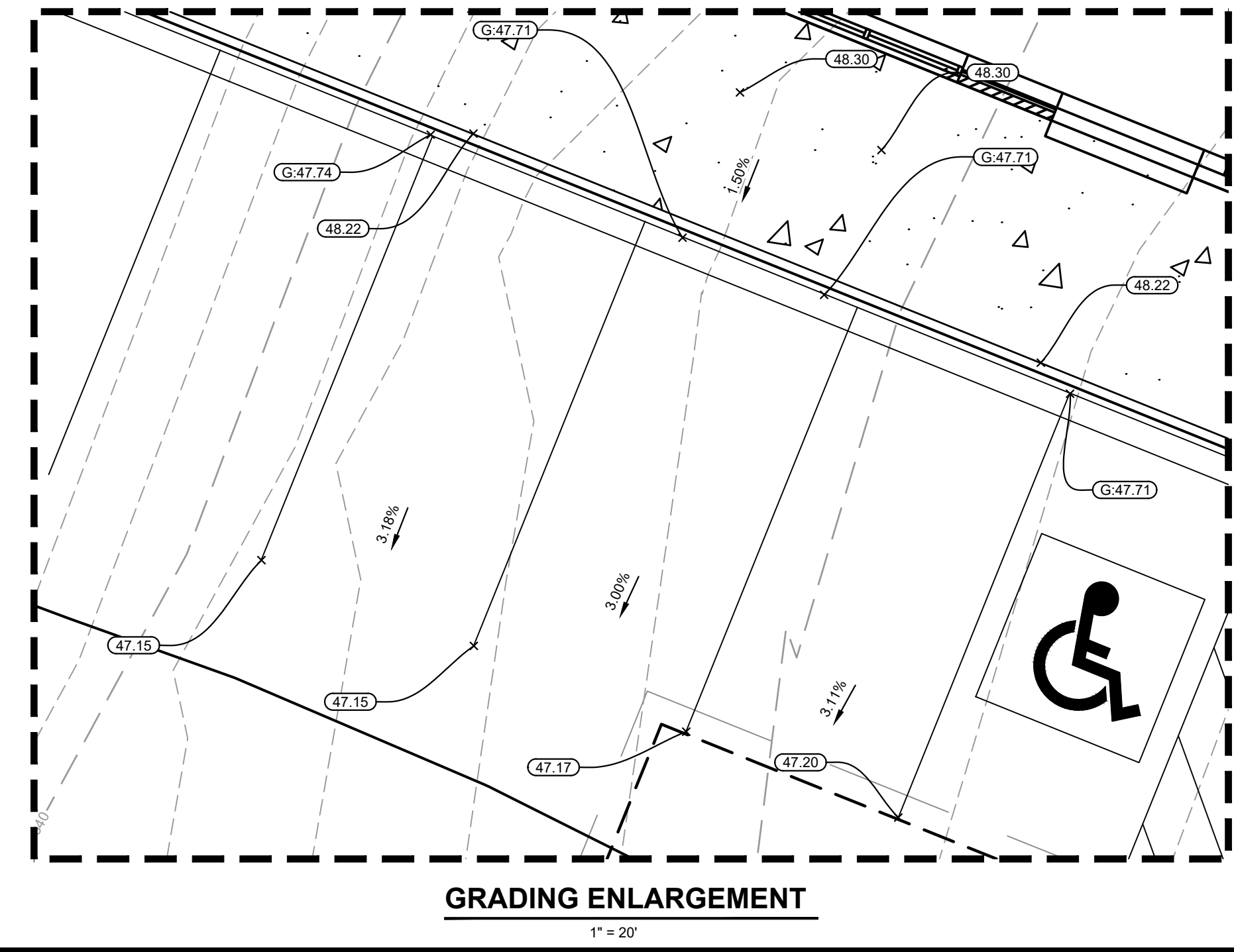
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



LEGEND

- PROPERTY LINE
- - - - - EXISTING CONTOUR
- PROPOSED CONTOUR
- RETAINING WALL
- PROPOSED DRAIN TILE
- PROPOSED STORM SEWER
- PROPOSED SPOT ELEVATION
- PROPOSED DRAINAGE DIRECTION
- PROPOSED FLARED END SECTION
- PROPOSED RIPRAP
- PROPOSED STORM MANHOLE (SOLID CASTING)
- PROPOSED STORM MANHOLE (ROUND INLET CASTING)
- PROPOSED STORM MANHOLE/ CATCH BASIN (CURB INLET)

- 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.
 - SITE STORM SEWER PIPE SHALL BE AS FOLLOWS:
RCP PER ASTM C-76
HDPE: 0" - 10" PER AASHTO M-252
POLYPROPYLENE PIPE: 12" OR GREATER PER AASHTO M330 AND MNDOT 2451.3D
PVC SCH. 40 PER ASTM D-3034
 - SITE 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
POLYPROPYLENE PER AASHTO M330
PVC PER ASTM D-3034, JOINTS PER ASTM D-3212
 - WITHIN MNDOT PUBLIC ROW STORM SEWER PIPE SHALL BE AS FOLLOWS:
RCP PER ASTM C-76
HDPE: 0" - 10" PER AASHTO M-252
POLYPROPYLENE PIPE: 12" OR GREATER PER AASHTO M330 AND MNDOT 2451.3D
PVC SCH. 40 PER ASTM D-3034
 - WITHIN MNDOT PUBLIC ROW 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
POLYPROPYLENE PER AASHTO M330
PVC PER ASTM D-3034, JOINTS PER ASTM D-3212
 - CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF 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 FLOORS 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 ON SITE 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 ON SITE SIDEWALK CROSS SLOPES EXCEED 2% . IN NO CASE SHALL ON SITE 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 1304.68 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.

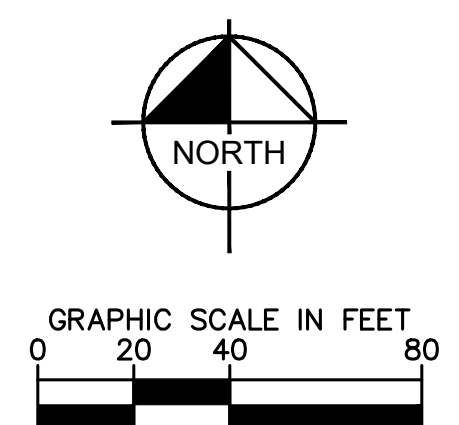


NOTE TO CONTRACTOR:
ON-SITE ROCK EXCAVATION IS ANTICIPATED. REFER TO GEOTECHNICAL REPORT. CONTRACTOR IS TO KEEP EXCAVATED ROCK ON-SITE AND PLACE WHERE SLOPES ARE STEEPEST AROUND THE PERIMETER OF THE PROPOSED DEVELOPMENT.

NOTE TO CONTRACTOR:
CONTRACTOR IS TO PERFORM AS-BUILT SURVEY SHOTS AS STORM SEWER IS INSTALLED. SURVEY INFORMATION IS TO BE PROVIDED TO CITY PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY.

NOTE TO CONTRACTOR:
CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES WITHIN ANDERSON ROAD PRIOR TO CONSTRUCTION. WATERMAIN AND GAS MAIN SHOWN ARE LOCATED PER CITY OF DULUTH AS-BUILT INFORMATION.

NOTE TO CONTRACTOR:
OBSERVATION OF STORMWATER MANAGEMENT INSTALLATION IS REQUIRED. CONTRACTOR IS TO NOTIFY ENGINEER 72 HOURS PRIOR TO CONSTRUCTION OF SURFACE FILTRATION BASINS.



THE JIGSAW
PREPARED FOR
LAUNCH
PROPERTIES

Kimley Horn
© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
767 EUSTIS ST, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-452-4197
WWW.KIMLEY-HORN.COM

GRADING PLAN

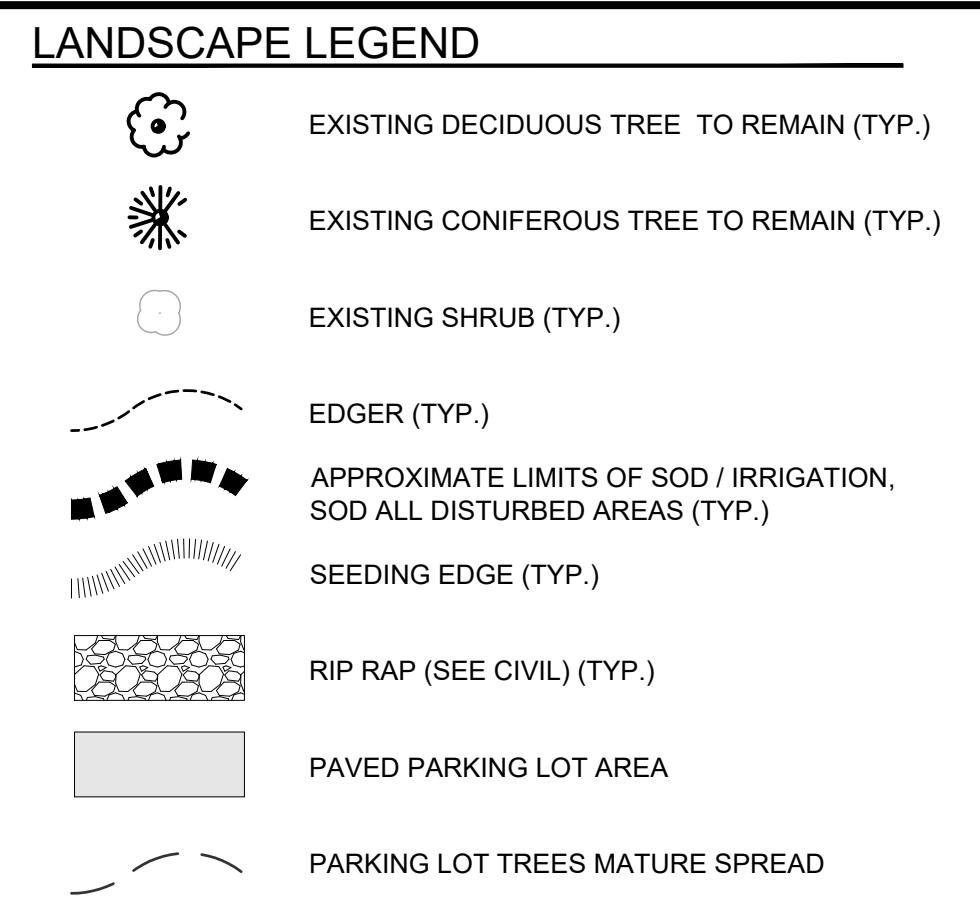
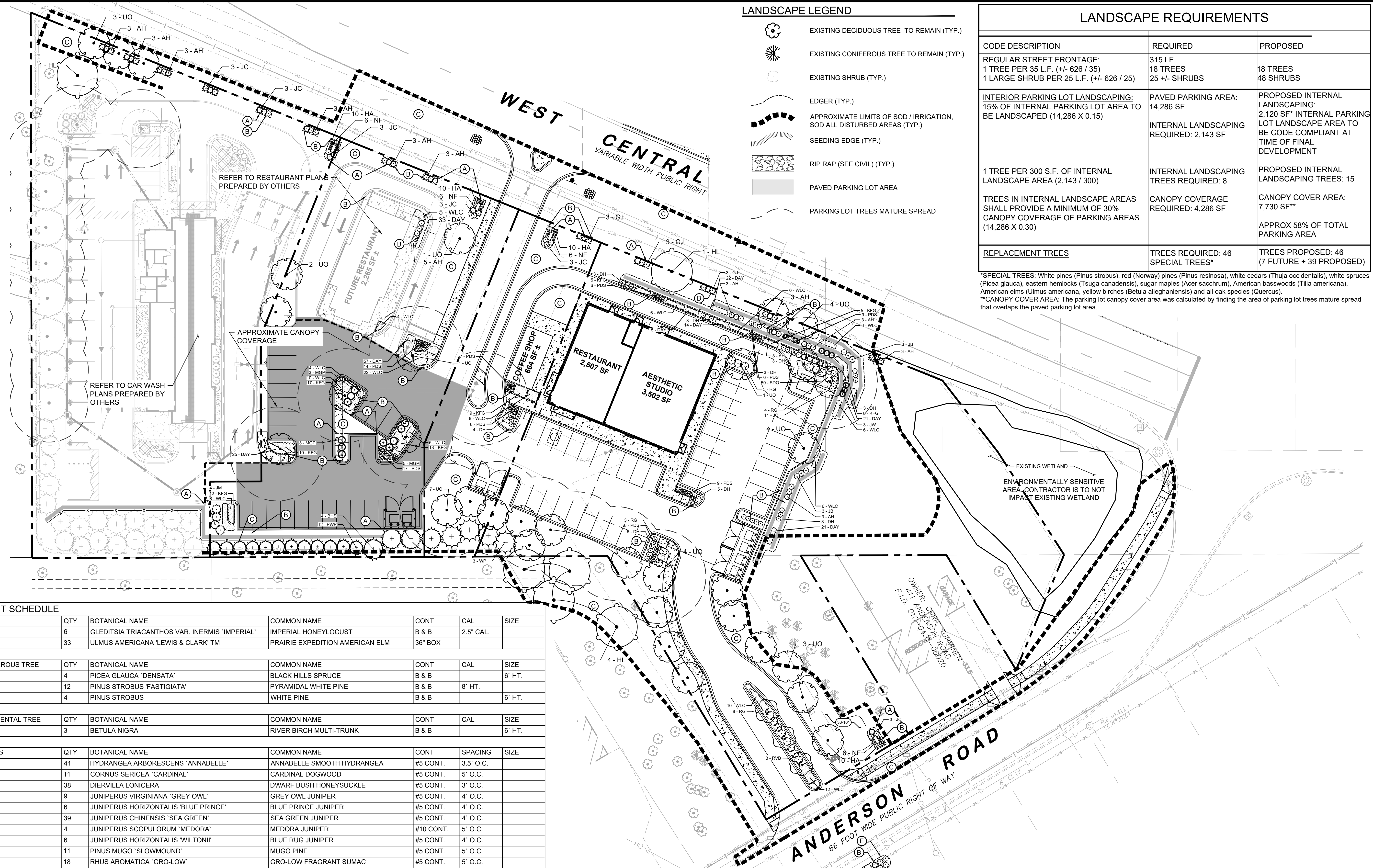
DATE: 02/21/2018
LIC. NO. 5313

DESIGNED BY: [Signature]
DRAWN BY: [Signature]
CHECKED BY: [Signature]

PROJECT: KHA PROJECT 160734013
DATE: 12/06/2022
SCALE: AS SHOWN
ACL: [Signature]
BMW: [Signature]

SHEET NUMBER
C4.0

K:\TWC_LDEVLAUNCH PROPERTIES\DULUTH\JIGSAW3 Design\CAD\Plan\Sheets\L1-LANDSCAPE PLAN.dwg January 05, 2023 - 1:44pm
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



LANDSCAPE REQUIREMENTS

CODE DESCRIPTION	REQUIRED	PROPOSED
REGULAR STREET FRONTAGE: 1 TREE PER 35 L.F. (+/- 626 / 35) 1 LARGE SHRUB PER 25 L.F. (+/- 626 / 25)	315 LF 18 TREES 25 +/- SHRUBS	18 TREES 48 SHRUBS
INTERIOR PARKING LOT LANDSCAPING: 15% OF INTERNAL PARKING LOT AREA TO BE LANDSCAPED (14,286 X 0.15)	PAVED PARKING AREA: 14,286 SF INTERNAL LANDSCAPING REQUIRED: 2,143 SF	PROPOSED INTERNAL LANDSCAPING: 2,120 SF* INTERNAL PARKING LOT LANDSCAPE AREA TO BE CODE COMPLIANT AT TIME OF FINAL DEVELOPMENT
1 TREE PER 300 S.F. OF INTERNAL LANDSCAPE AREA (2,143 / 300)	INTERNAL LANDSCAPING TREES REQUIRED: 8	PROPOSED INTERNAL LANDSCAPING TREES: 15
TREES IN INTERNAL LANDSCAPE AREAS SHALL PROVIDE A MINIMUM OF 30% CANOPY COVERAGE OF PARKING AREAS. (14,286 X 0.30)	CANOPY COVERAGE REQUIRED: 4,286 SF	CANOPY COVER AREA: 7,730 SF** APPROX 58% OF TOTAL PARKING AREA
REPLACEMENT TREES	TREES REQUIRED: 46 SPECIAL TREES*	TREES PROPOSED: 46 (7 FUTURE + 39 PROPOSED)

*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 SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
HL	6	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPERIAL'	IMPERIAL HONEYLOCUST	B & B	2.5" CAL.	
UO	33	ULMUS AMERICANA 'LEWIS & CLARK' TM	PRAIRIE EXPEDITION AMERICAN ELM	36" BOX		

CONIFEROUS TREE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
BHS	4	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	B & B		6' HT.
PWP	12	PINUS STROBUS 'FASTIGIATA'	PYRAMIDAL WHITE PINE	B & B	8' HT.	
WP	4	PINUS STROBUS	WHITE PINE	B & B		6' HT.

ORNAMENTAL TREE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
RVB	3	BETULA NIGRA	RIVER BIRCH MULTI-TRUNK	B & B		6' HT.

SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
AH	41	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE SMOOTH HYDRANGEA	#5 CONT.	3.5' O.C.	
CS	11	CORNUS SERICEA 'CARDINAL'	CARDINAL DOGWOOD	#5 CONT.	5' O.C.	
DH	38	DIERVILLA LONICERA	DWARF BUSH HONEYSUCKLE	#5 CONT.	3' O.C.	
GJ	9	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	#5 CONT.	4' O.C.	
JB	6	JUNIPERUS HORIZONTALIS 'BLUE PRINCE'	BLUE PRINCE JUNIPER	#5 CONT.	4' O.C.	
JC	39	JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER	#5 CONT.	4' O.C.	
JM	4	JUNIPERUS SCOPULORUM 'MEDORA'	MEDORA JUNIPER	#10 CONT.	5' O.C.	
JW	6	JUNIPERUS HORIZONTALIS 'WILTONII'	BLUE RUG JUNIPER	#5 CONT.	4' O.C.	
MGP	11	PINUS MUGO 'SLOWMOUND'	MUGO PINE	#5 CONT.	5' O.C.	
RG	18	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	#5 CONT.	5' O.C.	

ANNUALS/PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
HA	40	HEMEROCALLIS X 'APRICOT SPARKLES'	APRICOT SPARKLES DAYLILY	#1 CONT.	18" O.C.	
NF	24	NEPETA X FAASSENII 'WALKERS LOW'	WALKERS LOW CATMINT	#1 CONT.	18" O.C.	

PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE	SPACING
DAY	208	HEMEROCALLIS X 'APRICOT SPARKLES'	APRICOT SPARKLES DAYLILY	#1 CONT.		15" OC
KFG	79	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	#1 CONT.		30" OC
PDS	84	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED	#1 CONT.		24" OC
SDO	59	HEMEROCALLIS X 'STELLA DE ORO'	STELLA DE ORO DAYLILY	#1 CONT.		18" O.C.
WLC	118	NEPETA X FAASSENII 'WALKERS LOW'	WALKERS LOW CATMINT	#1 CONT.		30" OC

THE JIGSAW

PREPARED FOR
LAUNCH PROPERTIES

Kimley-Horn

© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
787 EUSTIS ST, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-454-1877
WWW.KIMLEY-HORN.COM

LANDSCAPE PLAN

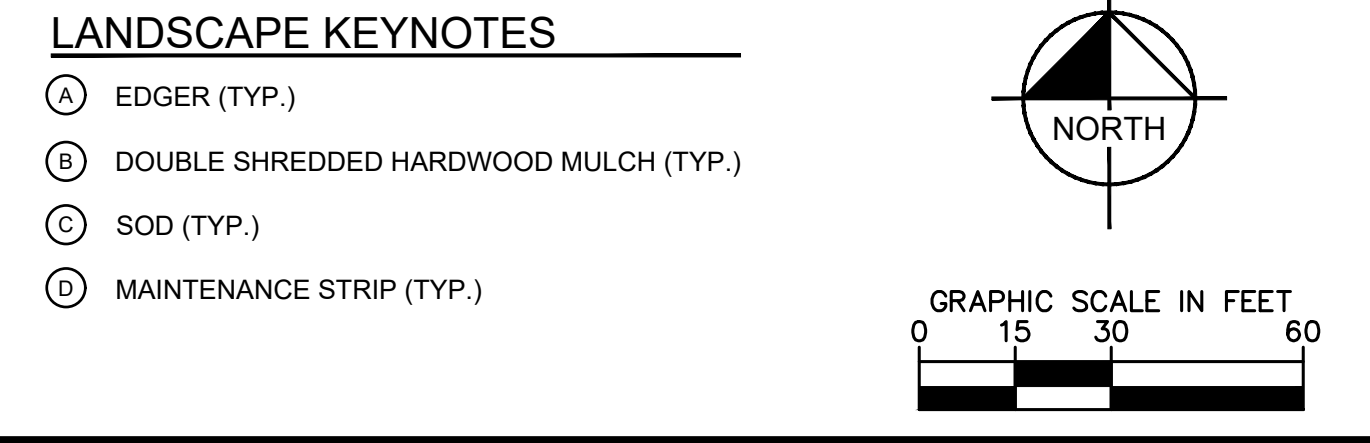
SHEET NUMBER
L1.0

KHA PROJECT	160734013	DATE	12/06/2022	SCALE	AS SHOWN	DESIGNED BY	MPI	DRAWN BY	MPI	CHECKED BY	RAH
LIBRARY CATEGORY	LANDSCAPE										
LIBRARY PROJECT	THE JIGSAW										
LIBRARY SHEET	LANDSCAPE PLAN										
LIBRARY DATE	12/06/2022										
LIBRARY USER	RAH										
LIBRARY PROJECT	THE JIGSAW										
LIBRARY SHEET	LANDSCAPE PLAN										
LIBRARY DATE	12/06/2022										
LIBRARY USER	RAH										

OWNER: CHRIS TURPINEN LLC
P.I.D. 010-044-00020

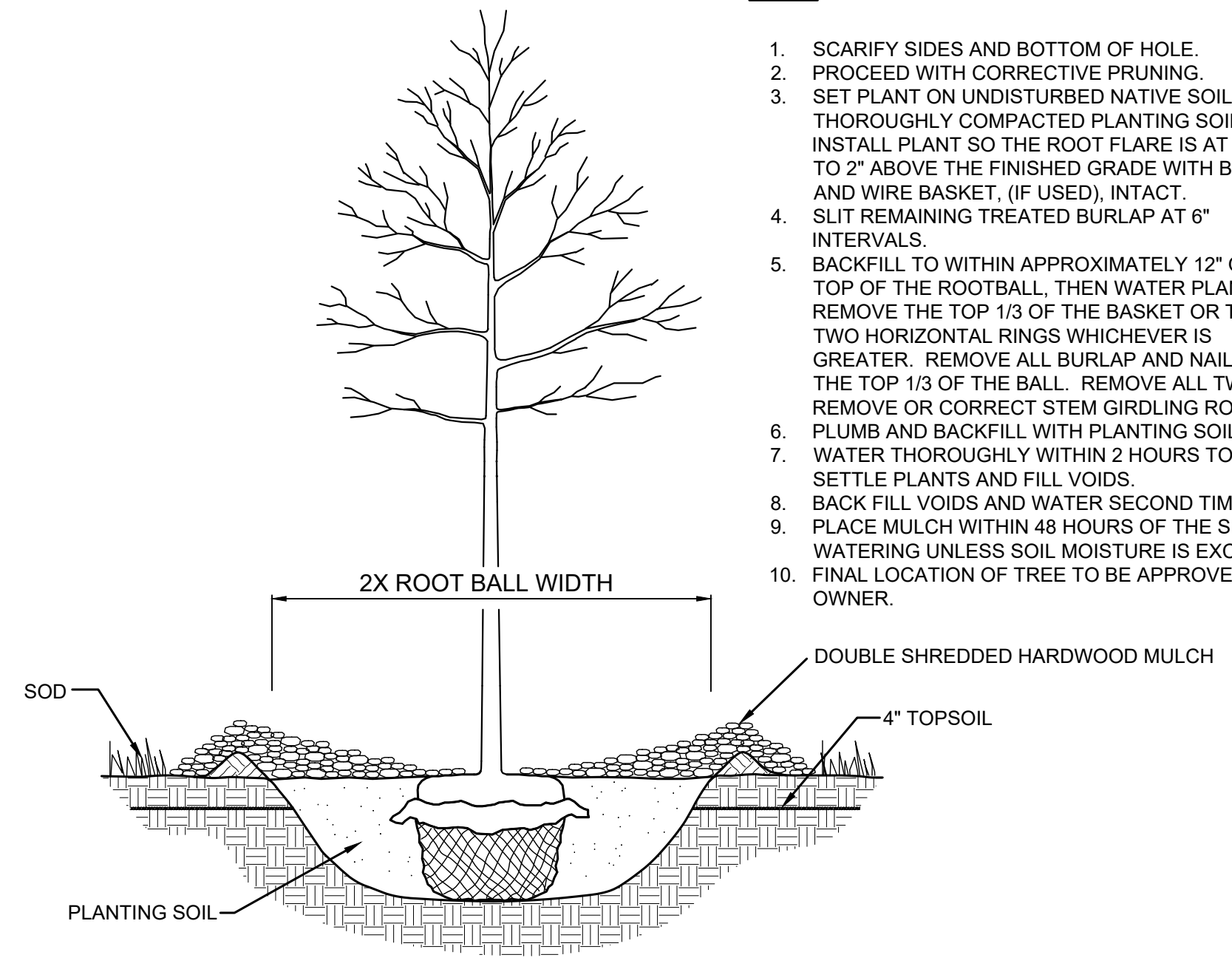
DATE: 12/06/2022

LIC. NO. 53828

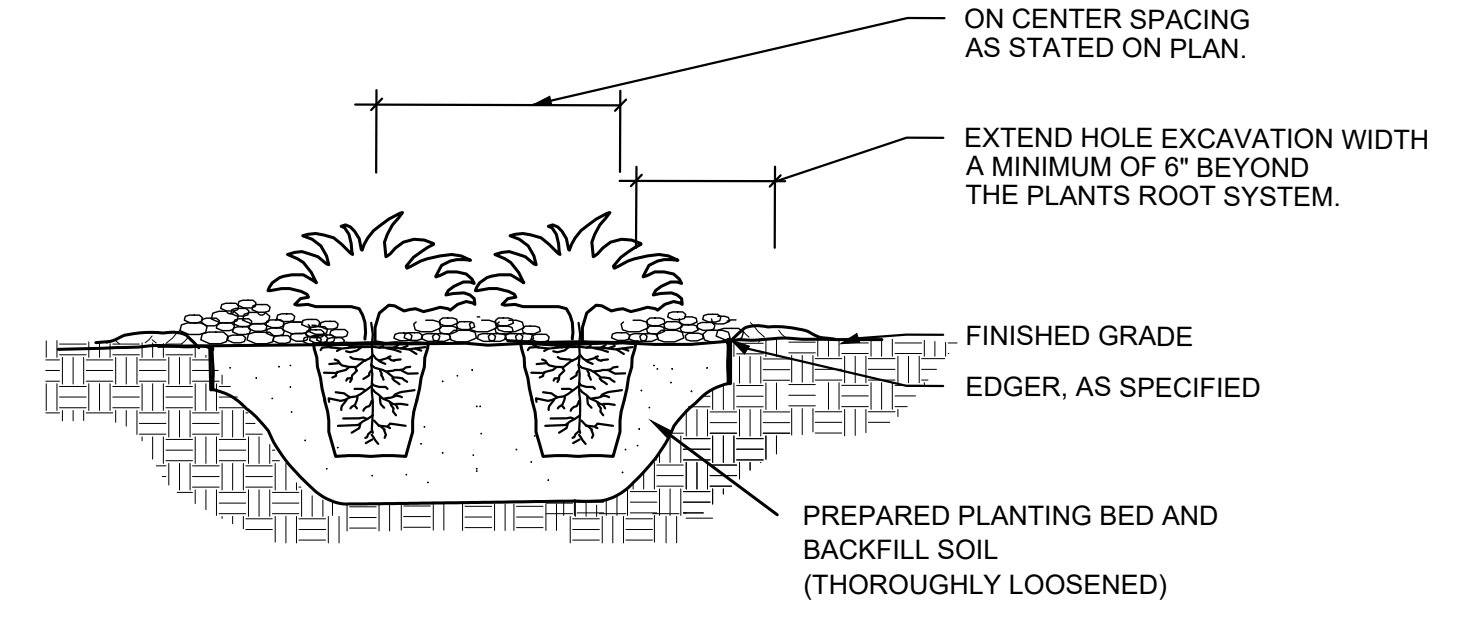


NOTES:

1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING.
3. SET PLANT ON UNDISTURBED NATIVE SOIL OR THOROUGHLY COMPACTED PLANTING SOIL. INSTALL PLANT SO THE ROOT FLARE IS AT OR UP TO 2" ABOVE THE FINISHED GRADE WITH BURLAP AND WIRE BASKET. (IF USED), INTACT.
4. SLIT REMAINING TREATED BURLAP AT 6" INTERVALS.
5. BACKFILL TO WITHIN APPROXIMATELY 12" OF THE TOP OF THE ROOTBALL. THEN WATER PLANT. REMOVE THE TOP 1/3 OF THE BASKET OR THE TOP TWO HORIZONTAL RINGS WHICHEVER IS GREATER. REMOVE ALL BURLAP AND NAILS FROM THE TOP 1/3 OF THE BALL. REMOVE ALL TWINE. REMOVE OR CORRECT STEM GIRDLING ROOTS.
6. PLUMB AND BACKFILL WITH PLANTING SOIL.
7. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
8. BACK FILL VOIDS AND WATER SECOND TIME.
9. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
10. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.



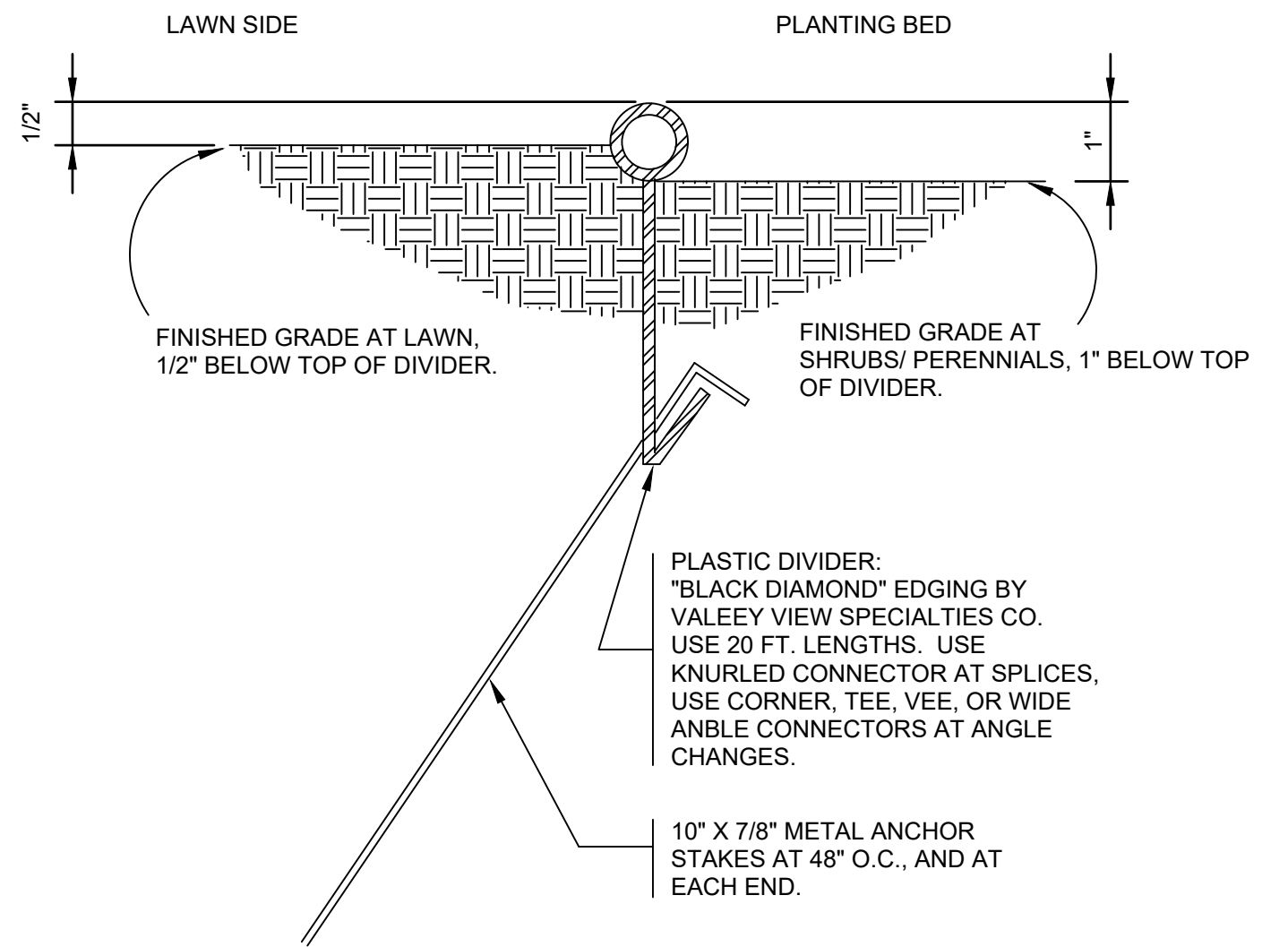
1 TREE PLANTING DETAIL
SCALE: N.T.S. L1.1



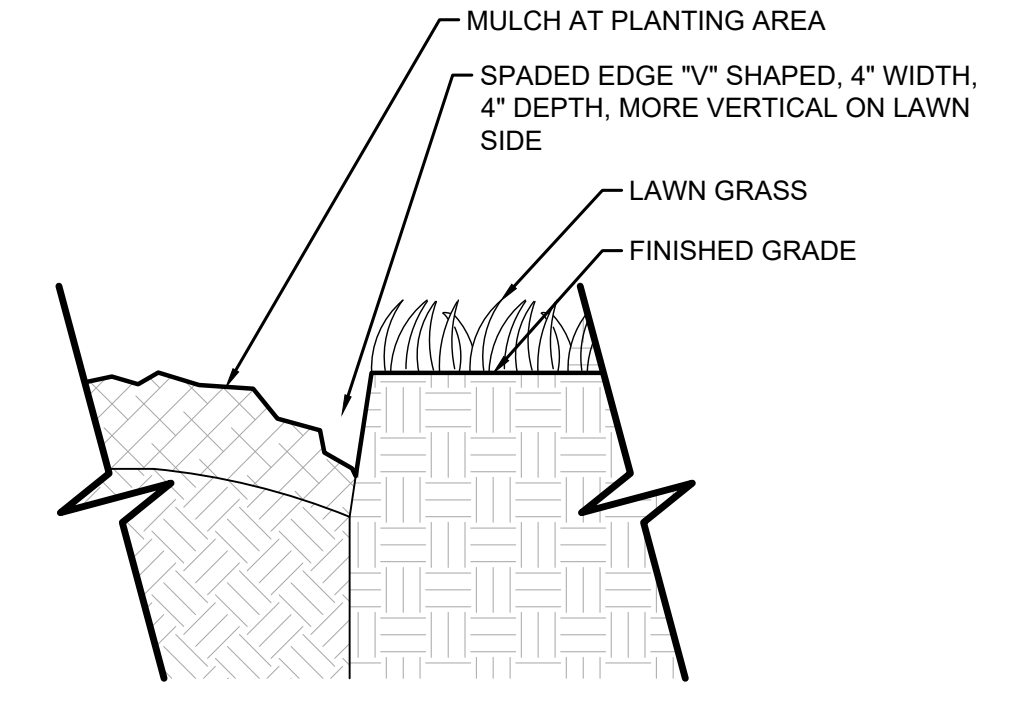
2 SHRUB / PERENNIAL PLANTING DETAIL
SCALE: N.T.S. L1.1

NOTES:

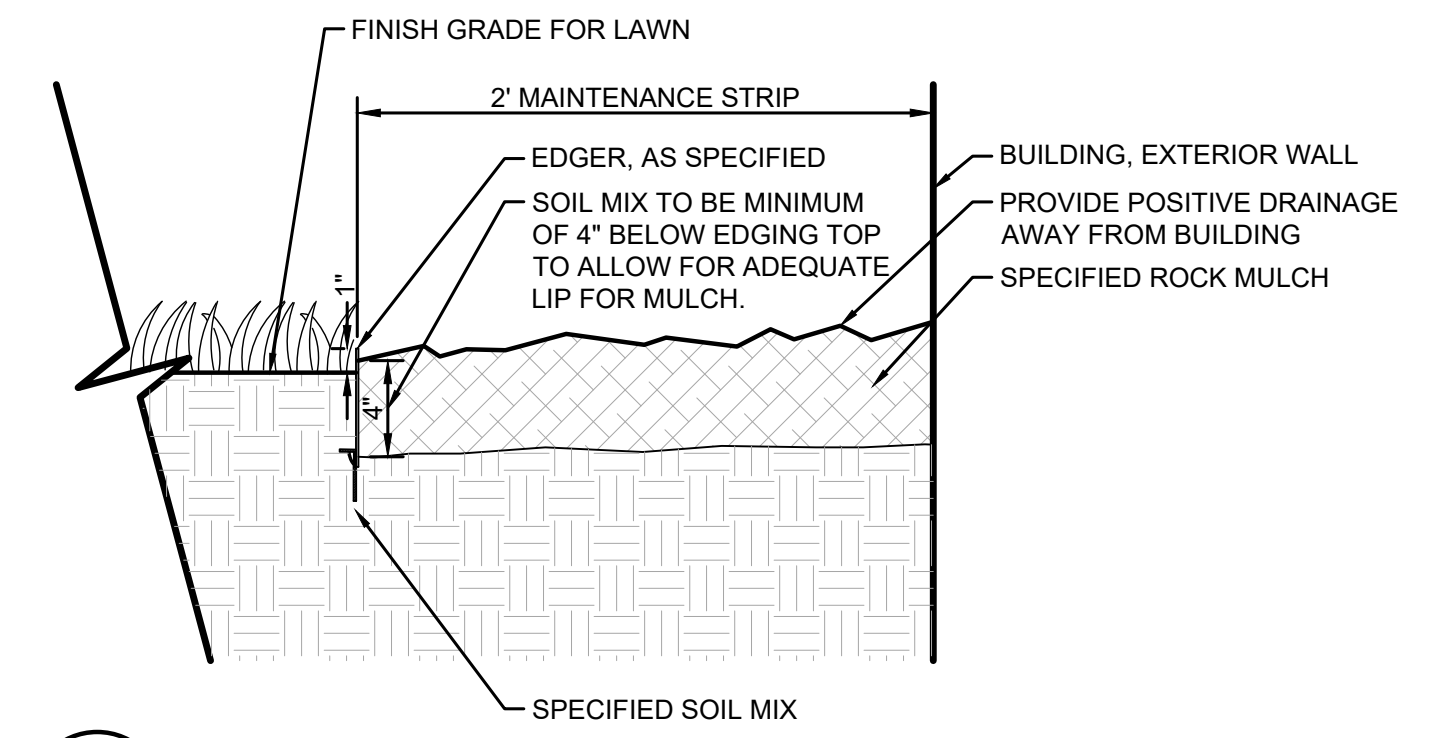
1. SCARIFY SIDES AND BOTTOM OF HOLE.
2. PROCEED WITH CORRECTIVE PRUNING OF TOP AND ROOT.
3. REMOVE CONTAINER AND SCORE OUTSIDE OF SOIL MASS TO REDIRECT AND PREVENT CIRCLING FIBROUS ROOTS. REMOVE OR CORRECT STEM GIRDLING ROOTS.
4. PLUMB AND BACKFILL WITH PLANTING SOIL.
5. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
6. BACK FILL VOIDS AND WATER SECOND TIME.
7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.
8. MIX IN 3-4" OF ORGANIC COMPOST.



3 POLY EDGER DETAIL
SCALE: N.T.S. L1.1



4 SPADED EDGE DETAIL
SCALE: 1-1/2"=1' L1.1



5 MAINTENANCE STRIP DETAIL
SCALE: 1-1/2"=1' L1.1

LANDSCAPE NOTES

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNL & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
14. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MNDOT STANDARD SPECIFICATION 3877 (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF DOUBLE SHREDDED HARDWOOD MULCH. DOUBLE SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH DOUBLE SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED DARK BROWN, OR APPROVED EQUAL. ROCK MULCH TO BE DARK GREY TRAP ROCK, 1 1/2" TO 3" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE. FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MNDOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
24. MAINTAIN TREES, SHRUBS, AND OTHER PLANTS UNTIL PROJECT COMPLETION, BUT IN NO CASE, LESS THAN FOLLOWING PERIOD: 1 YEAR AFTER PROJECT COMPLETION. MAINTAIN TREES, SHRUBS, AND OTHER PLANTS BY PRUNING, CULTIVATING, AND WEEDING AS REQUIRED FOR HEALTHY GROWTH. RESTORE PLANTING SAUCERS, TIGHTEN AND REPAIR STAKE AND GUY SUPPORTS AND RESET TREES AND SHRUBS TO PROPER GRADES OR VERTICAL POSITION AS REQUIRED; RESTORE OR REPLACE DAMAGED WRAPPINGS; SPRAY AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE. REPLENISH MULCH TO THE REQUIRED DEPTH. MAINTAIN LAWNS FOR 45 DAYS AFTER INSTALLING SOD INCLUDING MOWING WHEN SOD RECITES 4" IN HEIGHT. WEED PLANTING BEDS AND MULCH SAUCERS AT MINIMUM ONCE A MONTH DURING THE GROWING SEASON. PROVIDE A MONTHLY REPORT TO THE OWNER ON WEEDING AND OTHER MAINTENANCE RESPONSIBILITIES.

Kimley»Horn

2021 KIMLEY-HORN AND ASSOCIATES, INC.
787 EUSTIS ST, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-454-4197
WWW.KIMLEY-HORN.COM

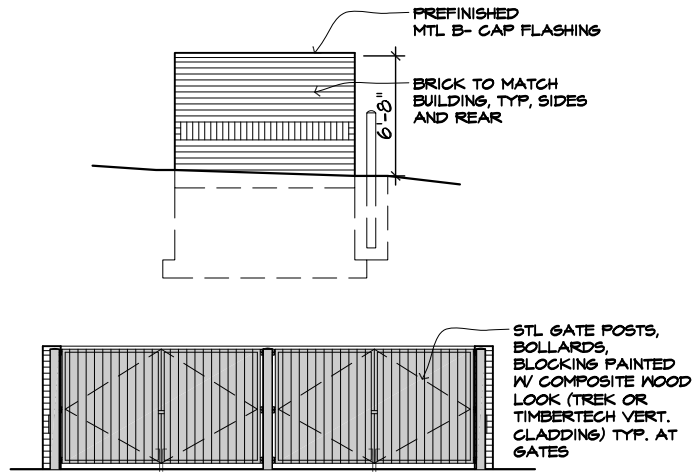
THIS CERTIFICATE IS VALID AS AN INSTRUMENT OF SERVICE. IT IS NOT VALID UNLESS IT IS USED IN CONNECTION WITH A PROJECT FOR WHICH IT WAS PREPARED. REUSE OF THIS CERTIFICATE FOR ANY OTHER PROJECT IS PROHIBITED.
DATE: 12/06/2022 LIC. NO. 53858

KHA PROJECT	160734013
DATE	12/06/2022
SCALE	AS SHOWN
DESIGNED BY	MPI
DRAWN BY	MPI
CHECKED BY	RAH

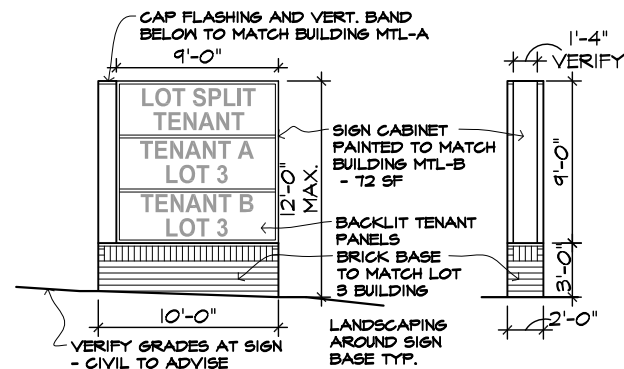
LANDSCAPE DETAILS

THE JIGSAW
PREPARED FOR
LAUNCH
PROPERTIES

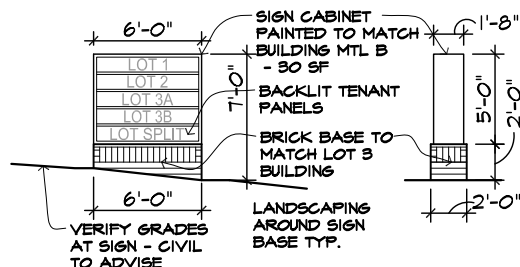
SHEET NUMBER
L1.1



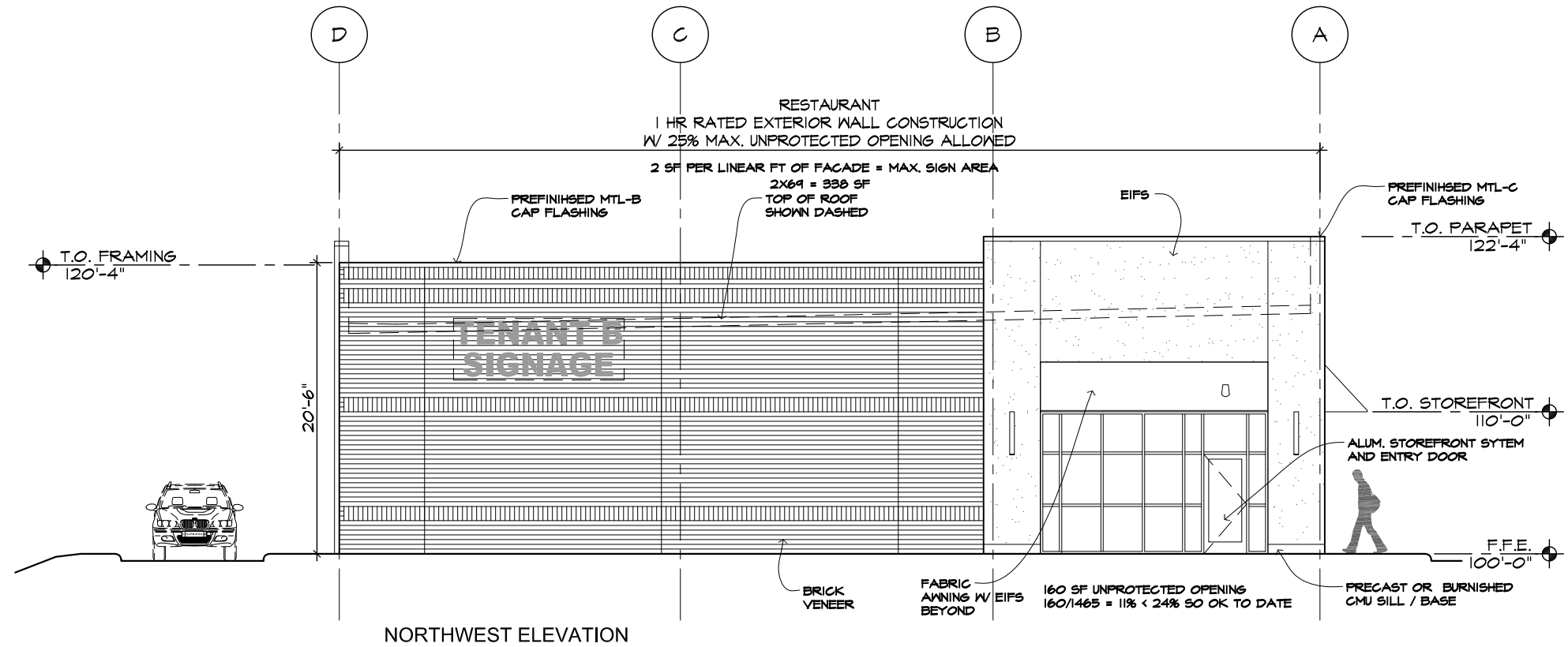
TYPICAL TRASH ENCLOSURE



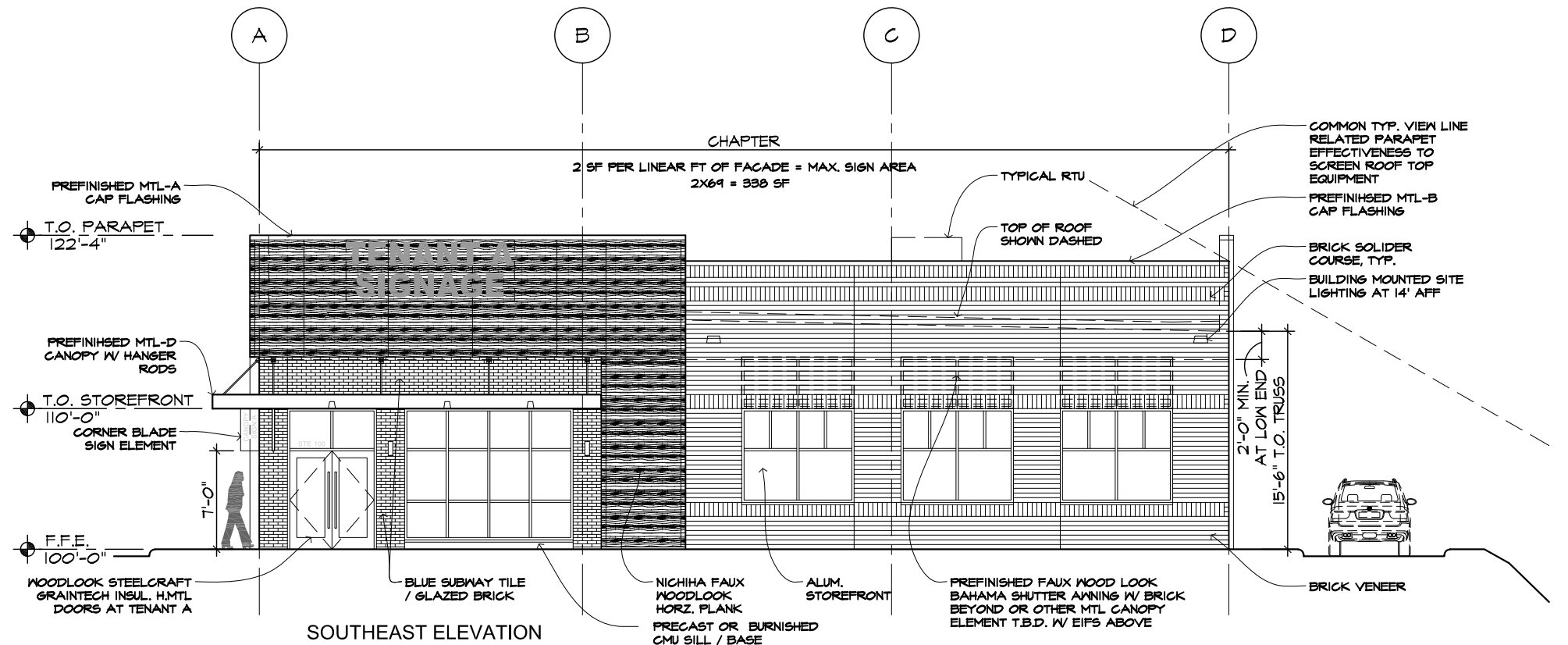
MONUMENT SIGN AT WEST CENTRAL ENTRANCE



MONUMENT SIGN AT ANDERSON RD



NORTHWEST ELEVATION



SOUTHEAST ELEVATION

ARCHITECTURAL CONSORTIUM L.L.C.

1600 West Lake Street, Suite 127 Minneapolis, MN 55408 612-436-4030 www.archconsort.com

PREPARED FOR:



RETAIL BUILDING SHELL

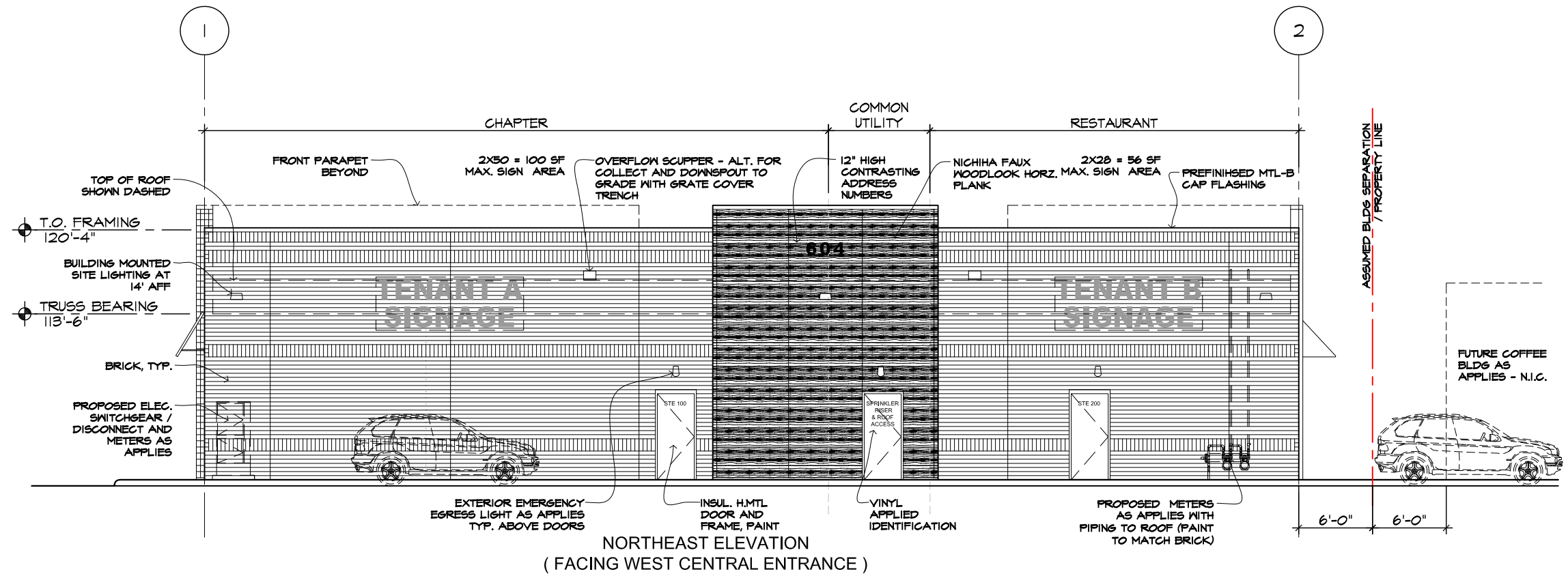
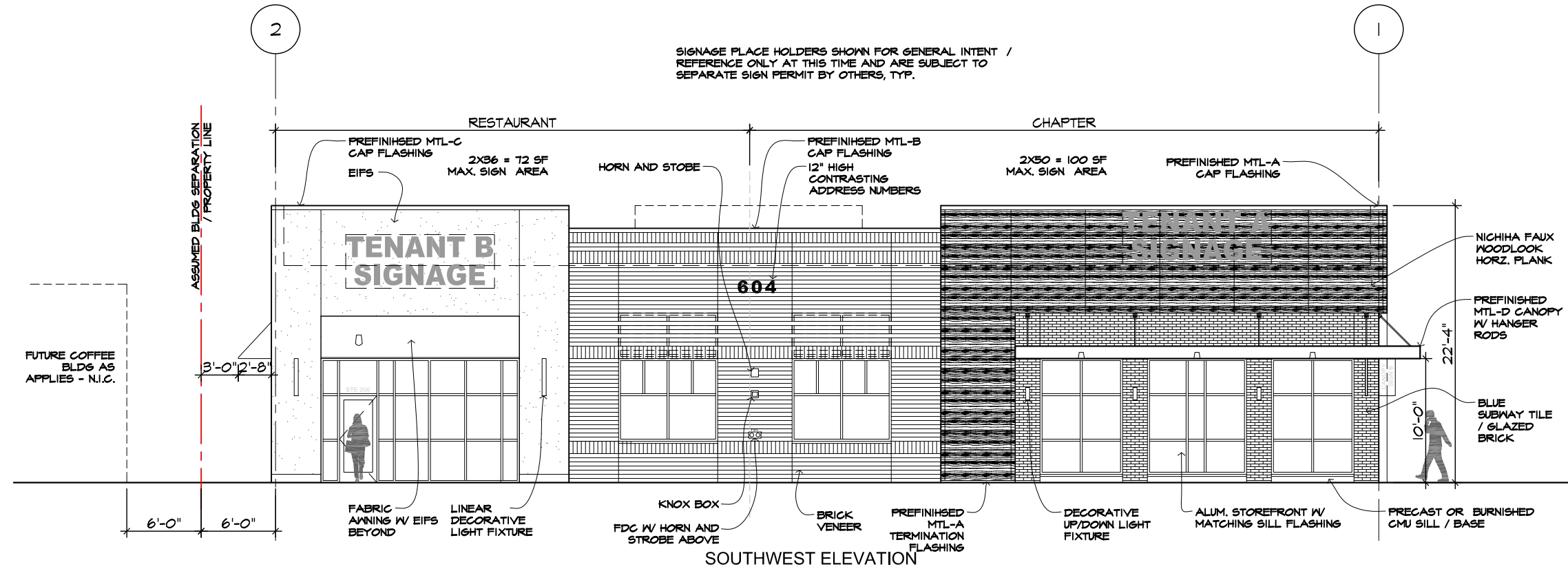
LOT 3 @ JIGSAW DEVELOPMENT
604 WEST CENTRAL ENTRANCE
DULUTH, MN 55811

EXTERIOR ELEVATIONS

SCALE: 3/32" = 1'-0" @ 11X17
3/16" = 1'-0" @ 22X34

PROJECT NUMBER: 22-1069-01
ISSUED DATE: 11/30/22
DRAWN BY: ES
CHECKED BY: KA

A3.2



ARCHITECTURAL CONSORTIUM L.L.C.

1600 West Lake Street, Suite 127 612-436-4030
Minneapolis, MN 55408 www.archconsort.com

PREPARED FOR:



RETAIL BUILDING SHELL

LOT 3 @ JIGSAW DEVELOPMENT
604 WEST CENTRAL ENTRANCE
DULUTH, MN 55811

EXTERIOR ELEVATIONS

SCALE: 3/32" = 1'-0" @ 11X17
3/16" = 1'-0" @ 22X34

PROJECT NUMBER: 22-1069-01
ISSUED DATE: 11/30/22
DRAWN BY: ES
CHECKED BY: KA

A3.1



MEMORANDUM

Date: December 5, 2022

To: Launch Properties

From: Jacob Rojer, P.E., PTOE
Brian Wurdeman, P.E.

Subject: Launch Properties Jigsaw Site – Trip Generation Memo
W Central Entrance at Anderson Road, Duluth, MN

INTRODUCTION

Launch Properties is proposing to develop an +/- 3.77-acre site located on the southwest corner of W Central Entrance and Anderson Road in Duluth, MN. This memorandum will discuss the trip generation of the site and compare it to the initial Traffic Impact Analysis completed in 2018.

2018 TRAFFIC STUDY TRIP GENERATION

The trip generation for the 2018 proposed development was prepared based on information provided in the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition. For each of the land use categories, the average rate for the peak hour of the adjacent street was used. Trips related to the 7,500 SF of retail space were generated using Land Use Code (LUC) 820, Shopping Center. The 2,100 SF of restaurant space with the drive-through window was considered LUC 937 (Coffee/Donut Shop with Drive-Through Window) based on the proposed tenant. The remaining 7,600 SF of restaurant space was considered LUC 930 (Fast Casual Restaurant). Internal capture was applied to the forecasted trip generation to account for shared trips and trips that are already on the roadway network, and was calculated consistent with ITE's Trip Generation Handbook, 3rd Edition. Internal capture was calculated between the retail and restaurant uses. Pass-by for the coffee shop was calculated based on rates for the fast-food with drive-through land use. Pass-by for the other restaurants was calculated based on rates for a high-turnover (sit-down) restaurant. **Table 1** provides a summary of the trip generation calculation.

Table 1: 2018- Traffic Study Proposed Site Trip Generation

Land Use Description	Intensity	PM Peak Hour		
		In	Out	Total
Shopping Center (ITE 820)	7,500 SF	13	15	28
Fast Casual Restaurant (ITE 930)	7,600 SF	60	49	109
Coffee/Donut Shop with Drive-Through Window (ITE 937)	2,100 SF	46	46	92
<u>Total Traffic</u>		119	110	229
<i>Retail Internal Capture Reduction</i>		-7	-4	-11
<i>Restaurant Internal Capture Reduction</i>		-4	-7	-11
<u>Total Driveway Traffic</u>		108	99	207
<i>Retail Pass-By Capture (34%)</i>		-2	-2	-4
<i>Restaurant Pass-By Capture (43%)</i>		-25	-25	-50
<i>Coffee Shop Pass-By Capture (50%)</i>		-22	-22	-44
<u>Net New Vehicle Trips</u>		59	50	109

PROPOSED TRIP GENERATION

The trip generation for proposed development has been prepared based on information provided in the Institute of Transportation Engineers (ITE) Trip Generation, 11th Edition. For each of the land use categories, the average rate for the peak hour of the adjacent street was used. Trips related to the 3,502 SF for Chapter Aesthetic Studio were generated using Land Use Code (LUC) 822, Strip Retail Plaza (<40k). The 2,507 SF of restaurant space without the drive-through was considered using LUC 933 (Fast Food Restaurant w/o Drive-Through) and the 2,265 SF of restaurant with the drive-through window was considered LUC 934 (Fast Food Restaurant with Drive-Through) based on the proposed tenant. 600 SF of drive thru coffee was considered using LUC 937 (Coffee/Donut Shop with Drive-Through Window) and a 1 tunnel automatic car wash was considered using LUC 948 (Automated Car Wash). Internal capture was applied to the forecasted trip generation to account for shared trips and trips that are already on the roadway network, and was calculated consistent with ITE's Trip Generation Handbook, 3rd Edition. Internal capture was calculated between the retail and restaurant uses. Pass-by for the coffee shop was calculated based on rates for the fast-food with drive-through land use to remain consistent with the original 2018 traffic study. Pass-by for the other restaurants was calculated based on rates for a high-turnover (sit-down) restaurant. **Table 2** provides a summary of the trip generation calculation.

Table 2: Proposed Site Trip Generation

Land Use	Intensity	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
Strip Retail Plaza (<40k) (ITE 822)	3,502 SF	8	5	3	23	11	12
Fast Food w/o Drive-Through (ITE 933)	2,507 SF	-	-	-	83	42	41
Fast Food with Drive-Through (ITE 934)	2,265 SF	101	52	49	75	39	36
Coffee/Donut Shop with Drive-Through (ITE 937)	600 SF	52	27	25	23	12	11
Automated Car Wash (ITE 948)	1 Tunnel	-	-	-	78	39	39
<u>Total Trips</u>		<u>161</u>	<u>84</u>	<u>77</u>	<u>282</u>	<u>143</u>	<u>139</u>
<i>Internal Capture Reduction</i>		0	0	0	-80	-40	-40
<u>Total Driveway Traffic</u>		<u>161</u>	<u>84</u>	<u>77</u>	<u>202</u>	<u>103</u>	<u>99</u>
<i>Pass-By Capture</i>		-93	-48	-45	-49	-27	-22
<u>Net New Vehicle Trips</u>		<u>68</u>	<u>36</u>	<u>32</u>	<u>153</u>	<u>76</u>	<u>77</u>

TRIP GENERATION COMPARISON

The previous 2018 traffic study only analyzed PM peak hour trips. **Table 3** shows a comparison of the 2018 assumed land uses and the proposed land uses. It is anticipated that the proposed site will generate a similar number of trips in the PM peak hours as the 2018 traffic study. All recommendations and conclusions from the 2018 Traffic Study remain valid for the site.

Table 3: Proposed Site Trip Generation Comparison

Scenario	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
Proposed Site Driveway Trips	161	84	77	202	103	99
2018 Traffic Study Driveway Trips	-	-	-	207	108	99
Change in Trips	N/A	N/A	N/A	-5	-5	0

File Number	PL 23-032	Contact	Jenn Moses	
Type	UDC Map Amendment	Planning Commission Date	March 14, 2023	
Deadline for Action	Application Date	N/A	60 Days	N/A
	Date Extension Letter Mailed	N/A	120 Days	N/A
Location of Subject	South of W 1 st Street, Between 19 th Avenue W and 20 th Avenue W			
Applicant	City of Duluth	Contact		
Agent		Contact		
Legal Description	Parcels 010-1120-05620, 010-1120-05560, 010-1120-05560, 010-1120-05520, 010-1120-05540, 010-1120-05541, 010-1120-05550			
Site Visit Date	February 27, 2023	Sign Notice Date	February 28, 2023	
Neighbor Letter Date	February 27, 2023	Number of Letters Sent	53	

Proposal

UDC Map Amendment (rezoning) to change the zoning of one-half block from Mixed Use-Business (MU-B) to Form District 5 (F-5).

Staff Recommendation

Staff recommend that the Planning Commission recommend approval of the rezoning amendment to the City Council.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-B	Vacant, Commercial	Central Business Secondary
North	MU-B	Residential, Light Industrial	Central Business Secondary
South	F-5	Commercial	Central Business Secondary
East	MU-B	Light Industrial	Central Business Secondary
West	MU-B	Light Industrial	Central Business Secondary

Summary of Code Requirements

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.
- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application: 1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.

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

Governing Principle #1 – Reuse previously developed lands: Directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and supports reuse of existing public infrastructure.

Governing Principle #5 – Promote reinvestment in neighborhoods: Land use and transportation should foster neighborhood reinvestment,...strengthen neighborhood commercial centers, or diversify residential opportunities that fit the neighborhood's character.

Future Land Use – Central Business Secondary: Encompasses a broad range of uses and intensities, such as governmental campuses, retail, entertainment and lodging, and high-density housing. High height and density limits; form-based guidelines; pedestrian-oriented design.

History: Most of the site was previously used for a creamery (Kemps), demolished in 2022.

Review and Discussion Items:

Staff finds that:

1. This site was formerly home to the Kemps Creamery, a building that was built in 1914. For many decades, this stretch of W 1st Street through Lincoln Park has been primarily industrial in nature, and the current zone district of MU-B has been appropriate for these types of uses.
2. As noted in the 2015 *Lincoln Park Small Area Plan*, "the area is slowly transitioning from more intensive land use activity such as industrial and manufacturing to a neighborhood and destination commercial use." As manufacturing industries have declined, Lincoln Park has reinvented itself with new businesses and craft industries. The sale of the Kemps Creamery site and subsequent building demolition continues this trend of land use transition.
3. The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan. The comprehensive plan future land use designates this area as Central Business Secondary; as noted above, Central Business Secondary includes a broad range of uses and form-based design standards. This is consistent with the proposed zone district of F-5.
4. The property owners for majority of the area have expressed interest in finding a developer to redevelop the site with uses that will complement the mix of housing and commercial in the Lincoln Park Craft District. Building Types allowed in the F-5 district include Main Street Building II, Corridor Building II, and Iconic. The maximum height for these buildings is 55'.
5. Form districts require that buildings adhere to a build-to zone along primary streets. As part of this rezoning, Staff recommends that 19th and 20th Avenues be considered primary streets; the avenues are the narrowest dimensions of the lots, which also meets the UDC definition of lot frontage, and the avenues provide the key pedestrian circulation that connect to W Superior Street and the center of this form district.
6. This amendment will not create material adverse impacts on nearby properties; the F-5 district matches zoning to the south and requires a high degree of pedestrian-oriented design; UDC development standards such as landscaping, trash, screening, etc. will also apply to any future development.
7. No public, agency, or City comments were received.

Staff Recommendation:

Based on the above findings, staff recommends to Planning Commission the UDC Map Amendment be recommended for approval by City Council for the following reasons:

- 1) This proposal is consistent with the Comprehensive Land Use Plan.
- 2) The proposed amendment is consistent with the future land use category of "Central Business Secondary."
- 3) Material adverse impacts on nearby properties are not anticipated.



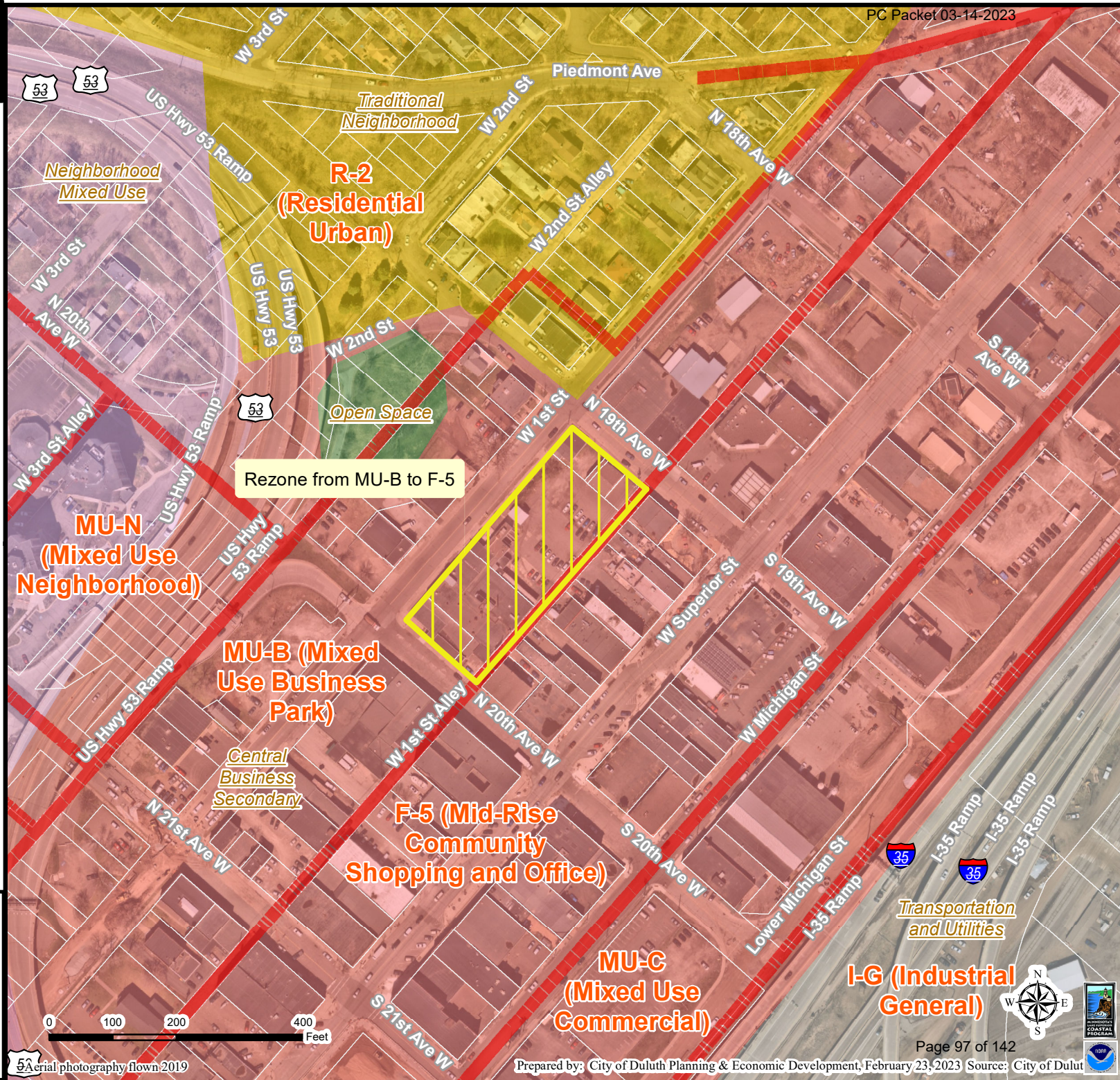
PL 23-032
 Rezone MU-B to F-5
 1900 Blk W 1st St

Legend

Zoning Boundaries

Future Land Use Plus

- 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




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.

59 Aerial photography flown 2019



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

 218-730-5580

 planning@duluthmn.gov

MEMORANDUM

DATE: February 7, 2023

TO: Planning Commission

FROM: Jenn Reed Moses, Senior Planner

SUBJECT: Proposed UDC Changes to Parking Regulations (PL 23-003)

Staff is proposing changes to Section 50 of the City of Duluth Legislative Code, the Unified Development Chapter (UDC). These changes impact Section 50-18.5, Higher Education Overlay; 50-19, Permitted Use Table; 50-20, Use-Specific Standards; 50-24, Parking and Loading; and 50-41, Definitions.

City staff have reviewed the zoning regulations pertaining to off-street parking, reviewed best practices in planning in Minnesota and other places in the country, as well as current development patterns and needs in Duluth, and find the following:

- Innovation in technology and changing trends demonstrate that modes like automatic vehicles will impact needs for off-street parking at destinations. In addition, there is an increased need for bike parking and EV charging stations.
- Parking needs can be accommodated in myriad ways, as demonstrated in the downtown and Canal Park areas, which have been exempt from parking minimums, and form districts, which have flexibility in parking minimums. These areas also demonstrate that the absence of parking minimums does not result in an overall loss of parking available.
- Construction costs have increased drastically in recent years; the cost of providing parking lots and parking structures is significant, causing parking regulations to become a deterrent to development.
- Developers often have thresholds for parking from lenders, or conduct their own market assessments to determine needed parking. As vehicles have become a pervasive form of transportation, market demand increasingly drives the parking needs of any development.
- It is increasingly difficult to identify minimum numbers of off-street parking spaces that should be included in zoning regulations, as land uses become increasingly varied. Businesses and developers report changes in service delivery and customer mix that indicate there is no standard that fits every restaurant, retail store, or housing development (using restaurants as an example, this category includes everything from a drive-through coffee hut to a pizza restaurant that is delivery/pick-up only and a full-service sit-down restaurant).

Based on conversations with Planning Commission and community members, Staff are proposing a series of changes to update parking regulations in zoning, including:

- Removal of off-street parking requirements in the remaining areas of the city. Those that choose to provide parking will still need to meet requirements related to parking space and drive aisle dimensions, parking location, stormwater requirements, and landscaping.

- A new land use category, overflow parking area, to allow flexibility where demand warrants. This overflow parking area would be allowed via an Interim Use Permit, which could be renewed annually.
- Requirements for bicycle parking, including short-term, employee, and resident bicycle parking.
- Requirements for certain overnight uses (multi-family and hotel/motel) to either provide EV charging stations or be EV ready.

These changes are shown in the attached pages. These modifications were developed through several months of discussion at Planning Commission meetings, a Planning Commission Brown Bag on November 7, 2022, and a meeting on January 10, 2023, which included public comment on a draft of these changes. A press release on January 9, 2023, elicited widespread media coverage, and a legal notice was posted in the Duluth News Tribune on January 28, 2023, February 4, 2023, and February 11, 2023. Copies of all comments received are attached.

Staff recommends that Planning Commission recommend approval of these changes. An ordinance with these changes will then go to City Council, and will require two readings before a vote.

Proposed UDC Code Changes – Parking

50-18.5 Higher Education Overlay (HE-O).

A Purpose.

The purpose of this Section 50-18.5 is to minimize the impacts of potential student use on adjacent residential neighborhoods and to encourage the development of pedestrian friendly neighborhood destinations near the UMD [University of Minnesota-Duluth] and St. Scholastica campuses;

B Applicability.

This Section applies to land within the HE-O, shown in Exhibit 50-18.5-1, that (a) is zoned R-2 or MU-N; and (b) includes new development or redevelopment where the value of the redevelopment exceeds 75 percent of the market value of the land and buildings, as indicated by tax assessor's records; except for:

1. One-family or two-family dwellings;
2. Any residential development where all of the dwelling units are restricted by development agreement or covenant for occupancy by those aged 50 and over or for occupancy by those individuals and households protected by the federal Fair Housing Act amendments of 1988.

A planning review by the planning commission, pursuant to the procedures in Article 5, shall be required unless exempt in the above applicability standards;

C Development standards.

1. General.

- (a) Vehicle ingress and egress shall be located in a manner that avoids or minimizes impacts to residents in adjacent R-1 districts and that reduces the potential for pedestrian-vehicular conflicts;
- (b) Primary buildings shall adhere to a build-to zone of five feet to 20 feet along primary streets. This requirement shall supersede building setbacks in Section 50-14.6 and 50-15.2. Alternatively, if the land use supervisor determines that site conditions such as existing buildings or topography make this unfeasible, pedestrian walkways can be used to connect people from public sidewalks along primary streets to businesses and residences. These walkways shall:
 - Include pedestrian-scaled lighting;
 - Be raised or otherwise designed to encourage run-off and limit ponding during wet weather;
 - Be visually recognizable to both pedestrians and motorists;
 - Include trees and other landscaping along the length of the walkway; this landscaping can also be used to meet parking lot landscaping requirements in Section 50-25.4;
 - Be at least five feet wide;
 - Include well-marked crossings where the walkway intersects with private vehicle drives;
- (c) Unless lighting meets exception criteria in Section 50-31.1.B, the maximum height of any light pole is 20 feet;

2. Residential.

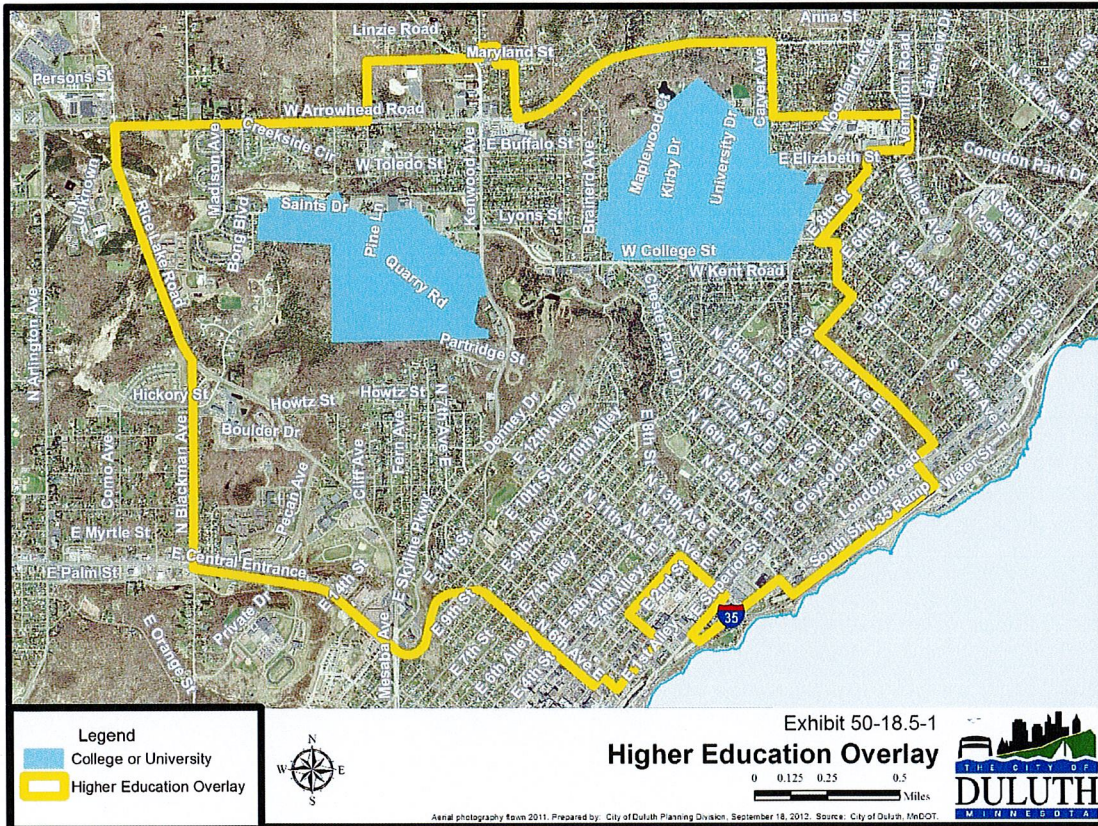
- (a) Required resident parking spaces shall be provided at the ratio of 0.7 space per bedroom, with a minimum of one space per dwelling unit;
- (b) Visitor parking spaces shall be provided at the rate of 15 percent of required resident parking spaces;
- (c) At least one bicycle or motorized scooter parking space per five parking spaces shall be provided, which shall not be located in any required yard or between the principal dwelling and the street;
- (d) A development that provides an enhanced shelter with space dedicated solely for bicycle or motorized scooter parking shall be granted a reduction in the off-street parking requirement of five percent if the shelter complies with the following standards:
 - The enhanced shelter shall not be located in any required yard setback;
 - The enhanced shelter shall not be located between the principal building and a public street;
 - The enhanced shelter shall be enclosed on at least three sides and covered to adequately protect bicycles from the elements;
 - The enhanced shelter shall utilize primary exterior materials that match the primary exterior materials of the principal structure;
- (e) If the development or redevelopment is determined to have mitigated the impacts of potential student use in the adjacent residential neighborhood, the development or redevelopment may adjust the parking requirements as provided in either Section 50-24.3.A or 50-24.3.B if eligible, but may not utilize both adjustments;

- (f) No residential balcony, patio, or deck shall be located on any side of the property facing and within 200 feet of an R-1 district;
- 3. Commercial.
 - (a) Commercial development shall be concentrated on major roads, not on streets intended primarily for neighborhood traffic;

D Primary streets.

The following streets are designated as primary streets in the Higher Education Overlay District:

1. Woodland Avenue;
2. St. Marie Street;
3. Arrowhead Road;
4. College Street;
5. Kenwood Avenue, north of College Street;
6. Fourth Street;
7. London Road;
8. Superior Street;
9. Ninth Street, between Sixth Avenue East and 15th Avenue East; and
10. Eighth Street, between 15th Avenue East and Woodland Avenue.



(Added by Ord. No. 10192, 12-17-2012, § 8; Ord. No. 10286, 3-10-2014, § 5)

50-19.8 Permitted use table.

TABLE 50-19.8: USE TABLE, REVISED DEC 2022

P: Permitted Use I: Interim Use U: Permitted Only in Upper Stories (Form Dist.) 1, 2, 3, as per table 50-19.1	Residential						Mixed Use						Form						Special			Use Specific Standards			
	RR-1	RR-2	R-1	R-2	R-P	MU-N	MU-C	MU-I	MU-B	MU-W	MU-P	F-1	F-2	F-3	F-4	F-5	F-6	F-7	F-8	F-9	I-G		I-W	P-1	AP
Retail Sales																									
Adult bookstore																						P			
Building materials sales							S ¹		P																
Garden material sales	S						P ¹			P ³					P										
Grocery store, small (less than 15,000 sq. ft.)							S ²	P ³			P ¹				P										
Grocery store, large (15,000 sq. ft. or more)											P ¹														
Retail store not listed, small (less than 15,000 sq. ft.)							S ²	P ³			P ¹				P										
Retail store not listed, large (15,000 sq. ft. or more)											P ¹				P										
Vehicle Related																									
Automobile and light vehicle, service							S ²	P ¹		P					P										
Automobile and light vehicle, repair								P ¹		P ¹															
Automobile and light vehicle sales, rental, or storage								P ¹		P															
Automobile and light vehicle impound lot								S ¹		P ¹															
Car wash (primary use)								P ¹		P ¹															
Filling station (small)								S ²	P ³						P										
Filling station (large)															P										
Parking lot (primary use)								S							P										
Parking structure															S										
Overflow Parking Area	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	
Truck or heavy vehicle sales, rental, repair or storage										P															

50-20.1 Residential Uses

D. Accessory dwelling unit.

An accessory dwelling unit may be created within, or detached from, any one-family or two-family dwelling, as a subordinate use, in those districts shown in Table 50-19.8, provided the following standards are met:

1. Only one accessory dwelling unit may be created per lot;
2. No variances shall be granted for an accessory dwelling unit;
3. Only the property owner, which shall include title holders and contract purchasers, may apply for an accessory dwelling unit;
4. ~~One off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling;~~
5. Accessory dwelling units shall contain no more than 800 square feet of total floor space and shall be consistent in character and design with the primary dwelling. An accessory dwelling unit shall not exceed the total floor area square footage of the principal structure;
6. If a separate outside entrance is necessary for an accessory dwelling unit located within the primary dwelling, that entrance must be located either on the rear or side of the building;
7. An accessory dwelling unit shall not be considered a principal one-family dwelling. An accessory dwelling must be located on the same tax parcel as the principal one or two-family dwelling;
8. An accessory dwelling unit shall not exceed the height of the principal residential structure or 20 feet, whichever is greater.

50-20.3 Commercial uses.

I. Daycare facility, small and large, and preschools.

1. For all new uses after May 1, 2019, ~~as part of the requirement to provide off-street parking in 50-24.2, the use must provide off-street parking spaces for pick-up and drop-off determined by the Land Use Supervisor to be sufficient to provide for the safe pick-up and drop-off of users of the facility based on the maximum licensed capacity of the facility, the configuration of the facility, the types and intensity of other uses adjacent to the facility, the intensity of traffic adjacent to the facility and other factors determined to be relevant to the safe pick-up and drop-off of users of the facility. The determination of the Land Use Supervisor may be appealed to the Commission. Pick-up and drop-off areas must be clearly signed as for pick-up and drop-off only, and shall not conflict with safe on-site pedestrian and vehicular movements. This specific standard does not apply to uses with the Downtown and Canal Park Special Parking Areas in 50-24.~~
2. In the RR-1 and RR-2 districts this use and related parking facilities and structures other than driveways are limited to no more than 20 percent of the lot or parcel area;
3. In the MU-B district, uses shall provide a fenced outdoor exercise area. Outdoor exercise areas must be separated from improved public streets, drive lanes, and loading areas by at least 20 feet;
4. In the MU-B district, the application may be denied by the Land Use Supervisor if he or she determines that the size, nature, character or intensity of the use of property in the immediate vicinity of the applicant's property would pose an unreasonable risk to the health, safety or welfare of users of the applicant's facility; the decision of the Land Use Supervisor may be appealed to the Commission;

N. Overflow Parking Area

1. Interim use permits for Overflow Parking Areas may be granted for a period of 1 year. If the applicant has documented an ongoing parking need, with a parking study documenting the location, use, and adequacy of existing parking in the surrounding area, the Interim use permit may be approved for up to 5 years.

2. If located in a neighborhood or district that demonstrates a need for additional off-street parking, the Overflow Parking Area shall be public parking (either free or paid), or shared with other nearby uses. Applicant shall include information about parking demand in the application for the Interim use permit, as well as a plan for how the parking will be shared and/or open to the public.
3. Overflow Parking Areas, being temporary in nature, are not required to meet the paving requirements of Section 50-24. or the landscaping requirements of Section 50-25.4; however, if paving is provided, all requirements of Sections 50-24 and 50-25 must be met, if applicable.
4. Applicant must work with City Engineering on a stormwater and erosion plan that adequately meets stormwater requirements for the duration of the anticipated use of the parking area, and shall provide the approved plan as part of the application; applicant is responsible for ongoing maintenance of stormwater and erosion infrastructure and is expected to provide proof of such maintenance upon request during the course of the Interim use permit.
5. Prior to establishment of the parking area, applicant shall provide financial security, in the amount necessary to reestablish the area to natural vegetation once the overflow parking area is terminated. This security shall be held without interest until the parking area is discontinued and applicant or property owner has provided proof that the area has either been reestablished to natural vegetation or been developed with an approved use on the property.
6. The interim use permit shall terminate upon change in ownership of the property and is not transferable.

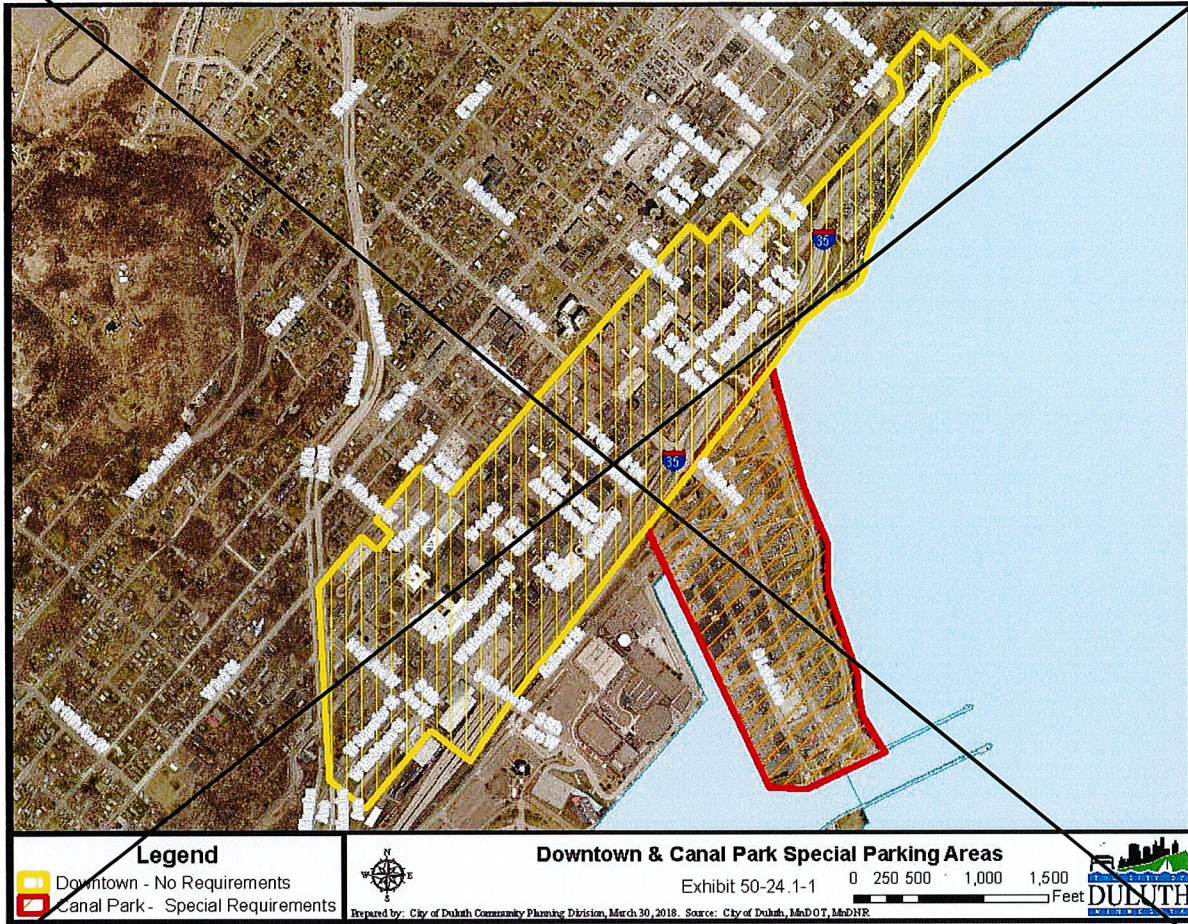
50-24 PARKING AND LOADING.

50-24.1 Applicability.

The standards of this Section 50-24 shall apply to all development and redevelopment, except that:

1. ~~Development and redevelopment in any of the form districts shall only be required to provide that amount of parking that can be accommodated on the development parcel while allowing the principal building to meet all of the building form standards in Section 50-22;~~
2. ~~No off-street parking shall be required for any non-residential use on a lot smaller than 10,000 square feet in any mixed-use district or special-purpose district;~~
3. ~~No off-street parking shall be required for any building with less than 10,000 square feet of gross floor area and with a non-residential primary use in any mixed-use district or special-purpose district;~~
4. ~~No off-street parking shall be required within the boundaries of the Downtown area shown in Exhibit 50-24.1-1;~~
5. ~~No off-street parking shall be required for any use except (1) hotels or motel, and (2) residential developments with more than ten units, within the boundaries of the Canal Park area shown in Exhibit 50-24.1-1;~~
6. ~~Development and redevelopment that is exempt from being required to provide off-street parking but does provide parking, must follow all the provisions of this Section.~~

(Ord. No. 10044, 8 16 2010, § 6; Ord. No. 10096, 7 18 2011, § 26.)



50-24.2 Required Maximum parking spaces.

In all districts there shall be provided, at the time any building or structure is erected, except as provided in Section 50-24.5, *Calculation of parking spaces*, the number of off-street parking spaces shown in Table 50-24-1. All development and redevelopment after [insert effective date] shall adhere to a maximum amount of off-street parking as stated in the table below unless an exemption from or variation of this requirement is provided in another section of this Chapter. Any use not listed is exempt from maximum parking requirements.

Off-street parking spaces that existed on November 18, 2010, and that were composed of hard-surfaced, dust-free material such as concrete, bituminous, or pervious paving materials may continue even if they exceed the maximum parking limit. (Ord. No. 10042, 8-16-2010, § 4; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 29; Ord. No. 10153, 5-14-2012, § 4.)

Table 50-24-1: Maximum Off-Street Parking Spaces Required	
Use	Maximum Requirement* (May Be Adjusted to 30% Less or 50% More)
RESIDENTIAL USES	
Dwelling, one-family	4 <u>2.5</u> spaces per dwelling unit
Dwelling, two-family	
Dwelling, townhouse	
Dwelling, live-work	
Co-housing facility	
Manufactured home park	
Dwelling, multi-family	1-25 <u>2.5</u> spaces per dwelling unit
Assisted living facility (elderly)	1 space per 3 habitable units
Residential care facility	1 space per 6-3 residential care beds, but not less than 2 spaces
Sober house	1 space per 6-3 single occupancy beds, but not less than 2 spaces
Rooming house	4 <u>2</u> spaces per habitable unit
PUBLIC, INSTITUTIONAL AND CIVIC USES	
Bus or rail transit station	No requirement
Business, art, or vocational school	1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
Cemetery or mausoleum	No requirement
Club or lodge (private)	2-5 <u>4</u> spaces per 1,000 sq. ft. of floor area
Government building or public safety facility	As determined by land use supervisor based on anticipated use and neighborhood impacts
Hospital	2 spaces per 1,000 sq. ft. As determined by approved MU-I Plan

Table 50-24-1: Maximum Off-Street Parking Spaces Required

Use	Maximum Requirement* (May Be Adjusted to 30% Less or 50% More)
Medical or dental clinic	4-6 spaces per 1,000 sq. ft. of gross floor area
Museum, library or art gallery	1 space per 1,000 sq. ft. of gross floor area
Nursing home	1-2 spaces per 6 beds
Park, playground or forest reserve	No requirement
Religious assembly	1 space per 4-2 seats or per 100 sq. ft. in main auditorium, whichever is greater
School, elementary	1 parking space for each 10 seats in the auditorium or main assembly room or 1 space for each classroom, whichever is greater
School, middle	1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
School, high	5 parking spaces for each classroom or 1.5 parking spaces per 1,000 square feet, whichever is greater
University or college	2 spaces per 1,000 sq. ft. of office, research and library area plus 1 space per 125 sq. ft. of auditorium space.
Other community facility or institutional support uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
COMMERCIAL USES	
Adult bookstore	2.5-4 spaces per 1,000 sq. ft. of gross floor area
Adult entertainment establishment	5-7 spaces per 1,000 sq. ft. of gross floor area
Agriculture	No requirement
Automobile and light vehicle repair and service	2-3 spaces per 1,000 sq. ft. of gross floor area
Automobile and light vehicle sales, rental or storage	2-3 spaces per 1,000 sq. ft. of gross floor area
Bank	3.5-5 spaces per 1,000 sq. ft. of gross floor area
Bed and breakfast	1 space for manager plus 1-1.5 spaces per habitable unit
Building material sales	4-1.5 spaces per 1,000 sq. ft. of gross floor area
Business park support activities	2-3 spaces per 1,000 sq. ft. of gross floor area
Convention and event center	1 space per 4-2.5 seats or per 100 sq. ft. in main auditorium and event spaces, whichever is greater
Daycare facility	1-1.5 spaces per 5 persons care capacity
Data center	1 space per 1,000 sq. ft. of gross floor area
Filling station	4-6 spaces per 1,000 sq. ft. gross floor area plus 1 per service stall
Funeral home or crematorium	1-2 spaces per 50-100 square feet of floor space in slumber rooms, parlors or individual funeral service rooms

Table 50-24-1: Maximum Off-Street Parking Spaces Required

Use	Maximum Requirement* (May Be Adjusted to 30% Less or 50% More)
Garden material sales	4 <u>1.5</u> spaces per 1,000 sq. ft. of gross floor area
Grocery store	3 <u>5</u> space per 1,000 sq. ft. of gross floor area
Golf course	2.5 <u>4</u> spaces per 1,000 square feet of clubhouse area
Hotel or motel	2-1 spaces per 3 guest rooms plus 1 per 200-150 sq. ft. of gross floor area in all accessory uses including restaurants and meeting rooms
Indoor entertainment facility	2.5 <u>4</u> spaces per 1,000 sq. ft. of gross floor area.
Kennel	4-1.5 spaces per 1,000 sq. ft. of gross floor area
Marina or yacht club	2.5 <u>4</u> spaces per 1,000 sq. ft. of clubhouse area, plus 1 per 10 boat slips
Mini-storage facility	1 space per 20 <u>15</u> storage units
Office	2.5 <u>4</u> spaces per 1,000 sq. ft. of gross floor area
Parking lot or parking structure (primary use)	No requirement
Personal service or repair	2.5 <u>4</u> spaces per 1,000 sq. ft. of gross floor area
Preschool	1.5 spaces per 5 persons care capacity
Restaurant	6.5 <u>10</u> spaces per 1,000 sq. ft. of gross floor area
Retail store	3-4.5 spaces per 1,000 sq. ft. of gross floor area
Riding stable	No requirement
Seasonal camp or cabin	1 space for every two beds, or 2 for each cabin or sleeping unit, whichever is greater
Theater	1 space per 6 <u>4</u> seats or 2 per 400 <u>150</u> sq. ft. in main auditorium, whichever is greater
Tourist or trailer camp	2-1 spaces per 3 sleeping rooms, suites, or trailer
Truck or heavy vehicle sales, rental, repair or storage	4-1.5 spaces per 1,000 sq. ft. of gross floor area
Vacation dwelling unit	1 space for 1-2 bedrooms, 2 spaces for 3-4 bedrooms, 3 spaces for 5+ bedrooms As indicated in Section 50-20.3
Veterinarian or animal hospital	2.5 <u>4</u> spaces per 1,000 sq. ft. of gross floor area
Other commercial use not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
INDUSTRIAL USES	
Airport and related facilities	As determined by airport management
<ul style="list-style-type: none"> • Electric power or heat generation plant • Electric power transmission line • Junk and salvage services • Major utility or wireless communication tower 	No requirement

Table 50-24-1: Maximum Off-Street Parking Spaces Required

Use	Maximum Requirement* (May Be Adjusted to 30% Less or 50% More)
<ul style="list-style-type: none"> • Radio or television broadcasting tower • Railroad or shipyard and related facilities • Solar or geothermal power facility (primary use) • Truck freight or transfer terminal • Water or sewer works • Wind power facility (primary use) • Bulk storage not listed 	
<ul style="list-style-type: none"> • Contractor's shop and storage yard • Dry cleaning or laundry plant • Recycling collection point (primary use) • Solid waste disposal or processing facility 	4-1.5 spaces per 1,000 sq. ft. of gross floor area
<ul style="list-style-type: none"> • Manufacturing, light manufacturing, heavy manufacturing, hazardous or special • Storage warehouse • Water-dependent manufacturing, light or heavy • Wholesaling 	4-1.5 spaces per 1,000 sq. ft. of gross floor area
Research laboratory	As determined by land use supervisor based on anticipated use and neighborhood impacts
Other industrial uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
ACCESSORY USES	
Accessory bed and breakfast	1 space for primary use dwelling; plus 1.5 space per habitable unit
Accessory caretaker quarters	1 space
All other accessory uses	No requirement
TEMPORARY USES	
Temporary real estate sales office	23 spaces
All other temporary uses	No requirement

*The parking space requirement may be modified by Section 50-18.5 (Higher Education Overlay District), Section 50-24.3 (Adjustment to required off-street parking) and Section 50-24.4 (Maximum parking spaces), and Section 50-37.1.L (Administrative Adjustments).

(Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 27; Ord. No. 10286, 3-10-2014, § 10; Ord. No. 10340, 11-24-2014, § 1; Ord. No. 10458, 7-11-2016, § 2; Ord 10746, 5-10-2021, § 5)

50-27.1 Adjustment to required off-street parking.

The minimum parking requirements listed in Section 50-24.2 above shall be adjusted as follows:

A. Proximity to transit.

1. The minimum number of off-street parking spaces required for any development or redevelopment lands may be reduced by 30 percent if they are located within 1/4 mile of existing Duluth Transit Authority routes in operation for one year, or they may be reduced by 20 percent if

located within 1/2 mile of any Duluth Transit Authority transit center, as indicated by a "T" on Exhibit 50-24.3-1;

2. If an existing transit route or center is eliminated or changed in location, any development approved in conformance with this Section 50-24.3 shall not be deemed nonconforming in terms of required parking.

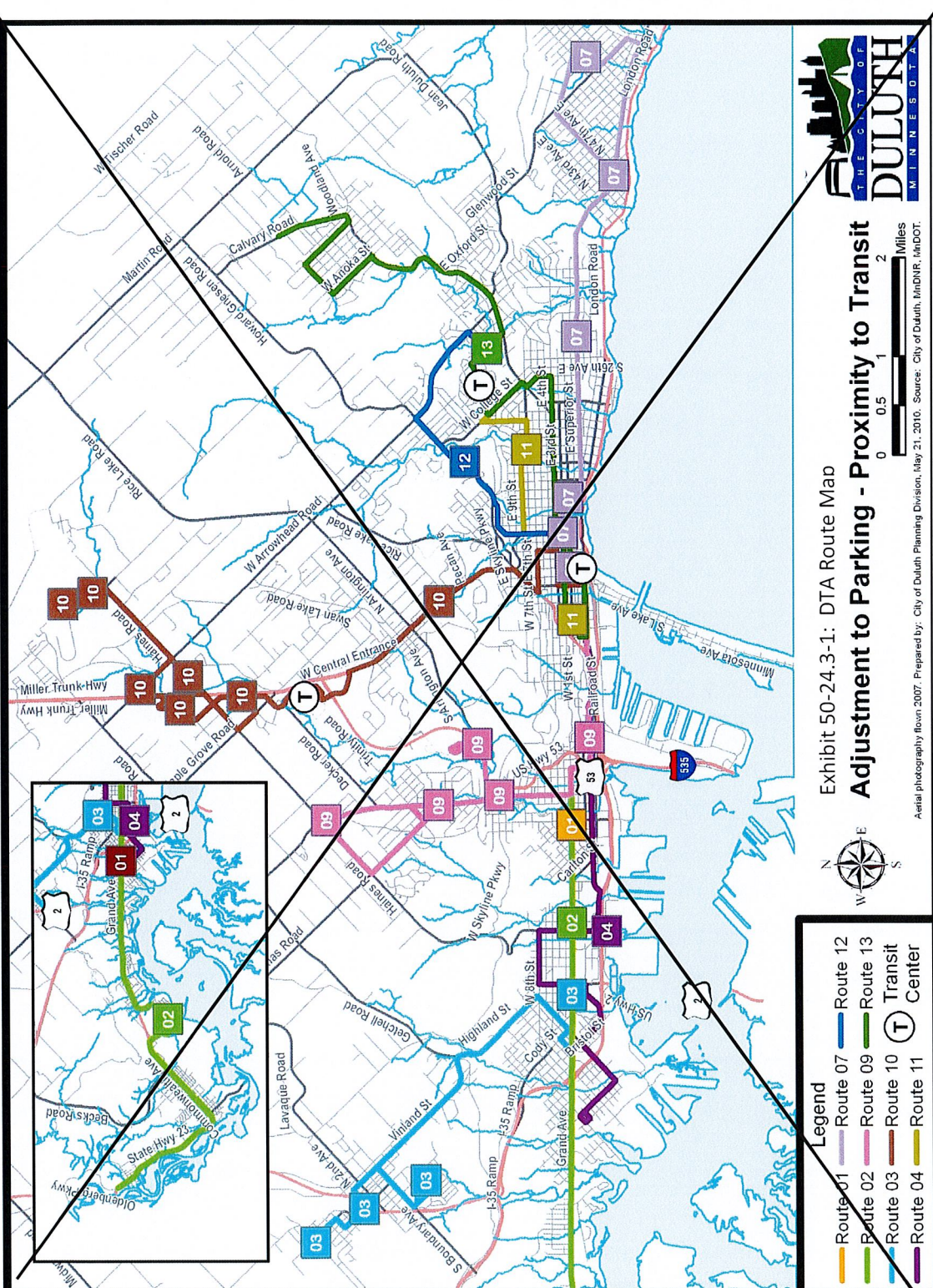


Exhibit 50-24.3-1: DTA Route Map
Adjustment to Parking - Proximity to Transit
 Aerial photography flown 2007. Prepared by: City of Duluth Planning Division, May 21, 2010. Source: City of Duluth, Mn/DNR, Mn/DOT.



- Legend**
- Route 01
 - Route 02
 - Route 03
 - Route 04
 - Route 07
 - Route 09
 - Route 10
 - Route 11
 - Route 12
 - Route 13
 - Transit Center

B Sharing of parking spaces.

1. General.

Where two land uses listed in separate use categories in Table 50-19.8 share a parking lot or structure, the total off-site parking required for those uses may be reduced by the factors shown in Table 50-24-2. Total off-street parking required shall be the sum of the two parking requirements for the two uses divided by the factors in Table 50-24-2. If uses in three or more categories of Table 50-19.8 share a parking lot or structure, the land use supervisor shall determine the parking reduction based on the relative sizes of the various uses and the reduction factors listed in Table 50-24-2;

Table 50-24-2: Shared Parking Reduction Factors					
Add the two parking requirements and divide by these factors					
Property Use	Multi-family Residential	Public, Institutional, or Civic	Food, Beverage, Indoor, Entertainment, or Lodging	Retail	Other Commercial
Public, institutional or civic	1.1	1.0			
Food, beverage, indoor, entertainment or lodging	1.1	1.2	1.0		
Retail	1.2	1.3	1.3	1.0	
Other commercial	1.3	1.5	1.7	1.2	1.0

2. Additional sharing permitted for certain uses.

As an alternative to those reduction factors listed in Table 50-24-2, (a) up to 50 percent of the parking spaces required for food, beverage and indoor entertainment uses, and up to 100 percent of parking spaces required for religious assembly uses and elementary, middle, high school, university or college auditoriums may be used jointly by (b) any non-residential use not normally open, used or operated during the same hours as those listed in (a), or any non-residential use that has excess parking capacity based on the minimum off-street parking for that use. A written agreement assuring the continued availability of the parking spaces for the uses they serve shall be required on a form approved by the city and shall be filed with the application for a building permit. (Ord. No. 10042, 8-16-2010, § 3; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 28.)

50-27.2 Maximum parking limits.

No more than 150 percent of the minimum required number off-street parking spaces, excluding the adjustments allowed in 50-24.3, shall be provided. This limit does not apply to the following uses: one-family, two-family, townhouse and live-work dwellings. Accessory parking shall be subject to parking maximums shown in Table XX.X. Off-street parking spaces that existed on November 18, 2010, and that were composed of hard-surfaced, dust-free material such as concrete, bituminous, or pervious paving materials may continue even if they exceed the maximum parking limit. (Ord. No. 10042, 8-16-2010, § 4; Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 29; Ord. No. 10153, 5-14-2012, § 4.)

50-24.3 Calculation of parking spaces.

The following rules shall apply to calculation of the number of required parking spaces:

- A. Floor area shall mean the gross floor area of the specific use;
- B. Requirements for a fraction of a parking space shall be ignored;
- C. The parking space requirement for a use not specifically listed in Table 50-24-1 shall be the same as for the most similar use listed in that table, as determined by the land use supervisor;
- D. Whenever a building or use is enlarged to the extent of 25 percent or more in floor area or in the site area used, the building or use shall be required to (a) retain any on-site parking existing prior to the expansion, and if that is not sufficient to comply with the parking required for the use as expanded, then (b) to comply with the requirements in Table 50-24-1 for the expansion area;
- E. Required off-street parking for one-, two-family, townhouse, multi-family, and live-work dwellings may be located in a garage or carport. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10509, 6-12-2017, §1)

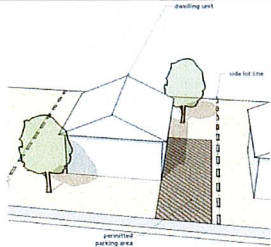
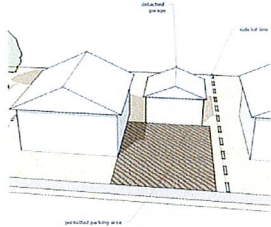
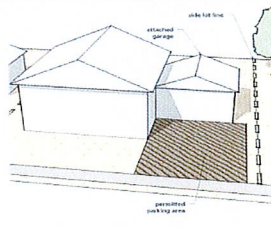
50-24.4 Location of parking spaces.**F. ~~On site location and exceptions.~~**

- ~~1. All required parking spaces shall be located on the same lot with the principal building or the primary use served; except as provided in subsection 2 below;~~
- ~~2. If an increase in the number of parking spaces is required by a change or enlargement of any use the increased parking requirement may be satisfied by utilizing:

 - (a) Primary use parking lots or parking structures located and maintained up to 500 feet from the lot containing the change or enlargement, or
 - (b) Accessory parking lots that existed on November 18, 2010, were composed of hard-surfaced, dust free material such as concrete, bituminous, or pervious paving materials, and that are located and maintained up to 500 feet from the lot containing the change or enlargement;~~
- ~~3. Where required parking spaces are not provided on site, a written agreement assuring the continued availability of the parking spaces for the uses they serve shall be required on a form approved by the city and shall be filed with the application for a building permit;~~
- ~~4. Parking located in a public street right of way pursuant to a concurrent use permit or other public grant shall not be used to satisfy off-street parking required by Chapter 50.~~

G. Parking location within the site.

Parking spaces for all motorized vehicles and trailers shall only be provided on those portions of the lot indicated in Table 50-24-3. (Ord. No. 10509, 6-12-17, §2)

Table 50-24-3: Permitted Parking Areas		
Type of Lot	Permitted Parking Area	
Residential Districts		
Non-corner lot with non-residential use	The rear yard and one side yard	
Non-corner lot with residential use and no garage	The rear yard, and the area between one side lot line and the nearest side wall of the dwelling unit and its extension to the improved street abutting the front yard (see diagram to the right).	
Non-corner lot with residential use and detached garage	The rear yard, and the area between the closest side lot line to the side wall of the dwelling unit nearest to the garage, and its extension to the improved street abutting the front yard (see diagram to the right).	
Non-corner lot with residential use and attached garage	The rear yard, and the area between the closest side lot line to the common wall separating the dwelling unit and garage, and its extension to the improved street abutting the front yard (see diagram to the right).	
Corner lot with residential use or non-residential use	The rear yard and one side yard	
Mixed Use and Special Purpose Districts		
All mixed use and special purpose districts	Buildings or projects constructed after November 19, 2010, shall locate no more than 50 percent of off-street accessory parking within the front yard, except as provided in Section 50-24.6.C or unless modified as part of an approved MU-I District Plan.	
Form districts	Parking only permitted on those portions of the lot permitted for the building type being constructed pursuant to secs. 50-16 and 50-22.	

H. Optional pedestrian walkways within parking areas.

For parking areas within mixed use and special purpose districts identified in Table 50-24.3, buildings or projects may locate up to 60 percent of off-street accessory parking within the front yard if a pedestrian walkway is provided. The pedestrian walkway shall:

- Include pedestrian-scaled lighting;
- Be raised or otherwise designed to encourage run-off and limit ponding during wet weather;
- Be visually recognizable to both pedestrians and motorists;
- Include trees and other landscaping along the length of the walkway, this landscaping can also be used to meet parking lot landscaping requirements in Section 50-25.4;
- Be at least eight feet wide; and
- Include well-marked crossings where the walkway intersects with private vehicle drives. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 30; Ord. No. 10153, 5-14-2012, § 5; Ord. No. 10286, 3-10-2014, § 11; Ord No. 10509, 6-12-2017, § 2; Ord. No. 10769, 9-27-2021, § 2)

50-24.5 Parking lot design standards.

I. General standards.

The design of off-street parking spaces, drive aisles, and driveways shall meet the standards shown in Table 50-24-4;

Table 50-24-4: Parking Design Standards		
Parking Space Size*		
Size of Car	Minimum Size of Parking Space	
Small	8.5 ft. x 15 ft.	
Standard	9 ft. x 17 ft.	
Aisle Widths		
Angle of Parking	Minimum Width of Aisle	
	One-Way	Two-Way
Parallel/no parking	11 ft.	21 ft.
30 degree	11 ft.	21 ft.
45 degree	13 ft.	23 ft.
60 degree	18 ft.	24 ft.
75 degree	20 ft.	24 ft.
90 degree	20 ft.	24 ft.
Permitted Percentage of Small Car Spaces		
(Applies to lots with more than 5 spaces)		
Size of Parking Lot	Maximum Percentage of Small Cars	
6 to 100 spaces	40%	
100 to 149 spaces	45%	
150 or more spaces	50%	

Table 50-24-4: Parking Design Standards

Required Surface Treatment/Paving	
Zone District	Requirement
All residential district parking areas	Surfaced in a dust free, hard surface material such as concrete or bituminous, or pervious paving materials, except for rear yards which may be surfaced in aggregate materials, compressed aggregates or similar surfaces.
All mixed use and special purpose districts	All parking areas and vehicle display lots, including on- and off-road vehicles, trailers, and all terrain vehicles, shall be surfaced in a dust free, hard surface material such as concrete or bituminous. Pervious paving material shall be approved by the city engineer.

*The area set aside for a parking space may encroach beyond the face of a curb a maximum of 1.5 ft., provided that (a) it does not include trees, posts, or other obstructions that would prevent a vehicle from fully utilizing the space, and (b) it is not included in required open space, landscape area requirements, or required pedestrian walkways.

J. Parking lot and driveway entrances.

All parking lot and driveway entrances must conform to the design specification regulations of the city engineer;

K. Snow storage areas.

A portion of each surface parking area shall be designated for snow storage. The areas required to meet the minimum parking requirements of this Section 50-24 shall not be used for snow storage. Snow storage areas may be landscaped if the vegetation is selected and installed so as not to be harmed by snow storage. Snow storage areas shall not count towards those landscape areas required by Section 50-25 unless it they are integrated with a side or rear buffer required by Section 50-25;

L. Parking lot walkways.

Each surface parking area that (a) serves a multi-family residential, commercial, public, institutional, civic, or mixed use, and (b) contains 50 or more parking spaces, and (c) contains any parking spaces located more than 300 feet from the front façade of the building shall contain at least one pedestrian walkway from allowing pedestrians to pass from the row of parking furthest from the primary building façade to the primary building entrance or a sidewalk allowing the pedestrian to reach the primary building entrance without crossing additional driving spaces or aisles. The required walkway must be at least five feet wide, shall not be located within a driving aisle, and shall be located in a landscaped island running perpendicular to the primary building façade if possible. If located in a landscaped island, the minimum width of the island shall be increased by five feet to accommodate the walkway without reducing the amount of landscaped area. If any parking space in the parking aisle located furthest from the primary structure is more than 200 feet from the walkway, additional similar walkways shall be required within 200 feet of those spaces. If there is a public sidewalk along the street frontage located within 50 feet of any required walkway, the walkway shall connect to that sidewalk;

M. Tandem or in-line parking.

Tandem or in-line parking, or other similar arrangements that involve the placement of two or more parking spaces in a row directly behind one another so that one parking space is blocking access for other parking spaces, is not allowed for off street parking spaces required by Chapter 50, but is allowed to meet off street parking required in Chapter 29A. This provision does not apply to required off street parking spaces within enclosed structures, such as garages or parking structures. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10286, 3-10-2014, § 12; Ord. No. 10340, 11-24-2014, § 2; Ord. No. 10509, 6-12-2017, §3)

50-24.6 Required loading space.

Unless otherwise provided in this Chapter, all construction of new buildings or expansions of existing buildings shall provide off street loading space shown in Table 50-24-5 below.

Table 50-24-5: Off-Street Loading Space Standards	
Type of Use or Facility	Off-Street Loading Requirement
Office, hotel or motel	1 space for 20,000 sq.ft. of gross floor area
Personal service and repair not otherwise listed; building material sales; garden material sales; retail store not listed (large); automobile and light vehicle repair and service, automobile and light vehicle sales, rental, or storage; truck or heavy vehicle sales, rental, repair, or storage; wholesaling.	1 space for 20,000-50,000 sq.ft. of gross floor area; and 2 spaces for more than 50,000 sq.ft. gross floor area
Manufacturing	1 space for 25,000 to 50,000 sq.ft. of gross floor area; 2 spaces for more than 50,000 sq.ft. of gross floor area.

(Ord. No. 10044, 8-16-2010, § 6.)

50-24.6 Bicycle parking.

With the exception of single-family and two-family dwelling units, any new development, building expansions of more than 50% of the building’s square footage, or renovations that exceed 50% of the building’s value shall provide bicycle parking.

1. Short-term and employee bicycle parking (non-residential uses). Provide permanently anchored bicycle racks, which provide two points of contact with the frame at least 6-inches apart horizontally, within 50 feet of the building entrance. Racks shall accommodate parking for two bicycles plus 5 percent of motorized vehicle parking spaces on the site, and shall be located entirely on the property and not within the right of way. This requirement may be waived if the Land Use Supervisor and City Engineer determine there is no acceptable space for bicycle parking on the site.
2. Resident parking (residential uses). Secure bicycle parking shall be provided at a rate of 1 bicycle for every 5 dwelling units. Parking shall be convenient from the street and shall meet one or more of the following conditions: a) covered, lockable enclosures with permanently anchored racks for bicycles; b) lockable bicycle rooms with racks; or c) lockable bicycle lockers. This requirement may be waived if the Land Use Supervisor and City Engineer determine there is no acceptable space for bicycle parking on the site.

50-24.7 Electric vehicle charging stations.

1. In any new parking lot that is accessory to either a multi-family or hotel or motel use, electric vehicle (EV) charging stations shall be provided as follows: parking lots with 10 or more parking spaces must have EV charging stations or be EV ready for a minimum of 10% of the parking spaces. Charging stations must include Level 2 or higher chargers; if spaces are EV ready, the

- wiring must support Level 2 chargers. If the EV charging stations are connected to solar or other renewable energy source, only 5% of the parking spaces are required to provide EV charging.
2. If the parking capacity of an existing parking lot with 20 or more spaces, that is also accessory to either a multi-family or hotel or motel use, is increased by 30% or more, EV charging stations shall be provided as noted in 50-24.7.1 above.
 3. EV ready spaces shall include a cabinet, box or enclosure connected to a conduit linking parking spaces with 208/240V or higher voltage AC electrical service suitable for the number of charging stations.

Article 6.

"Overflow parking area." A parking lot that provides extra parking for a site or neighborhood, intended for areas where there is a need for parking over the allowed maximum, or a need for stand-alone parking to address parking in a neighborhood or district, over and above existing primary use parking lots in the area



Moving business forward. ▶

January 10, 2023

City of Duluth Planning Commission
Care of Adam Fulton
411 West First Street, Room 160
Duluth, MN 55802

Members of the City of Duluth Planning Commission,

On behalf of the Duluth Area Chamber of Commerce, we write in strong support of PL 23-D1, Draft UDC Text Amendment: Changes to Parking Regulations.

We have heard from several Chamber members/local developers who are in favor of these changes and believe these updates help foster additional development in the City of Duluth.

We appreciate your service to our community, consideration of this important topic, and hope there continues to be updates to the Unified Development Chapter (UDC) to help encourage and support development and growth.

Please feel free to contact us if you have any questions, concerns and/or if there are other ways we can work together to continue to support our members, our business community and our community at large. Again, thank you for your service and consideration.

Respectfully,

A blue ink signature of Matt Baumgartner, consisting of several loops and a long horizontal stroke.

Matt Baumgartner, President
Duluth Area Chamber of Commerce
mbaumgartner@duluthchamber.com

A blue ink signature of Daniel Fanning, featuring a large, sweeping loop and a horizontal line.

Daniel Fanning, Vice President
Duluth Area Chamber of Commerce
dfanning@duluthchamber.com



Duluth Transit Authority

2402 West Michigan Street • Duluth, Minnesota 55806-1988 • 218/722-4426 • Fax 218/722-4428
www.duluthtransit.com • general e-mail: dta@duluthtransit.com

1/10/2023

City of Duluth Planning Commission
411 W 1st St
Duluth, MN 55802

Subject: Proposed UDC Code Changes - Parking

Dear Commissioners and City Officials:

As the Duluth Planning Commission considers the changes to the parking requirements in the UDC, we would like to express the Duluth Transit Authority's strong support of the proposed changes. It is great to see the City of Duluth looking at ways to reform outdated and complicated parking regulations, just as many other cities around the country have been doing and have had positive outcomes. We would also encourage exploring revisions to rental and multifamily requirements as they related to parking.

Parking requirements have been shown to cause many unintended consequences that have shifted our cities away from their historically walkable built environments to those that make it a requirement to own a car to move around a city. Over-prescribing parking can lead to underutilized property, lower tax revenues, increased development costs, safety concerns, blight, environmental issues, and other negative outcomes. Allowing developers to allocate the parking they feel is necessary, while setting maximums, will certainly improve our community in many ways. Potentially freeing up land availability for further development and densities will make our community more fiscally resilient. Urban population density also impacts the DTA's federal funding allocations.

The DTA offers fixed-route mass transit and on-demand paratransit to the vast majority of the City of Duluth and has strong ridership compared to similar-sized cities. We have seen this community embrace alternative modes of transportation for generations. Reforming parking minimums does not take away someone's choice to drive a personal automobile. It does however make other modes more viable and attractive. Parking minimums have hindered growth in our community and have undermined the investments that this community and state have made in mass transit options. The proposed changes are a commonsense approach to letting the market determine its needs while making our community more affordable and livable.

Thank you for your consideration.

Sincerely,

Christopher Belden
Director of Planning
Duluth Transit Authority



Mindy Granley
Sustainability Officer

218-730-5334

mgranley@duluthmn.gov

Room 422
411 West First Street
Duluth, Minnesota 55802

January 10, 2023

To: Jenn Moses, Planning and Economic Development

Re: PL 23-D1 Draft UDC Text Amendment: Changes to Parking Regulations

I am writing to support the proposed UDC code changes related to Parking that support the City of Duluth Climate Action Work Plan including:

Objective 3.7: Reduce per-person, single-occupancy driving citywide

- Review city code and policy to remove barriers and enable more opportunities for biking, walking, transit, and low emissions vehicles
- Enhance and institutionalize complete streets policy to include user experience and green infrastructure, prioritize connectivity for vulnerable communities
- Gather early input on street projects to increase bike, walk, and wheelchair access along highly-used routes
- Collaborate with DTA to expand first-mile and last-mile mobility options for transit
- Eliminate minimum parking requirements for new development
- Revise policies and regulations to promote an increase of EV charging infrastructure.

I fully support the new Requirement 50-24.6 on bicycle parking.

I also support Requirement 50.24.7 for EV charging stations. This would help expand charging options and promote adoption of low-emission vehicles. Note:

- The Minnesota Public Utilities Commission (Docket No. E999/CI-17-879) found that “barriers to increased EV adoption in Minnesota include but are not limited to: (a) inadequate supply of and access to charging infrastructure, and (b) lack of consumer awareness of EV benefits and charging options.”
- Most EV charging will happen at work or home, but many people live in multi-family housing or buildings which are unequipped for charging.
- Helping to increase access to EV charging is supportive of overall EV adoption.
- With clean car rules recommended for adoption by an Administrative Law Judge on May 7, 2021, access to EVs is set to expand in Minnesota.

On the renewable energy requirement for 50-24.6: many locations will not have feasible options, due to building shading or the installation/structural costs of installing solar in parking lots. However, our local electric utility is moving towards 80% carbon-free power by 2030, and analysis shows that emission reduction from EVs come from efficiency and pollution reduction equipment and do not solely rely on renewable energy availability. Note that the lifecycle emissions of EVs being lower even without 100% renewable energy. (source: https://afdc.energy.gov/vehicles/electric_emissions.html)

Thank you for your leadership,

Mindy Granley, Sustainability Officer

www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.



Parking Services

Ground Floor
411 West First Street
Duluth, Minnesota 55802

218-730-5470

ParkingTickets
@duluthmn.gov

Recommendations Regarding Potential Elimination of Off-Street Parking Requirements for New Developments

January 9, 2023

The following are potential/likely outcomes of removal of off-street parking requirements for new commercial and/or housing development projects. All are related to the resultant increased parking pressure on the surrounding community, particularly in residential areas, and assume that less onsite parking would be created on the project site. Historically, projects on the perimeter of residential areas that do not include enough onsite parking to serve their needs result in a large increase in on-street parking, both legal and illegal.

1. Resident requests for Residential Permit Parking Zones. These types of zones are not generally applicable or effective in these situations, as they tend to simply push parking to the next block, and then the next block, etc. Rather, these zones are intended to serve much larger areas, such as those surrounding larger local educational institutions. Also, setting such a precedent would be problematic, as it would be difficult to evenly apply such zones throughout the city without effectively undermining the concept of on-street public parking. Finally, establishment of such zones in relation to a development with a residential component would be counterproductive, as residents of the new building would also qualify for zone permits.
2. Reports of illegal parking, particularly items such as parking too close to driveways, blocking driveways, parking on boulevards, and parking in marked accessible parking stalls.
3. Perception of blight – the increased number of parked cars usually causes area residents to feel that the value of their homes has decreased.
4. Increased public safety concerns associated with the increased parking and traffic congestion.
5. Generally increased tensions between the building owners/management and the area residents.

Due to the negative impacts on public safety and the quality of life for the residents and other stakeholders in the area of a new commercial of mixed-use development, the City's Parking Services Division does not recommend the elimination or reduction of onsite parking requirements for new development projects.

Mark Bauer | Duluth Police Department
Parking Services Manager



www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.

Jennifer Moses

From: Cindy Stafford
Sent: Tuesday, January 10, 2023 5:00 PM
To: Adam Fulton; Jennifer Moses
Subject: FW: Parking Plan Comment

From: planning
Sent: Tuesday, January 10, 2023 4:59 PM
To: Noah Hobbs <nhobbs@DuluthMN.gov>
Subject: RE: Parking Plan Comment

Thank you for your email. It will be shared with the planning commission.

Cindy Stafford

From: Noah Hobbs <nhobbs@DuluthMN.gov>
Sent: Tuesday, January 10, 2023 4:47 PM
To: planning <planning@DuluthMN.gov>
Subject: Parking Plan Comment

Esteemed Planning Commissioners,

I want to thank you for the amount of time you took to look at revisiting our planning regulations in the UDC. I've reviewed the proposed changes and I think it's a well-thought-out proposal to incentivize development, promote multimodal transportation, and prioritize the productive use of land over concrete to house a car for 8 hours a day. I believe that this is the direction we want to move in as a city. You have my full support in passing the proposal as presented.

Thank you for your service!

Noah Hobbs

Duluth City Councilor At-Large

nhobbs@duluthmn.gov



Jennifer Moses

From: planning
Sent: Tuesday, January 10, 2023 11:16 AM
To: Jennifer Moses
Subject: FW: Parking Minimum and Maximums

From: Andrea Crouse <andrea@zeitgeistarts.com>
Sent: Tuesday, January 10, 2023 11:00 AM
To: planning <planning@DuluthMN.gov>
Subject: Parking Minimum and Maximums

Hello Planning Commissioners,

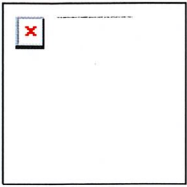
I am writing today to encourage you to support the code revision to eliminate parking minimums, instate parking maximums, and improve bike parking requirements in City Codes.

The work I do to support active living and health equity with a focus on Duluth's Hillside neighborhood has put me in contact with thousands of residents to talk about their needs and vision for a healthier, more connected community. And I'll tell you, in our conversations, not a single time have we heard residents express a need for more parking. Now I'm not saying this isn't an issue, but it's clearly not a pressing or priority issue. In fact, what we hear from residents is the need for investing in our community to address the housing crisis, create green space and areas for public gatherings, develop space for new, locally owned businesses, and create safe and walkable communities. There is a wealth of data that identifies the increased value walkable/bikeable communities have to the bottom line of business. For folks who continue to struggle to find quality, affordable housing, a requirement to invest in additional built infrastructure for cars, especially parked cars, demonstrates a priority for cars over people and specifically prioritizes the needs of those with personal vehicles over those who don't have vehicles.

While cars can provide important access to jobs, medical appointments, school, and other needs, they are not required for this if we build communities that are safe, walkable, and have thriving public transportation options. Not only is this good for the economy, for physical health, but it's good for sustainability and CO2 emissions. Over a 1/3 of the households in the Hillside don't own personal vehicles. This means folks want to invest in transportation networks that de-center personal vehicles and support safe walking, biking, and public transportation options. To that end, I'm grateful to see that in addition to removing parking minimum requirements, improving bike parking is a priority in this proposed code change.

Thank you for your service to the community and your thoughtful consideration of how we build the future Duluth which supports the personal and economic health and connectivity we need in the future!

Respectfully,
Andrea B. Crouse



Andrea B. Crouse (They/Them or She/Her)
Community Development Manager, [Zeitgeist](#)
andrea@zeitgeistarts.com
218.590.1139
[Donate to support Zeitgeist's work](#)

Jennifer Moses

From: Steven Robertson
Sent: Tuesday, January 31, 2023 4:14 PM
To: Jennifer Moses; Adam Fulton
Subject: My Comment on UDC Min Parking Changes

Thank you for the opportunity to comment on the zoning code proposal! My understanding is that the proposed UDC change to eliminate minimum off-street parking requirements throughout the entire city is based on the desire to reduce impervious surfaces (particularly parking lots), and the desire to decrease development costs by eliminating the need to provide costly off-street parking spaces which may not be fully utilized, and the desire to promote other means of transportation (walking, biking, bussing) rather than the car/truck/SUV.

I wanted to share comments related to the building code, but I also I wanted to share some general comments. If it is not inappropriate, please include my comment with the other written comments from city staff and citizens that have been received on this matter.

ADA, State Building Code, and Off-Street Parking

The Americans with Disabilities Act (ADA) was signed into law in 1990, with the intent to increase access and opportunities for people living with disabilities. The ADA is a federal regulation, and violations of the ADA requirements are generally settled through lawsuits.

The Minnesota State Building Code (SBC) is a compilation of various state rule chapters that regulate different parts of building construction. Although compiled as separate rule chapters, the compilation itself is identified as the Minnesota State Building Code. The purpose of the Minnesota State Building Code is to provide minimum standards to safeguard life and limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy of all structures covered by the code. The MN Accessibility Code is Chapter 1341 of Minnesota Rule, and one of the chapters of the Minnesota State Building Code.

When new buildings are constructed or existing buildings are altered or their use of change, the Construction Services and Inspections Office administers the State Building Code, including the Accessibility Code. Sometimes people confuse ADA with the Mn Accessibility Code. The ADA is enforced through private actions and litigation; it is not administered by the Construction Services and Inspections Office.

Section 1106 of the Mn Accessibility Code states that where parking is provided, accessible parking spaces shall be provided. For example, for a parking lot of 76 to 100 spaces, a minimum of four accessible spaces is required. However, if no parking is provided by a future housing or commercial development, the Mn Accessibility Code can not require the provision of an accessible parking space as a condition of building permit review and approval. There is no requirement to provide accessible parking on site, unless some minimum number of off-street parking spaces is required by the zoning code.

Ongoing Planning Studies

There are several ongoing planning studies/projects, one a housing study (analysis of residential market potential), and another being a green infrastructure code audit. The results of both planning efforts may provide information relevant to the issue of off-street parking and parking lots. If this proposal is delayed several months city staff can more easily incorporate recommendations from both these ongoing planning efforts. In particular, the green infrastructure and code audit will most likely have recommendations (based on previous work they have done) that impact standards for additional parking lot landscaping and a reduction in the number of restaurant and retail drive through lanes. There is also a parking utilization study being conducted in portions of the Lincoln Park Neighborhood at the end of this February; the results of that study could be evaluated before making permanent changes to the parking requirements.

In addition, the city conducts an annual housing indicator report, the last one was for 2021 which had 4,164 units surveyed. This housing indicator report is an incredibly useful tool for understanding the rental market and costs for renters. It would be interesting to see if the 2022 housing study survey could be amended to ask about off-street parking provisions. Then it could be determined, after adjusting for age of the housing stock and other variables, if there is clear Duluth based evidence that rental properties that do not provide off-street parking have lower rents than rental properties that do provide parking. If true, this would lend real world Duluth evidence to support the parking proposal.

Off-Street Parking Fees and Rentals

Chapter 29A of the City Code (Housing, Property Maintenance and Rental Code) has several references Chapter 50 (UDC). There is a requirement that single family homes used as rental property pay an additional fee for not providing off-street parking spaces. There may be a conflict between striking the requirement for off-street parking for new single or multifamily rentals in the zoning code but then still requiring existing single family rentals to pay the off-street parking fee.

UDC questions/details

Several code questions; these may have already been addressed by staff:

Current language does not allow tandem parking, proposed rules are striking that provision, allowing tandem parking. Is that the intent? Tandem parking are spaces that are typically 2 or 3 vehicles deep that in which only the rear most parking space has access to the drive aisle.

Current language does not allow private parking spaces in the public right of way without a concurrent use permit, proposed rules are striking that provision, presumably allowing private parking spaces on the public right of way. Is that the intent? This may conflict with City Engineering standards and specifications.

Current language does not allow required parking spaces to be located off-site; in other words required off-street parking must be located on the same parcel as the use/business/development generating the need for parking. The proposed rules are striking that provision. Understanding that "required parking" is being eliminated, would new optional off-site off-street parking spaces for new development be considered accessory parking spaces or primary use parking lots? To be more specific, would a new retail store in a MU-C district be allowed to create an off-site parking lot in an adjacent R-2 zone district as an accessory parking lot by right or as primary use parking lot or overflow parking lot with a special use permit?

Current language exempts single family homes from the maximum number off-street parking spaces, the proposed rules are striking that provision, establishing that the maximum number of off-street parking spaces that a single-family home may have is 2.5 parking spaces. Is that the intent? Many homes constructed since the 1970s will likely exceed this maximum, creating many new legal non-conformities.

Proposed language is striking the requirement for additional off-street parking for developments within the higher education overlay. The current standard in the overlay is .7 parking spaces per bedroom, with requirements for additional visitor parking, instead of 1 space per dwelling unit in the rest of the city. The 2012 public input asking for higher off-street parking standards in neighborhoods near the colleges was a primary driver of the higher education overlay, with the build to zones and restrictions on balconies less critical. I suggest eliminating this overlay zone entirely if the additional off-street parking restrictions are stricken, as the primary purpose for the overlay would now be eliminated.

Proposed language for overflow parking requires that a demonstrated need for neighborhood parking must be established first, but doesn't list the criteria for establishing need. There is no requirement for screening of headlights from nearby residential properties, and no requirement that the overflow parking lot be accessible from an accessible sidewalk.

If there is no longer any required minimum off-street parking in the UDC, can the Planning Commission require off-street parking as a condition of approval on future Special or Interim Use Permit?

Redevelopment Strategy and Shared Vision

In the context of economic development, the city is sometimes asked to partner with developers to provide assistance to find or create off-street parking spaces for new developments or redevelopments. Assistance includes tools such as Tax Increment Financing or Tax Abatement, or seeking bonding dollars from the state legislature to fund new parking ramps, or privatizing or leasing existing public parking spaces to developments. Will eliminating the zoning code's role in mandating off-street parking spaces create inconsistency with the economic development strategy to provide public city financial support for off-street parking for new developments?

City engineering manages public right of way and has standards on access management (driveways and curb cuts). City Planning has standards for new development and redevelopment, including guidelines for off-street parking. City Parking Services manages on-street parking, including provision of accessible parking spaces and loading zones, and residential parking permits (typically near schools are other areas high demand for on-street parking). There are several city departments that have a leading role in the "transportation" arena. And there are competing strategic values in play with this proposal (the strategy to eliminate parking requirements for new development to reduce impervious surface vs the strategy to use public subsidies to provide public or public/private off-street parking spaces for new private development). The "complete streets" policy notwithstanding, there are a lot of friction points over what is the best use of public street/right of way use, and no unifying vision or direction. For example, during the Superior Street reconstruction planning phase, there was a lot of discussion over maintaining abundant on-street parking spaces (critical for adjacent businesses) vs more pedestrian amenities or bike lanes to make the area attractive and safe for tourists and visitors. This proposed ordinance change could be a spring board to have a wider discussion about how the community can weigh these competing values into one framework or policy.

Current Bus and Pedestrian Infrastructure

The City of Duluth does not have the same breadth and quality of pedestrian infrastructure that some of the urban areas of the twin cities have. Duluth has several large areas that are rural, semi-rural, and suburban, that lack sidewalks and ADA complaint pedestrian ramps at crosswalks. In addition, the DTA currently has approximately 1,500 designated bus stops throughout Duluth. Approximately 50% of these bus stops and bus routes (from 33 routes to 15 routes) will be eliminated as part of the stream-lining of DTA's Better Bus Blueprint, a bold initiative to improve the transit service by reducing travel times and upgrading the bus experience. The Better Bus Blueprint will absolutely be a major improvement in quality and efficiencies of the transit service, but it will reduce access in some areas of the city. In addition, the city is wrestling with the process of ensuring that sidewalks and pedestrian ramps are shoveled. So even when there is a bus stop and a bus shelter, getting to it may be problematic to people with access or mobility limitations. The reality is that in many areas of Duluth the personal vehicle is still the safest and most effective means of transportation, and there is still a need for requiring developments in some areas of Duluth to provide off-street parking.

Stakeholder input

In the past, when there was a major ordinance change that could potentially have wide community impact, city staff have held additional optional public information meetings. I am suggesting it might be useful and appreciate to make an effort to have one or more public information meetings, and/or presentations to stakeholder groups that expressed an interest in parking issues in the past (such as our various business/community organizations). In addition, input from either the Parking Commission or the Commission on Disabilities may provide useful feedback on this proposal, and would further a culture of diversity, equity, and inclusion.

Thank you

Thank you for the opportunity to comment. I apologize for the length of the email, but I wanted to highlight several items, particularly the issue with the Mn State Building Code and the chapter on accessibility. It should be understood that the city can not use the state building code to compel the provision of off-street parking spaces.

Steven Robertson, CSI Manager

Jennifer Moses

From: planning
Sent: Tuesday, January 10, 2023 11:15 AM
To: Jennifer Moses
Subject: FW: Eliminate parking minimums

From: Dave Zbaracki <[REDACTED]>
Sent: Tuesday, January 10, 2023 10:09 AM
To: planning <planning@DuluthMN.gov>
Subject: Eliminate parking minimums

Dear Planning Commission,

I fully support the proposal to eliminate parking minimums. It is long past time that our city does something to live up to the progressive values that it espouses. Cars as default transportation is suburban planning, not urban planning. We need better, less costly, and more sustainable infrastructure. This proposal does not wave a magic wand, but goes a long way to fixing our problems.

-Dave Zbaracki

Jennifer Moses

From: planning
Sent: Tuesday, January 10, 2023 5:00 PM
To: Jocelyn Heid
Cc: Jennifer Moses; Adam Fulton
Subject: RE: Proposed Parking Code Changes

Hello =

Thank you for your comment. It will be shared with the planning commission.

Cindy Stafford

From: Jocelyn Heid <[REDACTED]>
Sent: Tuesday, January 10, 2023 4:49 PM
To: planning <planning@DuluthMN.gov>
Subject: Proposed Parking Code Changes

I urge you to approve the proposed parking code changes. These changes will move Duluth forward to a better, more efficient use of public resources.

I apologize for sending th email of support so late in the day.

Thank you,
Jocelyn Heid
3028 E Superior St, Duluth, MN 55812
[REDACTED]

Jennifer Moses

From: JOSEPH KLEIMAN <[REDACTED]>
Sent: Wednesday, January 11, 2023 9:32 AM
To: Adam Fulton
Cc: Jennifer Moses
Subject: Re: Proposed parking changes

Adam,

One other thought, will the electrical code require a separate electrical service for the charging station? Would it be required to be separated of the electrical entrance that serves the building? Again, adding expense could very well have little or no demand. Sorry to bother you but just another thought of mandating the need can cause many unwanted expenses. Thank you.

Joe Kleiman

From: Adam Fulton <afulton@DuluthMN.gov>
Sent: Tuesday, January 10, 2023 5:16 PM
To: JOSEPH KLEIMAN <kleimanrealty@msn.com>
Subject: RE: Proposed parking changes

Joe,

Thanks for being here tonight and providing these comments. We'll add to the file and consider impacts on this one.

Thanks,

ADam

From: JOSEPH KLEIMAN <[REDACTED]>
Sent: Tuesday, January 10, 2023 2:16 PM
To: Adam Fulton <afulton@DuluthMN.gov>
Subject: Proposed parking changes

Adam,

The need to provide EV charging stations for new commercial development, isn't that something that the market will decide? Mandating the expense for something that might arise years in the future would seem to be a burden for developers, property owners. If there is a need I am the first to make the installation but to force the move just adds additional expense whether or not there is a need. Not a fan. Thanks.

Joe Kleiman
 [REDACTED]

Jennifer Moses

From: JOSEPH KLEIMAN <[REDACTED]>
Sent: Wednesday, January 11, 2023 9:01 AM
To: Adam Fulton
Cc: Jennifer Moses
Subject: Re: Proposed parking changes

Adam,

As an additional follow-up to last night's comments, I would like to know how many electric vehicles are currently registered in the State of Minnesota, this would be important to know. The latest information I had was that less than 1% of vehicles registered in the State of Minnesota were EV's. Is that enough EV's to mandate the expense of providing charging stations on all new commercial developments? I recently completed the new Orthodontic office on Central Entrance, three employees on site, I don't see how that type of business should have a mandatory need for a charging station. Is the planning department suggesting that Orthodontic office needs to provide patients with capacity to charge there EV's? If so, who will pay for the electricity, will there be a cap on what a property owner might charge to use the charging station? For those developers who provide first class developments which include many amenities, providing charging stations would be voluntarily provided should the market dictate the need. Should the planning department feel the need to adjust maximum and minimum parking requirements I understand but don't feel an EV charging station is something the planning department needs to get involved in. Additionally, regarding on-street parking for residential use I think the City of Duluth better take a closer look at policy in place for snow emergencies and snow removal. Currently parking on the street is very difficult and lanes of traffic have narrowed significantly. I see a statement that the City of Duluth will not be removing snow due to the fact that they have no money to complete the task. Lessening the requirement for off-street parking will certainly add to the problem. Thank you for your consideration on this matter.

Joe Kleiman
 [REDACTED]

From: Adam Fulton <afulton@DuluthMN.gov>
Sent: Tuesday, January 10, 2023 5:16 PM
To: JOSEPH KLEIMAN <kleimanrealty@msn.com>
Subject: RE: Proposed parking changes

Joe,

Thanks for being here tonight and providing these comments. We'll add to the file and consider impacts on this one.

Thanks,

ADam

From: JOSEPH KLEIMAN <[REDACTED]>
Sent: Tuesday, January 10, 2023 2:16 PM

To: Adam Fulton <afulton@DuluthMN.gov>

Subject: Proposed parking changes

Adam,

The need to provide EV charging stations for new commercial development, isn't that something that the market will decide? Mandating the expense for something that might arise years in the future would seem to be a burden for developers, property owners. If there is a need I am the first to make the installation but to force the move just adds additional expense whether or not there is a need. Not a fan. Thanks.

Joe Kleiman

~~XXXXXXXXXX~~

Jennifer Moses

From: planning
Sent: Tuesday, January 10, 2023 4:31 PM
To: Dave & Dina
Cc: Adam Fulton; Jennifer Moses
Subject: RE: Duluth Parking Code update

Hello -

We are in receipt of your comment. It will be shared with the planning commission members.

Thanks, Cindy

-----Original Message-----

From: Dave & Dina <[REDACTED]>
Sent: Tuesday, January 10, 2023 4:21 PM
To: planning <planning@DuluthMN.gov>
Subject: Duluth Parking Code update

Commissioners,

I'm writing to voice my support for the proposed changes to the Parking Code. Changes like these that will provide more flexibility and sensibility in how housing is developed and will incentivize alternative modes of transportation (buses, bikes, EVs) instead of just gasoline powered cars and trucks are definitely signs of a community that is forward thinking and actively working to provide smart solutions, rather than simply defaulting to antiquated codes. I urge you to support these proposed changes.

Sincerely,

Dave Pagel
801 Woodland Ave.

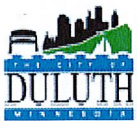
Jennifer Moses

From: planning
Sent: Tuesday, January 10, 2023 4:15 PM
To: Rebecca Bischoff
Cc: Jennifer Moses; Adam Fulton
Subject: RE: Parking Code Changes

Hello Rebecca –

Thank you for your comment. It will be shared with the planning commission members.

Cindy



Cindy Stafford City of Duluth
Planning & Economic Development
413 W. 1st St. Room 160, Duluth, MN 55802
cstafford@duluthmn.gov Phone (218) 733-5161

From: Rebecca Bischoff <rebecca.bischoff@windlog.com>
Sent: Tuesday, January 10, 2023 3:28 PM
To: planning <planning@duluthmn.gov>
Subject: Parking Code Changes

Hi Planning Commission,

I am in favor of the proposed parking code changes that incentives multi-modal transportation.

Thanks,

Rebecca Bischoff
Lincoln Park Resident

Jennifer Moses

From: planning
Sent: Wednesday, January 11, 2023 7:05 AM
To: Adam Fulton
Cc: Jennifer Moses
Subject: RE: Concerns About Proposed Parking Changes

Copying Jenn for her to file.

Thanks, Cindy



Cindy Stafford - City of Duluth
Planning & Economic Development
411 W. 1st St. Room 100, Duluth, MN 55802
cstafford@duluthmn.gov Phone (218) 723-5161

From: Adam Fulton <afulton@DuluthMN.gov>
Sent: Tuesday, January 10, 2023 5:18 PM
To: planning <planning@DuluthMN.gov>
Subject: FW: Concerns About Proposed Parking Changes

Please retain for file

From: Branden Robinson [REDACTED]
Sent: Tuesday, January 10, 2023 2:01 PM
To: Adam Fulton <afulton@DuluthMN.gov>
Subject: Concerns About Proposed Parking Changes

Hi Adam,

I'm writing with concerns about the proposed changes to the UDC, to remove minimum parking requirements and impose more restrictive maximum parking requirements across the City.

We see this as an exceptionally burdensome change for many businesses and the broader community.

- The City has recently implemented parking policies to lessen the burden on neighborhood residential parking and snow removal efforts, both of which will be thwarted by these new proposed standards.
- There are many businesses where ample parking is, and will always be, a critical part of the business model.
- We rely nearly 100% on vehicular travel for our guests. Guests do not use public transit, and rely on personal vehicles to access and explore the area.
- The freedom of vehicular travel is paramount to the guest experience, due to the variety of attractions and natural attributes that define our unique geographical location. Guests travel to the North Shore, state parks, Iron Range, etc., all areas that cannot be effectively serviced by public transit and are nearly impossible to access by bicycle.

- Guests who visit Duluth carry a lot of luggage and gear for team events and various outdoor activities, underscoring the importance of reliance on personal vehicles.
- Changing these ordinances will not change consumer behavior. They will only create excess future challenges for businesses and residents.
- The proposed maximum parking limits for hotels and motels do not account for the true parking demand, comprised of guest vehicles and vehicles of staff who live outside of effective public transportation corridors.
- The maximum allowable parking under this new model would not meet our parking demand, nor would it meet that of other, larger properties.
- These new standards would push an extreme burden onto surrounding neighborhoods to handle the parking demand created by businesses,
- Businesses would have the added burden of patrolling private lots from vehicles visiting neighboring businesses.

We are strongly opposed to the proposed changes, and look for your guidance to create a model that will address the ongoing needs of this community.

Respectfully Submitted,

Branden H. Robinson

General Manager
South Pier Inn
701 S. Lake Ave.
Duluth, MN 55802
P: (218) 786-9007 x. 801
F: (218) 786-9015



SOUTH PIER INN
on the canal

Awarded **Minnesota's Small Hotel of the Year**

Visit us on [Facebook](#) | [Instagram](#) | [TripAdvisor](#) | [Online](#)

Jennifer Moses

From: Adam Fulton
Sent: Tuesday, January 24, 2023 11:10 AM
To: Jennifer Moses
Subject: FW: Parking

FYI

Adam Fulton | Deputy Director, Planning & Economic Development | he/him/his | **City of Duluth** | 411 West First Street, Duluth, MN 55802 | 218-730-5325 | afulton@duluthmn.gov

From: Barbara Montee <~~barbara.montee@cityofduluth.com~~>
Sent: Tuesday, January 24, 2023 10:59 AM
To: Council <Council@duluthmn.gov>
Subject: Parking

I am emailing to bring attention to the parking mandate for rental houses. I am happy that you are looking at parking mandates and I am hoping you will be willing to review the rental lease fine for not providing parking and add that to the changes that are being proposed.

I am the President of the Duluth Landlord Association, and have been for more than a decade. This is my brief and quickly written synopsis of the history of the parking requirement- it goes back to the 300 foot mandate that the city council passed at one time. The neighborhood by UMD was upset to say goodbye to their old neighbors where they had raised kids and played together. Many of the houses turned into rentals and started housing students, and the fallout was the mandate for limited rentals and the 300 ft rule. The mortgage crisis brought that to a halt and then some properties were hardshipped by not being allowed to become a rental because 100+ years ago they were built with no off street parking and ~50 years ago, the city turned these streets into mini-highways and eliminated the street parking so more driving autos could get where they wanted to go, more quickly. Also, the ambulance route on E 6th Ave was hard hit by the now street parking and most of those houses have front yard parking, which was another big issue we could discuss and change for the better. In order to allow "parking hardshipped" properties, we accepted the license "fine" of \$100 per property for not providing off street parking per bedroom. It was one way to get past old issues. Now might be the time to get past this parking fine issue. I am happy to receive your phone call (218-393-9236 Barb) to better discuss this, as it is a lot of past ordinance changes that pre-date most of you. Essentially, Duluth had a period of time when we passed ordinances for the privileged few with autos, and now I am happy the council is looking to change that to a better bike/ pedestrian friendly community. Let me know how I can help. I do have some pull with some landlords and I understand we are approaching 50% rental in Duluth.

Thanks for all you do!

--

Barbara Montee

Jennifer Moses

From: planning
Sent: Thursday, January 26, 2023 7:39 AM
To: Jennifer Moses
Subject: FW: E 2nd Street Parking Issues

From: Andrea Habedank <ahabedank@essentia.com>
Sent: Thursday, January 26, 2023 1:35 AM
To: Gary Anderson <ganderson@DuluthMN.gov>; Azrin Awal <aawal@DuluthMN.gov>; Arik Forsman <aforsman@DuluthMN.gov>; Noah Hobbs <nhobbs@DuluthMN.gov>; Janet Kennedy <jkennedy@DuluthMN.gov>; Mike Mayou <mmayou@DuluthMN.gov>; Roz Randorf <rrandorf@DuluthMN.gov>; Terese Tomanek <ttomanek@DuluthMN.gov>; Hannah Alstead <halstead@DuluthMN.gov>; planning <planning@DuluthMN.gov>
Subject: Re: E 2nd Street Parking Issues

Good evening,

I am a tenant at 316 E 2nd St and wanted to add my thoughts on how the current parking situation affects me personally. I am on my second year living in the building and have loved calling it home. However, the current parking situation has made things very difficult for me and many others.

I work nights as a 911 dispatcher for St. Louis County. Currently, one of the most stressful parts of my job ends up being trying to find a place to put my car when I go home afterwards. There are still cones blocking off part of our road as well as a "Road Closed" sign farther down. This ends up resulting in large snow piles blocking the limited parking we do have at the building, as it's unable to be plowed normally. Some roads, such as 4th Ave E, remain completely closed. Until a month ago, Essentia was allowing us to park in their ramp outside of business hours due to the construction. As a night shift worker, I'd end up needing to park in Essentia's for a few hours overnight (due to lack of street parking), then set an alarm to wake up in the middle of my "night" to move my car once ramp access was no longer allowed. At that time, I would have to hope that another tenant or contractor had recently left, so that I could park again and go back to bed. Although less convenient than being able to leave my car in one place, this option was incredibly valuable to me as it at least gave me a way to be able to get home and go to sleep. Now that the Essentia ramp is also unavailable, I have had an even more difficult time being able to get home. I often leave work in the morning, extremely exhausted and ready for bed, only to find any available parking spots taken by Vision Northland contractors/other employees and nowhere left for me to park within several blocks of my apartment. As you know, a lot of Downtown has meters, so there are not a lot of other options for those of us who live in the area as it currently stands.

I tried contacting the Sheraton ramp about parking there, but was told that there was a waitlist of approximately 40 people and that this would be unlikely to clear in the near future. Even if this was not the case, they state that they would not be able to honor the discounted parking rate our landlord had previously mentioned. I have loved living Downtown and want to continue doing so, but at the moment I am afraid that I might have to find a new home due to being unable to park. All I want is to be able to go home and sleep after work, and I would be very appreciative of any help or ideas that would make this possible.

Thank you,

Andrea Habedank

On Wed, Jan 25, 2023 at 10:51 AM Friday Properties <[REDACTED]> wrote:

I just wanted to give you all an email I just sent out to the city council and the Duluth Planning Commission. Feel free to write to any of them as well to express your thoughts :)

Bridget

----- Forwarded message -----

From: **Friday Properties** <[REDACTED]>

Date: Wed, Jan 25, 2023 at 10:50 AM

Subject: Fwd: E 2nd Street Parking Issues

To: <ganderson@duluthmn.gov>, <aawal@duluthmn.gov>, <aforsman@duluthmn.gov>, <nhobbs@duluthmn.gov>, <jkennedy@duluthmn.gov>, <mmayou@duluthmn.gov>, <rrandorf@duluthmn.gov>, <tomanek@duluthmn.gov>, <halstead@duluthmn.gov>, <planning@duluthmn.gov>

We own a 22 unit residential building (316 E 2nd Street) with no parking and a single office building (320 E 2nd Street) with 6 parking spots in the alley. I would like to take a few minutes of your time to address some parking issues that have not gotten any better over the past 10 years for our tenants.

We are on the western edge of the Vision Northland project. The original hospital plan was to have a jumbo ramp the size of a city block. That was then "downsized" and was going to only be built on 1/2 the city block instead. NOW, we have heard the new ramp will be EVEN smaller due to rising costs. I find it hard to believe this is happening "coincidentally" at the same time that the City is deciding to get rid of minimum parking spaces.. does this also include the hospital system and their ramps? (including the city owned ramps that are attached to all medical buildings?) To only add a very small, very downsized ramp for a hospital is not in the best interest of anyone. Where will our tenants park when they are still competing with patients, vendors and employees? The issue just isn't for our tenants. It is the entire area. Businesses, churches, & other residents are all dealing with this issue.

Many years ago, when the city decided to put parking meters up all around our building, we fought for our tenants. They weren't going to have anywhere to park because of the meters down 3rd and 4th ave e. The city gave our tenants a deal in the 1st street/sheraton ramp. It was 50% off the public rate when they showed their lease. Many of our tenants used it.

Since the essentia construction has started, it has been a nightmare for our tenants. Contractors, employees, etc have been parking in our alley areas, and also not to mention all of the road closures, and blocking of the parking areas in front of our buildings They have not been able to have city plowing regularly since the contractors are continually moving cones and trying to block off more areas for their trucks to enter. We worked very hard with city employees (Ms Voight) to get the city to ensure the contractors at Essentia at least let them use the 3 spots in front of our building since 4th has been closed. (it isn't guaranteed spots, usually the employees, patients, contractors take them)

Essentia had been very gracious for about the past year giving our tenants use of free overnight and weekend parking in their green ramp. They decided at the end of December to end that favor. They said there was enough road parking again. Roads are still closed, spots are still missing. We had at least 5 tenants call to

find out the sheraton ramp is on a waitlist for parking and they were told they will not be given the 50% off as the new company has taken over the parking ramp management from the city.

I am asking to help with this parking issue. Some of my thoughts --- Can we get tenant-only parking on streets (just like by schools)? Can we utilize the sheraton ramp at night just like they did at Essentia? Could residents have special parking passes to park at the meters? I am just trying to think outside of the box to get some ideas moving.

I am at a loss for my tenants and want them to be able to enjoy living in the downtown area. Many of them work for both hospital system or in the downtown area. They are a vibrant part of the neighborhood and extremely good people - the kind we want to KEEP in the area.

Thank you for your time.

--

Bridget Friday
Managing Director
Friday Properties Management



www.fridayproperties.net