



City of Duluth

Council Chambers, City
Hall

Meeting Agenda Planning Commission.

Council Chambers

Wednesday, October 15, 2025

5:00 PM

Council Chambers

Special Meeting

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 25-0909](#) Planning Commission Minutes 09/09/25

Attachments: [9-9-25 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

CONSENT AGENDA

[PLIUP-2508-0039](#) Interim Use Permit for a Vacation Dwelling Unit at 2413 W 7th St by Ryan & Brittany Kuschel [CH]

Attachments: [PLIUP-2508-0039 Staff Report with Attachments](#)

[PLSUB-2508-0010](#) Minor Subdivision at Swan Lake Rd (010-0803-00020) by Adam Schminski [CH]

Attachments: [PLSUB-2508-0010 Staff Report with Attachments](#)

[PLSUB-2508-0011](#) Minor Subdivision at 1806 Rice Lake Rd by Terri Crossmon [CL]

Attachments: [PLSUB-2508-0011 Staff Report and Attachments](#)

[PLVAC-2509-0009](#) Easement Vacation at 2302 Nick Glumac Dr by Duluth Economic Development Authority [JM]

Attachments: [PLVAC-2509-0009 Staff Report w Attachments](#)

PUBLIC HEARINGS

[PLUMA-2509-0006](#) UDC Map Amendment for Lower Miller and Coffee Creek Shoreland Designations at 2402 W Michigan St by City of Duluth [JM]

Attachments: [PLUMA-2509-0006 Staff Memo w Attachments](#)

OTHER BUSINESS

[PLOR-2510-0015](#) Resolution of the Clity of Duluth Planning Commission Recommending that the Clity Council Approve Sale of Certain Real Property in the Lester Park Neighborhood to the Duluth Economic Development Authority

Attachments: [PLOR-2510-0015 Memo](#)
[PLOR-2510-0015 Resolution](#)
[PLOR-2510-0015 Property Area Map](#)

COMMUNICATIONS

Land Use Supervisor Report

Heritage Preservation Commission Report

City of Duluth Planning Commission

**September 9th, 2025 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Gary Eckenberg called to order the meeting of the city of Duluth Planning Commission at 5:01 p.m. on Tuesday, September 9th, 2025, in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Chris Adatte, Nik Bayuk, Jason Crawford, Gary Eckenberg, Brian Hammond, Danielle Rhodes, Dave Sarvela, Kate Van Daele, and Andrea Wedul
Members Absent: None

Staff Present: Nick Anderson, Amanda Mangan, Jenn Moses, Chris Lee, Ariana Dahlen, and Sam Smith

Approval of Planning Commission Minutes

Planning Commission Meeting – August 12th, 2025 –
MOTION/Second: Van Daele/Sarvela approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

Josie LaPorte, 903 E 9th St – LaPorte is a member of the parks & recreation commission. She stated that there is currently a city-wide budget problem. There are many projects that go through planning commission, and the decisions that are made by this commission have big impacts on the community.

LaPorte proposed that the planning commission work with the parks commission, and hopes that the planning commission may see parks as infrastructure and as an asset for the city. She fears that the budget problem will get worse, and the parks budget is tight as a result.

Her goal is to be proactive by assessing Duluth's strengths and barriers. Planning commission sees many projects come forward in the city. She has attended other city commission meetings to speak on the budget challenges, as well.

Tomorrow, the parks commission will have a discussion on budget recommendations for city council. Moving forward, she hopes city commissions can work together by recognizing structural inefficiencies, which will help remedy the budget crisis.

(Items PLVAC-2507-0007 and PLVAR-2508-0010 were removed from the consent agenda and placed under public hearings.)

Consent Agenda

PLIUP-2507-0036 Interim Use Permit for a Vacation Dwelling Unit at 20 Sutphin St Unit 210 by Canal Park Square LLC [CL]
PLSUB-2507-0009 Minor Subdivision at 106 E 9th St by Adam Kent [JM]
~~PLVAC-2507-0007 Vacation of Right-of-Way at Hazel St between 79th and 81st Aves W by Darren J Leland [CH]~~
PLVAR-2508-0009 Variance to Structure Height of an Accessory Structure at 010-3598-00030 (N 40th Ave W) by City of Duluth [CL]
~~PLVAR-2508-0010 Variance to the 75 ft Shoreland Standards at 010-4680-01265 (Woodland Ave) by Force 1 LLC [JM]~~
PLVAR-2508-0011 Variance to the 150 ft Shoreland Standards at 2223 W 22nd St by Bruce and Deborah Allmon [JM]

Public: No speakers.

MOTION/Second: Sarvela/Rhodes approve the consent agenda items as per staff recommendations

VOTE: (9-0)
Adatte arrived at 5:06pm

Public Hearings

PLVAC-2507-0007 Vacation of Right-of-Way at Hazel St between 79th and 81st Aves W by Darren J Leland [CH]

Staff: Chris Lee gave a presentation of the project to the commissioners. The applicant seeks to vacate a portion of 40-foot wide, unimproved, platted right-of-way of Hazel Street, between 79th and 81st Avenues West in the Bayview Heights neighborhood. The right-of-way is inactive and unimproved, and the applicant owns all the land along the south side of the proposed vacation. The street proposed to be vacated was platted but never utilized for its intended purpose, and it will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth. Engineering anticipates no future improvement to the proposed vacation area. Staff recommends approval with conditions.

Commissioners: Sarvela expressed concern about the state of Minnesota not being notified of this proposed vacation since some of the lots on the other side of Hazel Street are tax forfeit.

Staff: Lee responded that the applicant has spoken with St. Louis County about potentially acquiring some of the tax forfeit land. A Petition to Vacate Street, Alley, or Utility Easement was submitted by the applicant, exceeding 51% of titleholders as signatories, demonstrating no objection to the proposed vacation of right-of-way. Some of the lots on the northern side of the vacation proposal are owned by the county, and some are privately owned.

Moses added that the county was notified via the mailing notice that was sent out by planning staff. The county Land and Minerals department oversee many tax forfeit parcels in Duluth, and their staff have said that they do not typically sign the vacation petitions when there is a proposal. They have a policy against signing the petitions, but it does not necessarily mean they are opposed. If they suspected any issues with the proposed vacation, it is safe to assume that

they would have notified planning staff. Planning staff also reviews vacations to make sure that no parcels would become land locked as the result of the proposal.

Commissioners: Rhodes stated that the vacation would make the county-owned parcel two acres, which is the minimum lot size for the RR-2 zone district, and that is a good reason to approve the vacation.

Eckenberg asked staff what city engineering's stance is regarding the future ownership of the tax forfeit parcel if the vacation is approved.

Staff: Lee stated that the city engineer has signed and approved the vacation exhibit.

Applicant: Darren Leland, 4041 81st Ave W – Leland stated that he has been in contact with the county regarding the sale of the tax forfeit land. He said it may not be up for auction until next spring, and all the adjoining landowners will get first access to purchase the land. He would like to acquire the tax forfeit land but said it would be pointless without the vacation. This vacation would help with providing a buffer for his home, and Leland stated that he has his neighbors' support for proposal.

Public: No speakers.

Motion/second: Bayuk/Rhodes approve as per staff recommendation with conditions listed in the staff report

VOTE: (9-0)

PLVAR-2508-0010 Variance to the 75 ft Shoreland Standards at 010-4680-01265 (Woodland Ave) by Force 1 LLC [JM]

Staff: Jason Mozol gave a presentation of the project to the commissioners. The applicant is requesting to reduce the required cold-water shoreland impervious surface setback from 75' to 20.5'. They wish to reconstruct the existing gravel driveway to provide access to a multi-family development. This driveway is within the 75' shoreland setback for impervious surfaces from a tributary of Tischer Creek.

Last spring, there was an R-P rezoning that was approved by planning commission and city council to construct a multi-family development on the parcel adjacent to where the easement is located. The primary development parcel is the larger, cleared one in the staff report. Access to the property is currently a gravel driveway across an easement over a city-owned parcel. To build this proposed development, the road needs to be improved to meet city standards. The applicant is proposing to expand the existing driveway, which is in near proximity to a tributary of Tischer creek. Generally, this tributary is dry and does not have running water flowing through it outside of high run-off periods in the springtime. It does have a higher level of regulation since Tischer Creek is a trout stream. This variance is a reasonable request because it is the main access for the property, its expanding an existing route instead of creating a new location, and it puts the traffic from the new development onto Woodland Ave, which is a road that can carry the capacity from the proposed development. Mozol spoke about the other variance criteria requirements in the staff report that the applicant must meet. Staff recommends approval with conditions.

Commissioners: Rhodes asked if this was a formality since the road is being improved but location of the road will not change. Wedul asked if this proposal is in alignment with the county's intentions for the driveway access.

Staff: Mozol responded that applicant is taking the proper steps so the driveway, which was developed before current shoreland standards, can be expanded. It will be an improvement to the location even though it brings the driveway slightly closer to the creek.

Mozol stated that he has spoken with St. Louis County staff, and they had incorporated this development in their plans for reconstruct Woodland Ave.

Commissioners: Sarvela asked staff for more information on the pretreatment structure for the stormwater run-off. Wedul asked for clarification as to where the impacted area will be on the map in the staff report.

Staff: Mozol does not believe that the final design for the stormwater run-off is complete, but the applicant is currently working with city stormwater engineers to make sure their plan will meet city standards.

Mozol clarified where the potential impact area is on the map. The applicant will have to pass through the shoreland to access the site.

Applicant: Chase Ernst, 3827 W 5th St - He works with Northland Consulting Engineers as a civil engineer for this project. Storm water retention chambers are used to reduce sediment transport. The run-off goes through the structure, and there is an additional depth so the sediment can settle to the bottom on the structure and be cleaned out periodically. It also has a feature to prevent floatables from transferring out the structure

Commissioners: Rhodes asked what the proposed driveway width would be. Eckenberg asked if this driveway improvement was anticipated earlier this year as a necessary part of the development project. Commissioners asked what the reason is for maintaining the full size of the easement, and what are the plans for the northern side of the road.

Applicant: Ernst responded that a typical 2 land road is around 24 ft in width. This is the only realistic access to the property. He imagines that the northern part of the road will remain untouched, as they are only intending to disturb the part of the easement that they will be using for access to the property.

Public: Mr. Kahn, one of the neighbors on Minneapolis Ave, addressed the commission in opposition to the project. He believes there are inconsistencies in the proposal regarding the driveway and the run-off dynamic. Kahn is concerned that Tischer Creek is at risk with this project, and feels that it should be better protected. He urged commissioners to deny or change the conditions in the application.

Commissioners: Wedul asked if the commission is only reviewing the setback reduction and not the easement boundary. Rhodes asked staff if they believe that the proposal is reasonable.

Staff: Mozol confirmed that the commissioners are reviewing the setback reduction. The proposed setback allows use of the easement to build a road to access the development site. Commissioners can add additional conditions of approval if they see fit.

Commissioners: Hammond stated that there will be no meaningful impact to the creek by changing setback since it is in a culvert and the storm sewer system is separate. Wedul voiced concerns about reducing the natural buffer, which is responsible for sediment removal. Discussion ensued about the project's potential impact on Tischer Creek, and if additional conditions of approval should be added.

Motion/second: Rhodes/Van Daele approve as per staff recommendation. One amendment to the main motion was discussed as follows:

Amendment: Wedul/Sarvela motion to maintain the existing center line of the road.

VOTE: (8-0)
Crawford abstained

MAIN motion approved with one amendment

VOTE: (8-0)
Crawford abstained

(Items PLIUP-2507-0033 and PLIUP-2507-0034 were discussed and voted on simultaneously.)

PLIUP-2507-0033 Interim Use Permit for a Vacation Dwelling Unit at 1421 E Superior St Unit 1 by Heirloom Property Management [CH] and PLIUP-2507-0034 Interim Use Permit for a Vacation Dwelling Unit at 1421 E Superior St Unit 2 by Heirloom Property Management [CH]

Staff: Jenn Moses gave a presentation on PLIUP-2507-0033 and PLIUP-2507-0034 to the commissioners. She clarified that the subject building has three units, not two as it says in the staff report. The applicant has another vacation dwelling unit (VDU) license in the building and is pursuing VDU licenses for the other two units tonight. Both units on tonight's agenda were on the VDU eligibility list. The staff report identifies the criteria that must be met, and these applications meet most of the criteria. Moses talked about the screening requirements.

When the city first started permitting VDUs, the zoning code did not have requirements for screening between properties. Some properties do not have screening because, previously, it was not required. The staff reports for these applications identifies that there is no screening between the subject property and the property to the west. These properties share a driveway, which makes it difficult to meet the screening requirements.

Staff have consulted city attorneys to ensure that the code is being interpreted correctly. If there is no room for screening, staff recommend obtaining a screening waiver from the property owner to the west. Staff recommend approval for both items with conditions listed in the staff report.

Applicant: Mike Schraepfer, 1324 Minnesota Ave – Schraepfer gave a brief presentation on the history of the subject property. It is a historic building, and it has been restored and renovated over the last decade. One of its units became a VDU back in 2016, and it was one of the first VDUs in the community. Planning commission approved the first unit's renewal application last year without the screening requirement. In 2016, the planning commission asked Schraepfer to get an easement, which serves as permission from the neighbor to the west for both owners and guests to utilize the driveway. He believes this easement should satisfy the screening requirement, so the waiver should not be needed.

Schraepfer stated that the screening interpretation of the code has changed sometime in the last ten years. He said screening is for activities and amenities, not for parking or driveways, and asked commissioners for their input on the matter.

Commissioners: Rhodes asked the applicant if they had concerns about their neighbor not being willing to sign the screening waiver.

Applicant: There is no concern for the screening not being waived. Schraepfer stated that he could get the waiver, but he will still have the legal right to use the driveway because of the existing easement. He does not want to have to get permission from neighbors each time one of the units comes up for renewal. He said that other permitted uses that would involve customers coming and going from the property do not require screening, and he does not understand why he must get screening for this property when it had previously been approved without screening. Schraepfer would like the screening condition for his application to be removed.

Commissioners: Wedul asked staff if this project would qualify as a change of use. Eckenberg asked if commissioners have the power to remove the screening condition.

Staff: Moses said that in making the recommendation for screening, staff referenced the vacation dwelling unit section in the use specific standards that discusses dense urban screening requirements. The way the code is written can be challenging to decipher, so staff often consult the attorney's office regarding the intent vs. the interpretation of the code language. Staff's interpretation is that if there is a shared property line with a residential use,

screening is required. There can be some flexibility with screening and the front yard, as fences over 6 feet are not allowed in front yard but dense urban screen requires 6 feet.

Commissioners: Rhodes asked staff what their screening recommendation would be if the required screening would hinder the use of the neighboring property.

Staff: Moses reiterated that screening is required if there are neighboring properties with residential uses. Staff recognize that this creates a challenge with the shared driveway, which is why getting the waiver is recommended.

Applicant: Schraepfer states that he does not see any other vacation rentals with narrow boundaries being required to have screening unless it's in the back yard. He repeated that he already has legal permission from the west neighbor via the easement.

Commissioners: Hammond's interpretation is that there is no practical place to put the required screening in, as doing so would cut the neighbor off from their own driveway. The code language makes this condition difficult to achieve.

Public: No speakers.

Commissioners: Rhodes asked if staff are requiring a dense urban screen on the shared driveway. She also asked if staff would accept an easement with language that talks about waiving dense urban screening requirements as a permanent waiver.

Staff: Moses stated that staff looked to see if there was any flexibility where they could say that this section of the code wouldn't apply in this instance, but they could not find anything in the code language that says the land use supervisor is authorized to not require screening. The code says that screening must be provided on adjacent borders with residential properties, and city attorneys advised planning staff to stick with that plain language interpretation for both side yards. Staff are trying to be flexible as they recognize the challenges of this case. Staff would accept the permanent waiver if the easement language said that they are waiving the dense urban screening requirements for the VDU.

Commissioners: Discussion ensued.

Motion/second: Hammond/Bayuk approve as per staff recommendation with conditions listed in the staff report, striking condition #2.

VOTE: (4-5)

**Rhodes, Sarvela, Van Daele, Wedul, and Eckenberg opposed
Motion fails**

Motion/second: Wedul/Rhodes approve as per staff recommendation with conditions listed in the staff report

VOTE: (5-4)

Adatte, Bayuk, Crawford, and Hammond opposed

PLIUP-2507-0037 Interim Use Permit for a Vacation Dwelling Unit at 5348 London Rd by Jill and Ryan Harden [JM]

Staff: Jason Mozol gave a presentation of the project to the commissioners. The applicants' property is located at 5348 London Rd. The lower unit of the two-family dwelling is proposed to be used as a vacation dwelling unit. This is a new vacation dwelling unit for a property on the eligibility list. This unit contains 2 bedrooms, which will allow for a maximum of 5 guests, and the minimum rental period will be two nights. This property must provide at least one off-street parking space. Space for several vehicles to park off-street is provided the rear-yard. The adjacent property owners at 5400 London Rd (east of the subject property) and 5344 London

Rd (west of the subject property) provided a letter waiving the need for screening along the shared property line and shared driveway. A few comments were received regarding noise, traffic impacts, and available housing. Staff recommends approval with conditions.

Applicant: Jill Harden addressed the commissioners. The home is currently a long-term rental and. Her neighbors prefer not to have any dense urban screening block lakeview, and the other side of the property is lined with trees.

Public: No speakers.

Motion/second: Crawford/Van Daele approve as per staff recommendation with conditions listed in the staff report

VOTE: (9-0)

PLIUP-2508-0038 Interim Use Permit for a Vacation Dwelling Unit at 1111 Denney Dr by Kate Hage [CH]

Staff: Jason Mozol gave a presentation of the project to the commissioners. The applicant proposes use of 1111 Denney Dr, a 4-bedroom dwelling unit in a single-family structure, as a new vacation rental property. This is a new application and was on the eligibility list. The site plan does not indicate any outdoor amenities. Staff notes there is a deck located on the south and east sides of the main floor of the structure. The west side yard, east side yard, and rear of the property are screened by vegetation, meeting the standard of a dense urban screen. The vegetation appears to meet the standard in winter. A number of comments in opposition were received, with concerns about noise, traffic, and VDU concentration in the neighborhood. Currently, there are no regulations regarding the concentration of VDUs in any one neighborhood, but there is the city-wide cap on VDUs. Staff have reviewed the comments and found that they do not indicate anything in the application that fails to meet requirements of the UDC. Staff recommends approval with conditions.

Applicant: Kerry Hage, owner of subject property. He and his wife have owned the subject home for two years, and it has been used as a long-term rental during that time. They also own another property on the same street. They bought this home, fixed it up, and added value to the home and the neighborhood. Hage states that they have met all city VDU requirements.

Commissioners: Eckenberg asked the applicant who the correct contact person is for their application.

Applicant: Hage responded that Kristie Essen helps with day-to-day happenings for their other properties, but Jeffery Denney should be the agent for the subject property.

Staff: Mozol advised the commissioners to provide an amendment to the recommendation stating that Jeffery Denney will be the local contact person instead of Kristie Essen.

Commissioners: Wedul asked the applicant if there is a shed off the property.

Applicant: Hage responded that there is a shed located on the property, and it was there at the time of purchase. A comment in opposition to the project stated that the shed is encroaching on the property line, but this was not brought to his attention until now. He has not seen a survey, but he is willing to rectify the shed if a survey shows that there is an encroachment. Hage also addressed the traffic concerns in the comments and said that there will not be any more traffic than usual with a VDU compared to a single-family home with teenagers of driving age.

Commissioners: Van Daele asked the applicant if they live in Duluth, if he has spoken with the neighbors to address the concerns they have, and how the error of the local contact agent happened.

Applicant: Hage does not live in Duluth. He attended the virtual pre-application meeting, and the local contact agent error was a clerical error. They have reached out to the neighbors, and some have responded and some have not. Those that responded said that they don't want to talk about it.

Public: Jeffery Denney, 1112 Denney Dr – He is in favor of the project and will be the local contact person for the subject property. Denney and his wife operate their home as a short-term rental under an accessory home share permit. Their home used to be a long-term rental for 20 years for college students. There would be six college kids living in Denney's home at one time, so at times there were six cars coming and going from the property. He stated that there is less traffic with Airbnb guests. He believed that the Hages have made improvements to the subject house, which helps the neighborhood value and tourism. He hasn't had issues with guests in the past.

Kristie Essen, 1815 Trail Dr – She is in favor of the project. Essen has been in the property management business for 15 years. There have been all positive guest reviews of other Hage properties, with no traffic problems. The subject property is at the lower end of street, so she does not foresee traffic issues. She feels that the Hages have added value to the subject home as well as the neighborhood.

Katherine Long, 1202 Denney Dr – Long is opposed to the project. She expressed concerns about negative impacts to neighborhood character, traffic, and noise. She also stated that VDUs do not support growing Duluth's tax base, work force, and housing needs.

Jeanne Carroll, 1025 E Skyline Pkwy – Carroll is opposed to the project. She and her husband have been in their home since 2002 and live directly below the subject property and she voiced concerns about strangers coming into her neighborhood, noise, traffic, and parking. She has never met the Hages and stated that they have not made the effort to introduce themselves to her. Carroll is also opposed because she feels there are too many short-term rentals in their neighborhood.

Michelle Robbie, 1130 Denney Dr – Robbie is opposed to the project. She is unsure about how many bedrooms are being advertised in the subject home, as she believes there are three bedrooms and not four. She also expressed concerns about VDU density in her neighborhood and parking.

Kate Drevnick, 1119 Denney Dr – Drevnick is in opposition to the project. Her home is surrounded by rentals on each side, with the subject property being directly to the west of her. She is concerned about neighborhood character, guests that will be staying at the proposed VDU, and VDU density. Drevnick had a survey of her property, and it showed that the shed on the subject property was encroaching on her property. She believes that if the applicant lived in the neighborhood, they would have been aware of this issue. The applicant has made no attempt to contact them until the day before this meeting.

Toni Fladmark-Foste, 1212 Denney Dr – Fladmark-Foste is opposed to the project. She is concerned that there are too many short-term rentals in her neighborhood, which could lead to negative changes in neighborhood character and a decrease in neighborhood value. She also feels that this is a commercial endeavor and feels it should not be permitted in a residential zone.

Applicant: Hage addressed the public comments. He stated that none of the homes on Denney Dr fall within the affordable or low-income housing categories, so they are not taking a home off the market for people who are seeking affordable housing. Hage said that there is a demand for traveling professionals looking for short-term rental options, and VDUs help meet that need. Some of the neighbors that accused Hage of not reaching out have also not reached out to them either. They added fourth bedroom to the home, and it has been inspected and

approved by the city. There isn't a short-term rental density rule, and he believes all other requirements for this project have been met.

Commissioners: Discussion ensued regarding VDU requirements, and which regulations fall within the purview of the planning commission.

MOTION/second: Van Daele motions to Deny

(Motion failed to receive a second)

Motion/second: Rhodes/Hammond approve as per staff recommendation with conditions listed in the staff report, with the additional condition that the applicant will revise the current property manager contact information to reflect the correct contact information for Jeffrey Denney.

VOTE: (8-1)
Van Daele opposed

PLOR-2508-0011 Campus Sign Plan for Aspirus St Luke's by Aspirus St Luke's [CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The existing campus wayfinding system is outdated and is not suited to the needs of the current campus configuration. The goals of the new exterior wayfinding program should be to create a consistent signage system, improve visibility and legibility of the signs, make navigation to their destination clearer to patients and visitors, and create awareness of the Aspirus brand. The planning commission campus sign plan review process also helps streamline the sign permitting process, while simultaneously allowing for more permissibility. Comments were received from city staff about some of the sign locations, but not all these locations are finalized. Staff recommends approval with conditions.

Applicant: David Levy addressed the commissioners. He is an architect working on this project. They were engaged by Aspirus to review the existing campus signage for St. Luke's to make assessment on how to upgrade the signage and incorporate the Aspirus brand. The proposed design prioritizes legibility and consistency of signage to improve patient and visitor navigation throughout the campus and to create an awareness of the brand. The challenges of this urban campus include multiple buildings, multiple parking options, and multiple destinations for patients and visitors. The existing signage is small and hard to read. It is also close to ground so it can be obscured by snow cover, ground landscaping, and vehicles. The goal of the new signage is to put the messages higher up so there is consistency, with no interference from vehicles, snow, and landscaping.

Public: No speakers.

Motion/second: Wedul/Bayuk approve as per staff recommendation with the following conditions:

VOTE: (9-0)

PLUMA-2507-0005 UDC Map Amendment to Rezone 010-2710-04040 from R-1 to RR-1 by Elana Campbell [CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The applicant is requesting a UDC Map Amendment (rezoning) from R-1 to Rural Residential (RR-1) to allow for rural uses and to preserve the open space around Chester Creek. The subject property incorporates a total of 20 acres. The proposed RR-1 zoning allows for rural uses on the large

parcel and preserves the Chester Creek corridor from future high intensity uses that could impact the trout stream. As adopted with the comprehensive plan (Imagine Duluth 2035), the Future Land Use for the area is Low-density residential and open space. This proposed RR-1 zoning is (1) consistent with the comprehensive plan, (2) reasonably related to the overall needs of the community and the implementation of the future land uses and development goals in the comprehensive plan, and (3) is required by the general welfare and good zoning practice. Staff recommends to Planning Commission that the proposed RR-1 map amendment be recommended for approval by City Council.

Commissioners: Rhodes feels that this proposal is unusual, as they typically see rezoning applications that would promote higher density housing. Agricultural uses that would be permitted with the proposed zoning would not be protecting the creek, and she said this application seems like it is spot zoning. She asked staff if RR-1 zoning offers the property owner something that other zones don't.

Staff: Lee responded that the future land use plan aligns with proposal, and he deferred the commissioners to the applicant for questions about their desired future uses.

Moses added that spot zoning is a concern in the planning world. Spot zoning is typically done when one area is rezoned out of context with the surrounding area and not in conjunction with the land use plan. If the proposal aligns with comprehensive plan, it is more likely to be supported and is not seen as spot zoning. Down-zoning is not always typical, but it has been done in other areas of Duluth before in cases where the future land use zoning supports lower density housing or open space preservation for that area.

Applicant: Elana and Gary Campbell, 7695 E Prior Lake Dr – The Campbells are hoping to rezone to RR-1 so they can apply for special use permit to operate a dog kennel/boarding facility. The current R-1 does not allow for this use. They would also like to build a house on the subject property in the future. There will be no agricultural animals or livestock.

Public: No speakers.

Commissioners: Hammond expressed concerns about clearing trees, the close proximity of the public safety campus, and the permitted uses that come with RR-1 zoning. He asked staff if animal boarding is permitted in the R-1.

Sarvela asked if there are concerns from staff about the other permitted uses that would come with the RR-1 rezoning.

Staff: Lee responded that the boarding kennel use is not permitted in the R-1. To be able to operate a kennel in the RR-1, the applicant would need to apply for a special use permit. A rezoning to RR-1 would allow for all permitted and special uses for the RR-1. Staff cannot have any level of control over permitted uses, but the criteria in the UDC must be met for each use.

Commissioners: Commissioners talked about other pathways the applicant could take to achieve their goal of operating a kennel on the subject property, including the possibility for an accessory home occupation. Further discussion ensued about permitted uses in the RR-1, and some commissioners expressed their concerns about some uses that could potentially be problematic.

Motion/second: Hammond/Rhodes Deny

VOTE: (9-0)

Other Business

No other business.

Communications

Land Use Supervisor (LUS) Report – Jenn Moses presented to city council last night, and a copy of that memo was passed out to the planning commissioners. Last June, city council passed a resolution asking staff to look at the zoning code with a series of specific requests, and the memo is formatted as a response to their requests. Included on the first page of the memo is a section with proposals for simplifying and modernizing the UDC.

City council has asked for fewer things that require significant approval time and staff time, more things allowed by-right, more things to support housing development, and some ways to streamline certain elements of the zoning code. Moses directed commissioners to the summary section on page 6, which takes staff responses to the recommendations and breaks the proposed changes down into articles. Some of the proposed changes include finding ways to take ideas from planned districts and turn them into by-right development, which could take the form of allowing more housing types as permitted uses in certain districts, or allowing certain small-scale commercial uses in neighborhoods. There are some proposed changes regarding Form Districts, which include reducing the number of Form Districts from nine to four, and renaming Form Districts to Main Street Districts.

Council is also asking for increased height maximums, reduced setbacks and lot size minimums, a TOD (transit-oriented development) overlay, Safe Parking Lot permissions, and a cap on VDUs. VDU processes take a lot of staff time, and since they are not a priority, city council may be looking for other solutions. Changes to Bed & Breakfast and Hotel/Motel standards and definitions for may be forthcoming as well. Article four addresses the opportunity for staff to streamline and simplify connectivity and clustering standards, and staff will also look at updating the sustainability and landscaping standards, and exterior lighting regulations. Moses listed several other proposed changes written in the memo.

City council gave staff a timeline for these changes, and there will likely be a brown bag meeting in the future for staff to present these code changes to planning commissioners.

Discussion ensued regarding the proposed changes and what to expect going forward.

Heritage Preservation Commission Report – Two presentations were given at the most recent HPC meeting: The Chester Bowl Chalet renovation project and the CHUM expansion project. Adatte offered to resign from his position as planning commission liaison to the HPC and offered the position to Wedul.

Motion/second: Van Daele/Rhodes appoint Wedul as planning commission liaison

VOTE: (9-0)

Adjournment

Meeting adjourned at 8:07 p.m.

Respectfully,

Jenn Moses, Manager
Planning & Economic Development



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2508-0039		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		October 15, 2025
Deadline for Action	Application Date		August 19, 2025	60 Days	October 18, 2025
	Date Extension Letter Mailed		August 27, 2025	120 Days	December 17, 2025
Location of Subject		2413 W 7th St, Unit 2			
Applicant	Ryan & Brittany Kuschel		Contact		
Agent			Contact		
Legal Description		PIN: 010-1220-06100; 010-1220-06110			
Site Visit Date		October 1, 2025	Sign Notice Date		October 2, 2025
Neighbor Letter Date		September 18, 2025	Number of Letters Sent		77

Proposal

The applicant proposes to use Unit 2 as a vacation rental. This unit contains 2 bedrooms. This is a new application and is on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

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

Summary of Code Requirements:

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.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses.

History: The subject property, 2413 W 7th St, was built in 1908. The existing structure is a 4-bedroom, two-family home, including two bedrooms in Unit 2. A garage at the rear nearest to W 8th Alley was built in 1970.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located at 2413 W 7th St. The dwelling unit contains 2 bedrooms, which allows for a maximum of 5 guests.
- 2) This is a new application. The applicant was on the eligibility list. Staff does not have record of any violations or enforcement actions relating to the subject property.
- 3) The minimum rental period will be two nights.
- 4) The applicant is proposing two off-street parking stalls, located at the rear of the lot off W 8th Alley. Two off-street parking stalls meets the minimum requirement for a 2-bedroom vacation dwelling unit under UDC Sec. 50-20.3.V.3.
- 5) The applicant has indicated they will allow motorhome or trailer parking in the rear parking area.
- 6) The site plan does not indicate any outdoor amenities.
- 7) The site plan does not show any existing screening/buffering of outdoor space from adjoining properties to the east or west, which does not meet the requirement of a dense urban screen per UDC 50-20.3.V.7. The requirement of a waiver from the abutting owners from screening requirements has been fulfilled, having been obtained by both neighbors. The rear yard is not subject to screening requirements due to there being an active, improved alley. Screening is not required in the front yard area abutting a street.
- 8) 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 holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agents.
- 9) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 10) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 11) There are currently 188 licensed vacation dwelling units in the city, with 93 of those in form districts; the remaining 95 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 12) No City, public or agency comments were received.
- 13) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

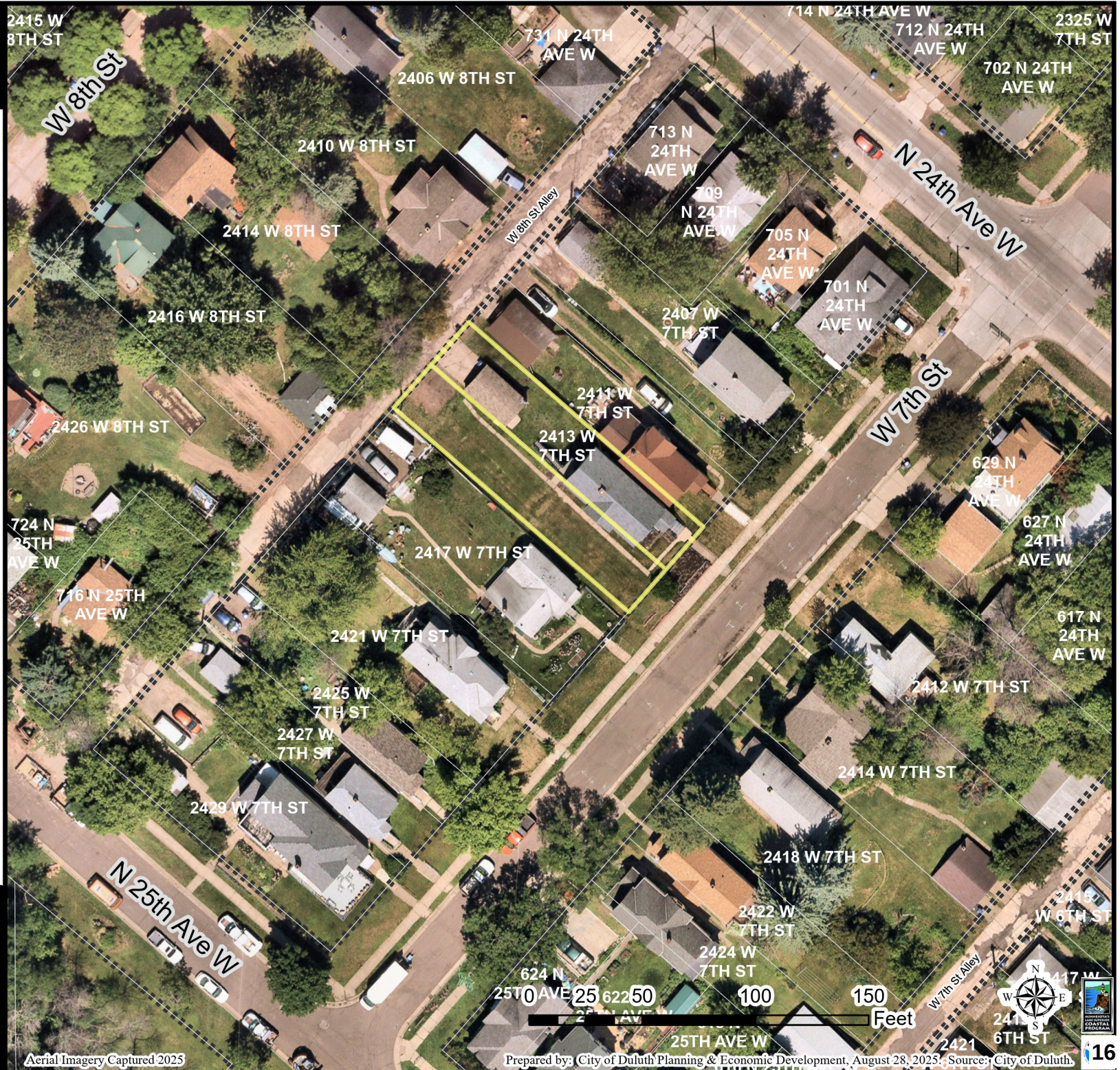
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The 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 and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.



PLIUP-2508-0039

Interim Use Permit for VDU
2413 W 7th St



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 Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, August 28, 2025. Source: City of Duluth.

50'

ALLEY

NEIGHBORS FENCING*

*SEE WAIVER FROM
BOTH E'LY & W'LY
NEIGHBOR RE
FENCING

PID 010-1220-06100

NEIGHBORS FENCING*

140'

SIDEWALK

GARAGE

REAR
BALCONY

2413 W

7th St

SIDEWALK

FRONT PORCH

SIDEWALK

NEIGHBORS FENCING*

PID 010-1220-06110

W 7th Street

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 night(s).

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

How many legal bedrooms are in the dwelling?

2

What will be your maximum occupancy?

6 or Bedroom # + 1

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

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

2

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

Will you allow motorhome or trailer parking?

Yes

If so, where?

At rear of lot in off-street parking area

5. 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):

In an excel spreadsheet

6. 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 will be provided with check-in instructions and will also be printed in on-site manual

- 7. 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:

RYAN & BRITTANY KUSCHEL

2413 W 7th St

2182607744

BRITTANYKUSCHEL@GMAIL.COM

- 8. 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



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration.

Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;
- (c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;
- (d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLSUB-2508-0010	Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Minor Subdivision	Planning Commission Date		October 15, 2025
Deadline for Action	Application Date	August 11, 2025	60 Days	October 10, 2025
	Date Extension Letter Mailed	August 19, 2025	120 Days	December 9, 2025
Location of Subject		Swan Lake Rd, northeast of Swan Lake Pl		
Applicant	Adam Schminski	Contact		
Agent	Darren Weets	Contact	3W Properties, Inc.	
Legal Description		PIN: 010-0803-00020		
Site Visit Date		October 2, 2025	Sign Notice Date	October 1, 2025
Neighbor Letter Date		September 19, 2025	Number of Letters Sent	29

Proposal:

Subdivide the parcel to create 4 separate lots through a minor subdivision between Swan Lake Rd and Swan Lake Ln.

Recommended Action: Staff recommends approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Vacant Land	Low-density Neighborhood
North	MU-N	Vacant Land	Rural Residential
South	R-1	Residential	Low-density Neighborhood
East	R-1	Residential	Low-density Neighborhood
West	R-1	Residential	Low-density Neighborhood

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 for a one family dwelling, 2,000 square feet per family for a two-family dwelling, 2500 square feet for a townhouse; minimum lot frontage: 40 feet for one or two family, and 20 feet for a townhouse.

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

Governing Principle #5 - Promote reinvestment in neighborhoods.

New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Future Land Use: Low-density neighborhood – Single-family housing with urban services. Typified by curvilinear streets, houses with longer side parallel to street, and attached garages. Includes a range of house sizes and lot sizes. 3 to 4 units per acre.

History: The existing parcel was platted as part of Crystal Village in 2003, rearrangement of part of Block 2, Blocks 3, 4, 5, 6, 7, Outlot A, Outlot B, and the vacated streets in the official plat of Crystal Tree. It was platted as part of Crystal Tree in 1991. The parcel has not previously been developed.

Review and Discussion Items:

Staff finds:

1. Applicant is requesting a Minor Subdivision to divide one parcel into 4 parcels. The parcel currently contains no structures. Dividing the parcel will create 0.26-acre, irregular shaped Parcel A, a 0.28-acre, irregular shaped Parcel B, a 0.27-acre, irregular shaped Parcel C, and a 0.61-acre, irregular shaped Parcel D.
2. Lots created by this subdivision are subject to the zoning requirements of the R-1 district. All parcels will satisfy the minimum area and frontage requirements contained in UDC Table 50-15.2.1.
3. Parcels A, B, C and D will have frontage on Swan Lake Rd.
4. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
5. No City, public or agency comments were received at the time of drafting this report.
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 for the proposed parcels A, B, C, and D are not recorded by the applicant 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 by the applicant 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.



PLSUB-2508-0010

Minor Subdivision
010-0803-00020 (Swan Lake Rd)

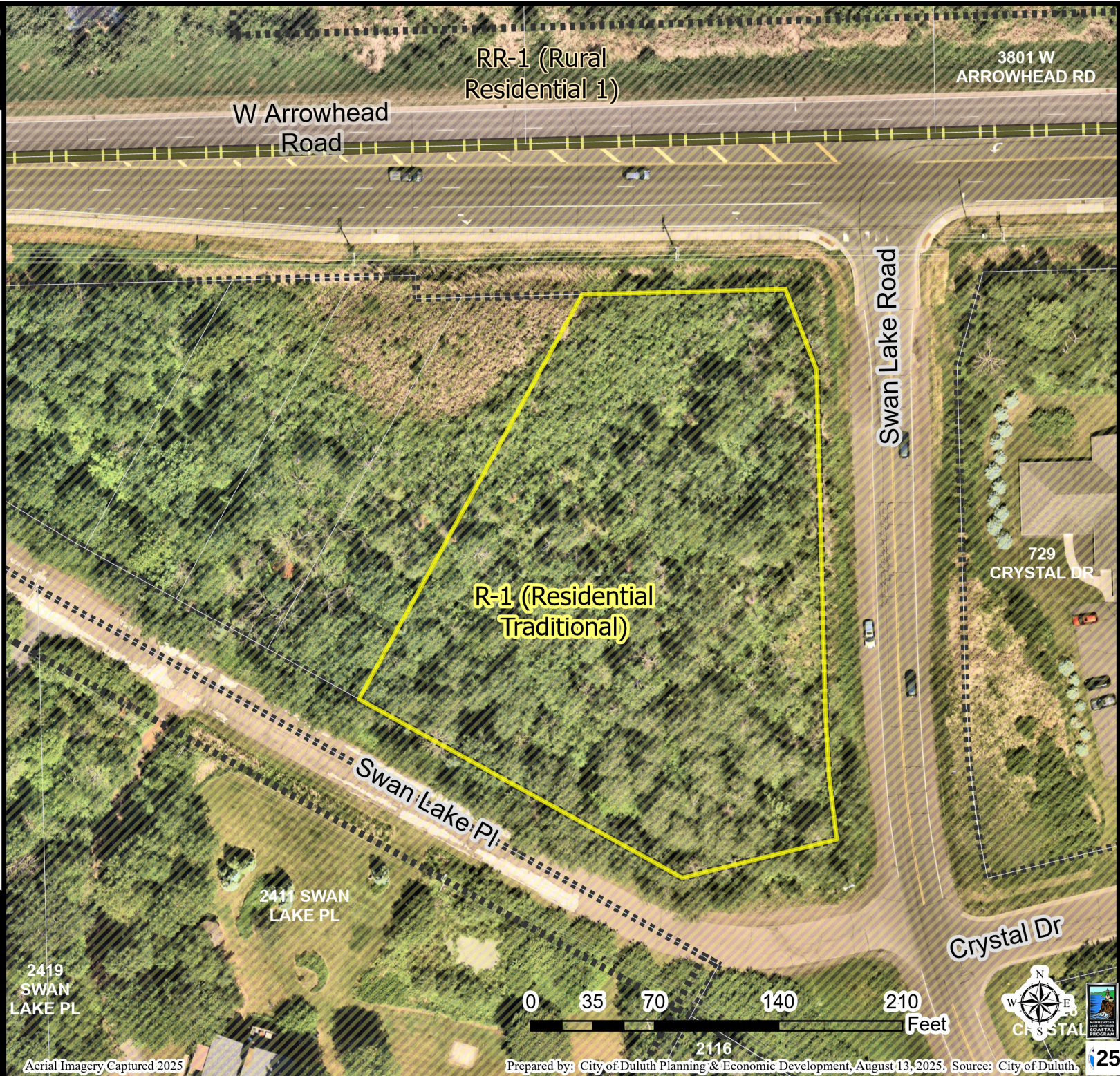
Legend

-  Zoning Boundaries
-  Road or Alley ROW
-  County Parcel Data

Zoning

UDC Zoning

-  RR-1 (Rural Residential 1)
-  R-1 (Residential Traditional)



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 Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, August 13, 2025. Source: City of Duluth.



WEST ARROWHEAD ROAD

S88°52'45"W
114.75

SURVEYOR NOTES:

1. APEX LAND SURVEYING, LLC PREPARED THIS SURVEY WITHOUT THE BENEFIT OF CURRENT TITLE WORK. THE PROPERTY SHOWN IS BASED ON A LEGAL DESCRIPTION PROVIDED BY YOU THE CLIENT OR A GENERAL REQUEST AT THE APPROPRIATE COUNTY RECORDER'S OFFICE. EASEMENT, SITE RESTRICTION OR ADJOINING DEED CONFLICTS MAY EXIST WHICH AFFECT SUBJECT PROPERTY AND ARE NOT SHOWN BY THIS SURVEY. WE RESERVE THE RIGHT TO REVISE THE SURVEY UPON RECEIPT OF A CURRENT TITLE COMMITMENT OR TITLE OPINION.

PARCEL D

Lot 2
BLOCK 1

N88°52'45"E
220.63

PARCEL C

N88°52'45"E
249.97

PARCEL B

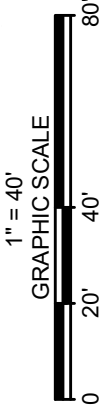
N88°52'45"E
217.42

PARCEL A

SWAN LAKE PLACE

S60°43'15"E
155.37

S60°43'15"E
175.37



- FOUND IRON MONUMENT

CERTIFICATE OF SURVEY

Split of Lot 2, Block 1 CRYSTAL VILLAGE,
as of public record St. Louis County, Minnesota.

PROPOSED LEGAL DESCRIPTIONS:

Parcel A:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Southerly of the following described line; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of South 60 degrees 43 minutes 15 seconds East, along the Southerly line of said Lot 2, a distance of 53.50 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 217.42 feet to the Easterly line of said Lot 2 and there terminating.

Containing 0.26 acres, more or less.
Subject to easements of record.

Parcel B:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line A as described below and Southerly of Line B as described below; Line A described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of South 60 degrees 43 minutes 15 seconds East, along the Southerly line of said Lot 2, a distance of 53.50 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 217.42 feet to the Easterly line of said Lot 2 and there terminating. Line B described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 26.58 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 249.97 feet to the Easterly line of said Lot 2 and there terminating.

Containing 0.28 acres, more or less.
Subject to easements of record.

Parcel C:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line B as described below and Southerly of Line C as described below; Line B described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 26.58 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 249.97 feet to the Easterly line of said Lot 2 and there terminating. Line C described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 84.55 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 220.63 feet to the Easterly line of said Lot 2 and there terminating

Containing 0.27 acres, more or less.
Subject to easements of record.

Parcel D:

That part of Lot 2, Block 1 of CRYSTAL VILLAGE, as of public record, St Louis County, Minnesota, lying Northerly of Line C as described below; Line C described as follows; Commencing at the Southwesterly corner of said Lot 2; thence on an assumed bearing of North 29 degrees 16 minutes 45 seconds East, along the Westerly line of said Lot 2, a distance of 84.55 feet to the point of beginning of the line herein described; thence North 88 degrees 52 minutes 45 seconds East, 220.63 feet to the Easterly line of said Lot 2 and there terminating

Containing 0.61 acres, more or less.
Subject to easements of record.

SURVEYORS 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

KALEB J. KADELBACH (LICENSE NO. 57070) 8/18/2025 DATE

CLIENT INFORMATION:

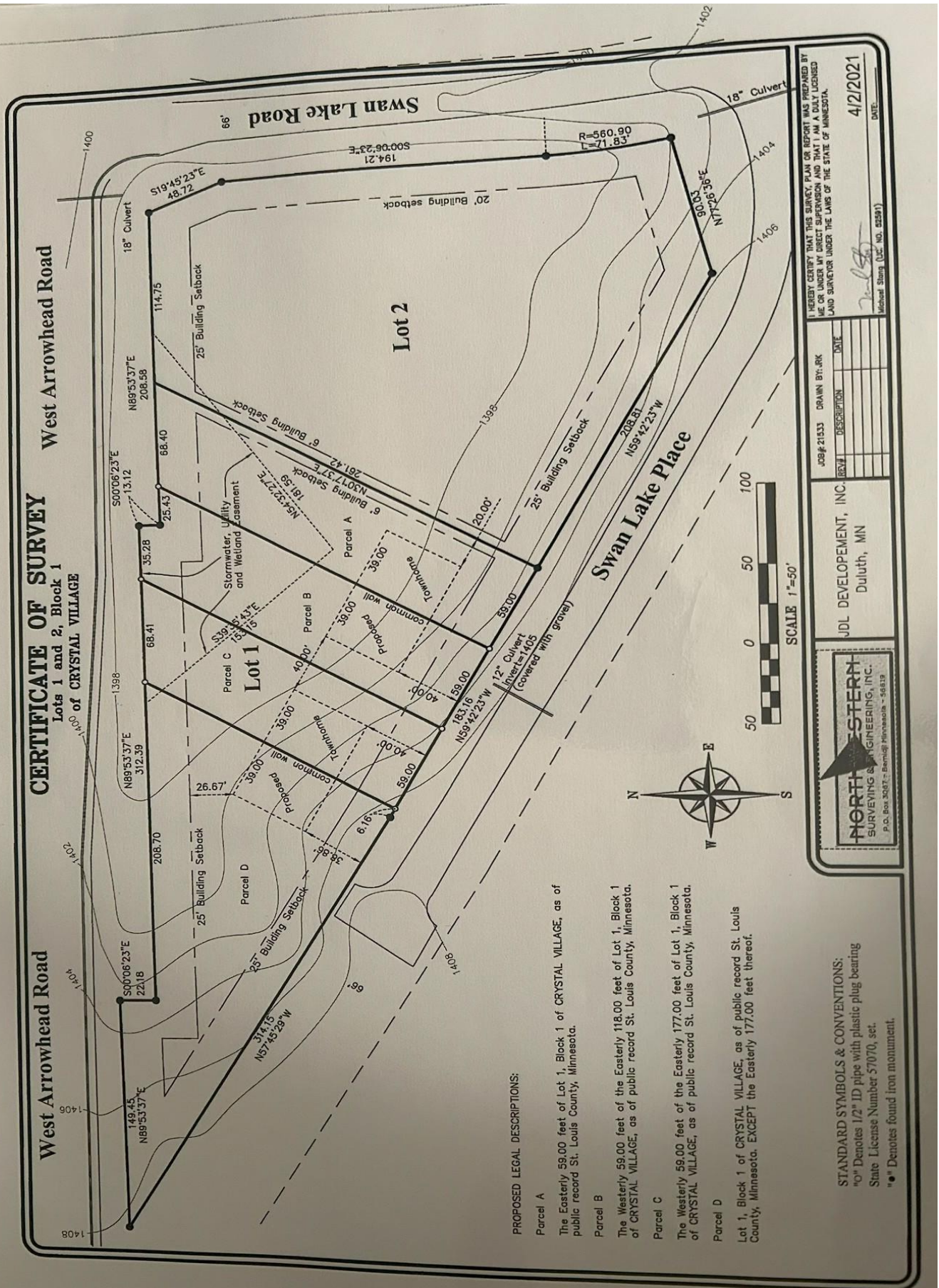
JDL Development
Parcel: 010-0803-00013
Duluth, MN

FIELD DATE: 06/30/2025
APEX JOB NO. 25336



LAND SURVEYING

kaleb.kadelbach@apex-landsurveying.com PH: (763) 388-0056





Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLSUB-2508-0011	Contact	Chris Lee	
Type	Minor Subdivision	Planning Commission Date		October 14, 2025
Deadline for Action	Application Date	August 15, 2025	60 Days	October 14, 2025
	Date Extension Letter Mailed	September 2, 2025	120 Days	December 13, 2025
Location of Subject		1806 Rice Lake Road		
Applicant	G&D Developers, LLC	Contact		
Agent	Terri Crossmon	Contact	Hanft Fride	
Legal Description		See Attached		
Site Visit Date		September 24, 2025	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 a parcel and create 3 new parcels in the R-1 zone district.

Recommended Action: Staff recommends approval.

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

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):

Principle #5- Promote Reinvestment in Neighborhoods- This subdivision will allow the applicant to build infill housing in the neighborhood.

Future Land Use: Low Density Neighborhood – Single family housing with urban services. Typified by curvilinear streets, houses with longer dimension parallel to street, and attached garages. It includes a range of house sizes and lot sizes.

History: The parcels previously contained a single family home that has been demolished. There is currently a twin home on the property. The property previously was approved for a minor subdivision (PL24-056) that was not recorded and the approval lapsed.

Review and Discussion Items

Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide one parcel and create three parcels. The land is owned by the applicant. All three parcels are currently vacant and undeveloped.
2. The subdivision will create lots that meet the zoning requirements of the R-1 district. Parcel A is 24,345 square feet, Parcel B is 17,734 square feet, and Parcel C is 33,947 square feet. Dimensional standards for each lot meet minimum frontage and lot area requirements.
3. All parcels have the required street frontage along Rice Lake Road.
4. All parcels have access to gas, water and sanitary sewer utilities in the Rice Lake Road right-of-way.
5. No public, agency, or other City comments were received.
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 for the proposed parcels A, B, and C are not recorded by the Applicant 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 by the Applicant 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.



PLSUB-2508-0011

Minor Subdivision
1806 Rice Lake Rd

Legend

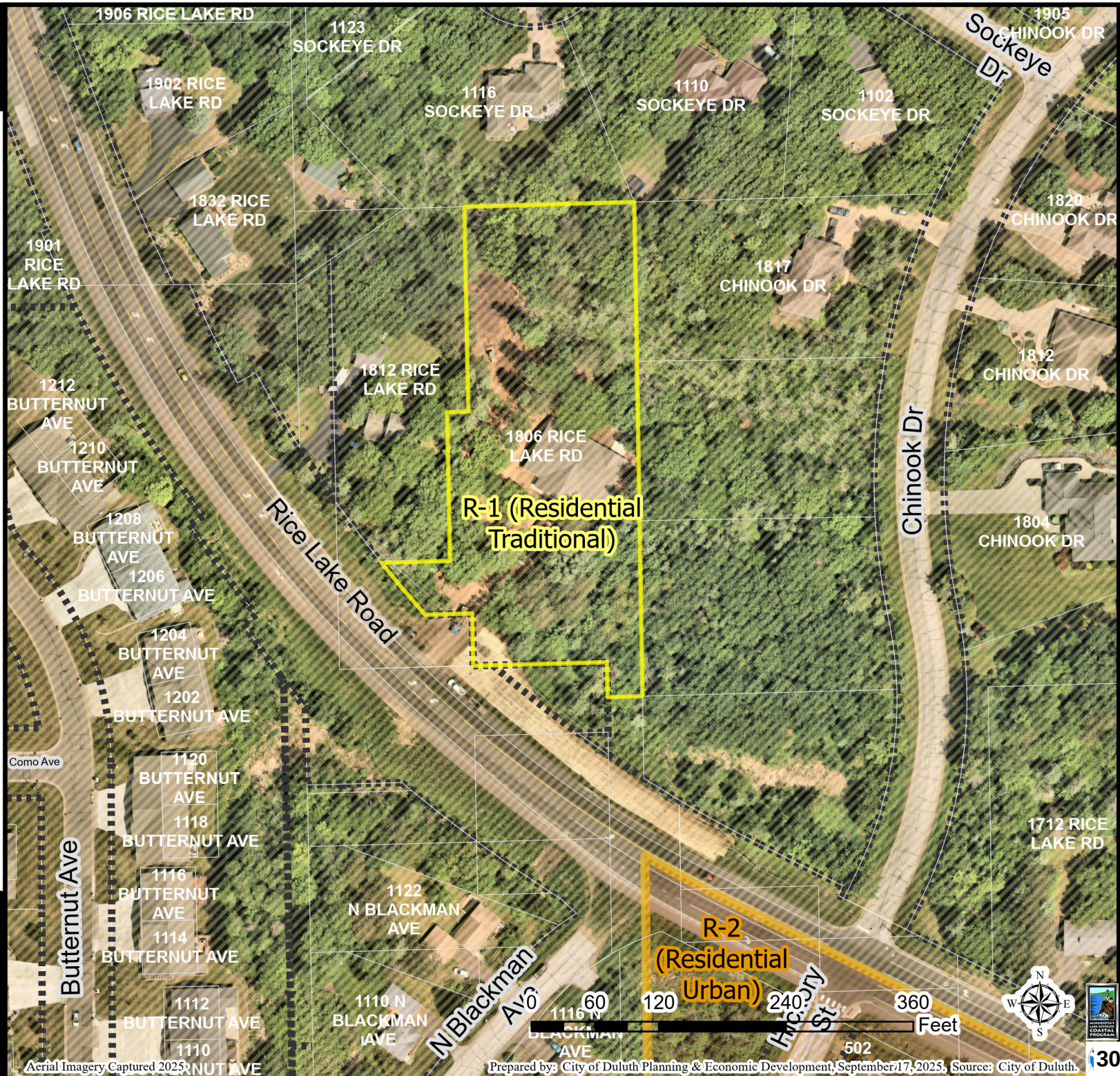
- Road or Alley ROW
- County Parcel Data

Zoning

UDC Zoning

- R-1 (Residential Traditional)
- R-2 (Residential Urban)

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.



PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 364624
Lot 2 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 4 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 6 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 8 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 10 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 12 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 13 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH
Lot 14 Block 25 TRIGGS & KENNEDYS ADDITION TO DULUTH

East 20 feet of the South 40 feet of Lot 7 Block 25 TRIGGS AND KENNEDYS ADDITION TO DULUTH
East 20 feet of Lots 9 and 11 Block 25 TRIGGS AND KENNEDYS ADDITION TO DULUTH

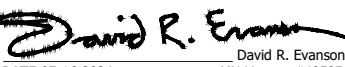
PARENT LEGAL DESCRIPTION PER DOCUMENT NO. 1003353
Lot 16, Block 25, together with that part of Connecticut Ave Adjacent thereto, TRIGG'S AND KENNEDY'S ADDITION TO DULUTH

LEGEND

	PROPOSED BUILDING	R/W-RIGHT OF WAY
	CROSS ACCESS EASEMENT	(M)-FIELD MEASURED DIMENSION
	REFER TO SURVEYOR'S NOTES	(R)-RECORD DIMENSION
	FOUND IRON PIPE	POC-POINT OF COMMENCEMENT
	FOUND CAPPED REBAR RLS. NO. 49505	POB-POINT OF BEGINNING
	FOUND REBAR	_____ X _____ FENCE LINE
	FOUND CAPPED REBAR RLS. NO. 15294	_____ SECTION SUBDIVISION LINE
	FOUND CONCRETE MONUMENT	_____ - - - - - CENTER LINE
	SET CAPPED REBAR RLS. NO. 49505	_____ - - - - - RIGHT OF WAY LINE
		_____ - - - - - SURVEY LINE
		===== BOUNDARY LINE AS SURVEYED
		===== EXISTING PLAT LINE
		===== PROPOSED PARCEL LINE
		_____ PROPOSED EASEMENT LINE

SURVEYOR'S NOTES

1. THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 1, BRISTOLWOOD AS MONUMENTED. THIS LINE IS ALSO THE CENTERLINE OF VACATED KELLY STREET PER TRIGGS & KENNEDY'S ADDITION TO DULUTH.
2. VACATION OF PARTRIDGE STREET, CONNECTICUT AVENUE AND KELLY STREET IN THE PLAT OF TRIGGS & KENNEDY'S ADDITION TO DULUTH PER DOCUMENT NO. 618847.
3. LOCATION OF LARGE OAK TREE AS REQUESTED BY CLIENT.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
5. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  David R. Evanson MN License #49505 DATE:07-16-2024	CERTIFICATE OF SURVEY		 ALTA LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW. ALTALANDSURVEYDULUTH.COM
	CLIENT:GEORGE GOLDFARB	REVISIONS:	
	ADDRESS:VACANT PROPERTY RICE LAKE RD, DULUTH, MN 55811		
	DATE:07-16-2024	JOB NO:24-093	
	SHEET 1 OF 3		

LEGAL DESCRIPTION OF PARCEL A

All that part of Lots 4, 6, 8, 10, 12, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Beginning at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 30 degrees 17 minutes 50 seconds East 251.36 feet; thence South 89 degrees 02 minutes 52 seconds East 34.04 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 235.06 feet to the Easterly extension of the South line of said Lot 16; thence South 88 degrees 48 minutes 46 seconds West, along said Easterly extension and along said South line of Lot 16 for a distance of 163.01 feet to the point of beginning. Said parcel contains 24,676 square feet or 0.57 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL B

All that part of Lots 4, 6, 8, 10, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 89.25 feet; North 89 degrees 02 minutes 52 seconds West 34.04 feet; thence South 30 degrees 17 minutes 50 seconds West 251.36 feet to the West line of said Lot 16; thence North 00 degrees 34 minutes 27 seconds West, along said West line 28.00 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West, along said South line 12.11 feet to the point of beginning. Said parcel contains 17,370 square feet or 0.40 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL C

All that part of Lots 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue and that part of vacated Partridge Street lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence North 00 degrees 34 minutes 27 seconds West, along said centerline 108.76 feet to the centerline of said vacated Partridge Street; thence South 88 degrees 46 minutes 57 seconds West, along said centerline 163.01 feet to the Northerly extension of the West line of said Lot 2; thence South 00 degrees 34 minutes 27 seconds East, along said Northerly extension and along the West line of said Lots 2, 4, 6 and 8 for a distance of 193.01 feet to a line parallel with and distant 10.00 feet South of the North line of said Lot 7; thence South 88 degrees 46 minutes 57 seconds West, along said parallel line 20.00 feet to a line parallel with and distant 20.00 feet West of the East line of said Lots 7, 9 and 11; thence South 00 degrees 34 minutes 27 seconds East, along said parallel line 140.01 feet to the South line of said Lot 11; thence South 88 degrees 46 minutes 57 seconds West, along said South line 55.55 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 17.19 feet to the point of beginning. Said parcel contains 33,980 square feet or 0.78 acres.

LEGAL DESCRIPTION OF CROSS ACCESS EASEMENT AFFECTING PARCELS A, B & C

SUBJECT TO AND TOGETHER WITH: An easement for cross access purposes lying over, under and across part of Lots 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet to the point of beginning of said easement; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12; thence South 88 degrees 46 minutes 57 seconds West, along said South line 130.60 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 29.30 feet to the West line of said Lot 16; thence South 00 degrees 34 minutes 27 seconds East, along said West line 28.00 feet to the point of beginning. Said easement contains 4,790 square feet or 0.11 acres.

CERTIFICATE OF SURVEY

CLIENT:GEORGE GOLDFARB

ADDRESS:VACANT PROPERTY RICE LAKE RD, DULUTH, MN 55811

DATE:07-16-2024

REVISIONS:

JOB NO:24-093

SHEET 2 OF 3



PHONE: 218-727-5211
LICENSED IN MN & WI
WWW. ALTALANDSURVEYDULUTH.COM

LEGAL DESCRIPTION OF PARCEL A

All that part of Lots 4, 6, 8, 10, 12, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Beginning at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 30 degrees 17 minutes 50 seconds East 251.36 feet; thence South 89 degrees 02 minutes 52 seconds East 34.04 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 235.06 feet to the Easterly extension of the South line of said Lot 16; thence South 88 degrees 48 minutes 46 seconds West, along said Easterly extension and along said South line of Lot 16 for a distance of 163.01 feet to the point of beginning. Said parcel contains 24,676 square feet or 0.57 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL B

All that part of Lots 4, 6, 8, 10, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence South 00 degrees 34 minutes 27 seconds East, along said centerline 89.25 feet; North 89 degrees 02 minutes 52 seconds West 34.04 feet; thence South 30 degrees 17 minutes 50 seconds West 251.36 feet to the West line of said Lot 16; thence North 00 degrees 34 minutes 27 seconds West, along said West line 28.00 feet to the South

line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West, along said South line 12.11 feet to the point of beginning. Said parcel contains 17,370 square feet or 0.40 acres.

SUBJECT TO AND TOGETHER WITH: An easement for shared driveway purposes lying over, under and across part of Lot 12, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12, said point being the point of beginning of said easement; thence North 30 degrees 17 minutes 50 seconds East 44.40 feet; thence North 59 degrees 42 minutes 10 seconds West 14.00 feet; thence South 30 degrees 17 minutes 50 seconds West 52.99 feet to the South line of said Lot 12; thence North 88 degrees 46 minutes 57 seconds East 16.42 feet to the point of beginning. Said easement contains 682 square feet or 0.02 acres.

LEGAL DESCRIPTION OF PARCEL C

All that part of Lots 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota including that part of vacated Conneticut Avenue and that part of vacated Partridge Street lying adjacent to said lots as dedicated on said TRIGGS AND KENNEDY'S ADDITION TO DULUTH, described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 49.96 feet to the South line of said Lot 13; thence South 88 degrees 46 minutes 57 seconds West 12.11 feet to the point of beginning of the parcel herein described; thence North 32 degrees 50 minutes 34 seconds East 60.35 feet to the South line of said Lot 12; thence North 00 degrees 34 minutes 27 seconds West 100.00 feet to the South line of said Lot 8; thence North 24 degrees 34 minutes 13 seconds East 79.20 feet; thence North 62 degrees 50 minutes 30 seconds East 121.02 feet to the centerline of said vacated Conneticut Avenue; thence North 00 degrees 34 minutes 27 seconds West, along said centerline 108.76 feet to the centerline of said vacated Partridge Street; thence South 88 degrees 46 minutes 57 seconds West, along said centerline 163.01 feet to the Northerly extension of the West line of said Lot 2; thence South 00 degrees 34 minutes 27 seconds East, along said Northerly extension and along the West line of said Lots 2, 4, 6 and 8 for a distance of 193.01 feet to a line parallel with and distant 10.00 feet South of the North line of said Lot 7; thence South 88 degrees 46 minutes 57 seconds West, along said parallel line 20.00 feet to a line parallel with and distant 20.00 feet West of the East line of said Lots 7, 9 and 11; thence South 00 degrees 34 minutes 27 seconds East, along said parallel line 140.01 feet to the South line of said Lot 11; thence South 88 degrees 46 minutes 57 seconds West, along said South line 55.55 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said

South line 17.19 feet to the point of beginning. Said parcel contains 33,980 square feet or 0.78 acres.

LEGAL DESCRIPTION OF CROSS ACCESS EASEMENT AFFECTING PARCELS A, B & C

SUBJECT TO AND TOGETHER WITH: An easement for cross access purposes lying over, under and across part of Lots 13, 14 and 16, Block 25, TRIGGS AND KENNEDY'S ADDITION TO DULUTH, according to the recorded plat thereof described as follows:

Commencing at the Southwest corner of said Lot 16; thence on an assumed bearing of North 00 degrees 34 minutes 27 seconds West, along the West line of said Lot 16 for a distance of 21.96 feet to the point of beginning of said easement; thence North 34 degrees 25 minutes 36 seconds East 95.98 feet to the South line of said Lot 12; thence South 88 degrees 46 minutes 57 seconds West, along said South line 130.60 feet to the Northeasterly right of way line of St. Louis County Highway Right of Way Plat No. 6, according to the recorded plat thereof, St. Louis County, Minnesota; thence Southeasterly 67.74 feet, along said Northeasterly right of way line, along a non-tangential curve, concave to the Northeast, said curve having a radius of 1213.24 feet and a delta angle of 03 degrees 11 minutes 56 seconds, the chord of said curve bears South 43 degrees 38 minutes 07 seconds East for a chord distance of 67.73 feet to the South line of said Lot 13; thence North 88 degrees 46 minutes 57 seconds East, along said South line 29.30 feet to the West line of said Lot 16; thence South 00 degrees 34 minutes 27 seconds East, along said West line 28.00 feet to the point of beginning. Said easement contains 4,790 square feet or 0.11 acres.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLVAC-2509-0009	Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Vacation of Street	Planning Commission Date		October 15, 2025
Deadline for Action	Application Date	September 10, 2025	60 Days	N/A
	Date Extension Letter Mailed	September 25, 2025	120 Days	N/A
Location of Subject		Parcel 010-0019-00020 in Atlas Industrial Park		
Applicant	Duluth Economic Development Authority	Contact	Tricia Hobbs, Executive Director	
Agent	Bradbury Stamm Construction	Contact	Ben Schumann	
Legal Description		See attached		
Site Visit Date		October 3, 2025	Sign Notice Date	September 29, 2025
Neighbor Letter Date		September 19, 2025	Number of Letters Sent	4

Proposal

The applicant is requesting to vacate a section of a drainage easement while retaining the functionally necessary area to convey runoff through the area.

Staff Recommendation

Staff is recommending approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	I-G	Vacant, Previously Industrial	General Industrial
North	I-G	Vacant, Previously Industrial	General Industrial
South	I-G	Vacant, Previously Industrial	General Industrial
East	I-G	Vacant, Previously Industrial	General Industrial
West	I-G	Warehouse	General Industrial

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. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

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

Governing Principle #1 – Reuse previously developed lands

This vacation supports the proposed reuse of a parcel that was previously part of the Atlas Cement Plant.

Future Land Use

General Industrial: Areas for manufacturing, processing, and other activities that may have off-site impacts and are generally isolated or buffered from other uses. Sites should have direct access to major regional transportation facilities and other infrastructure.

Recent History

The Atlas Industrial Park plat was recorded in 2015. At the time, this drainage easement was established to ensure adequate space was available for future storm water infrastructure. The applicant is proposing to locate a multi-tenant commercial building on the site.

Review and Discussion Items:

Staff finds that:

1. The applicant is requesting to vacate a section of a drainage easement, as described in the attached exhibit.
2. The existing easement was platted to ensure adequate space was provided for storm water infrastructure. As design for the property has evolved, it is now clear that the entire easement is not necessary for adequate conveyance of runoff through the parcel.
3. The proposed vacation is necessary for the applicant to have enough buildable space to complete their project.
4. The existing easement does not contain any utilities or other infrastructure.
5. The easement will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth.
6. Vacating the easement will not impact or deny access to other property owners.
7. The City Engineering office has reviewed the proposed vacation and has indicated the retained easement area will be adequate to convey runoff. The vacated area is also not necessary for future utilities or drainage.
8. No other public, agency, or City comments have been received.
9. No adjacent properties are required to consent to the vacation.
10. 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 approval of the vacation with the following conditions:

1. City Council must approve the vacation with at least 6/9 vote.
2. The vacation and easements must be recorded within 90 days of final approval by City Council, or such approval will lapse.



PLVAC-2509-0009

Vacation of Drainage Easement
Atlas Pkwy & Precision Ave

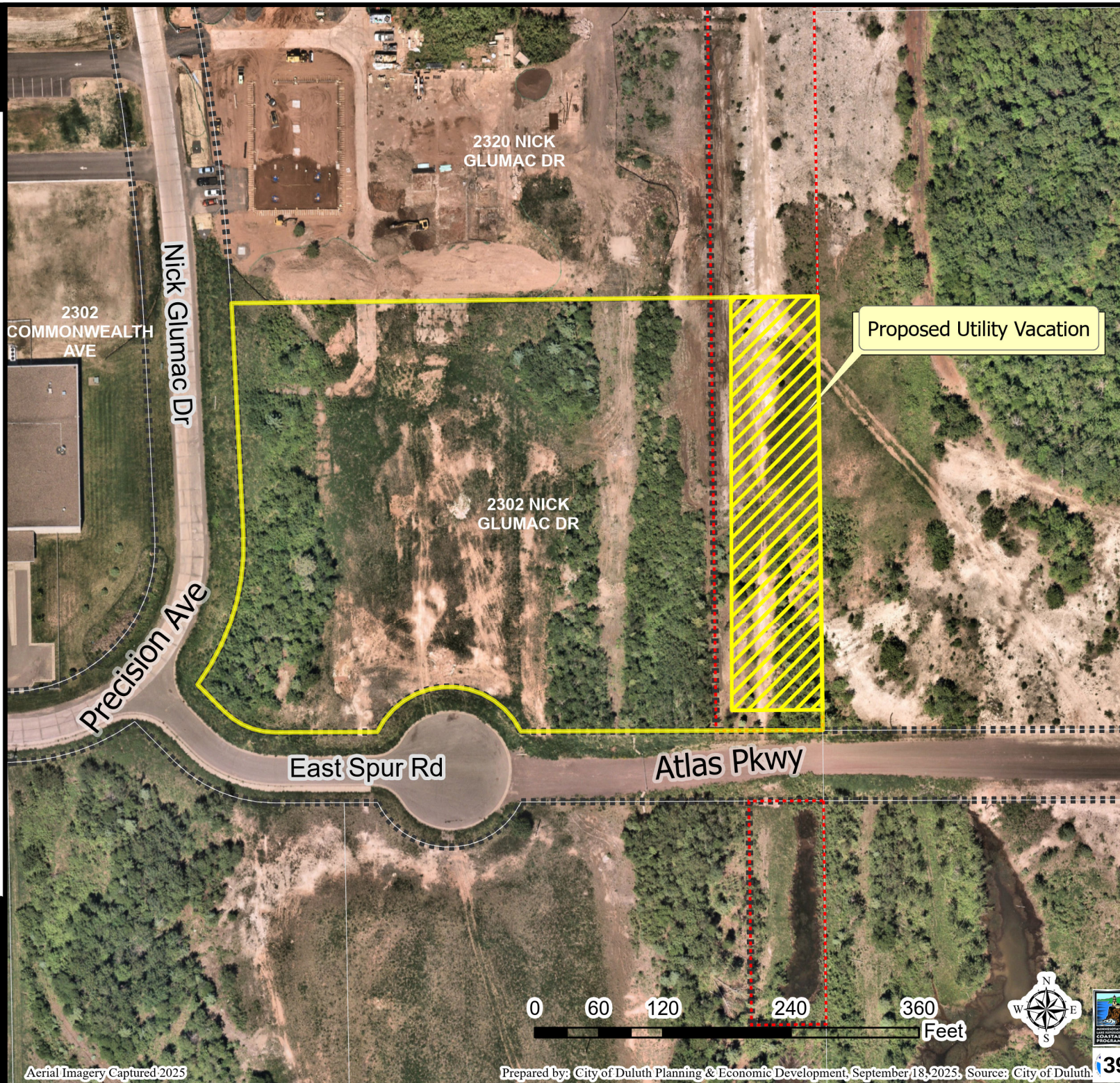
Legend

■■■■ Road or Alley ROW

□ County Parcel Data

Easement Type

▤ Utility Easement



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 Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, September 18, 2025. Source: City of Duluth

ATLAS

LEGAL DESCRIPTION OF VACATION OF PORTION OF DRAINAGE EASEMENT

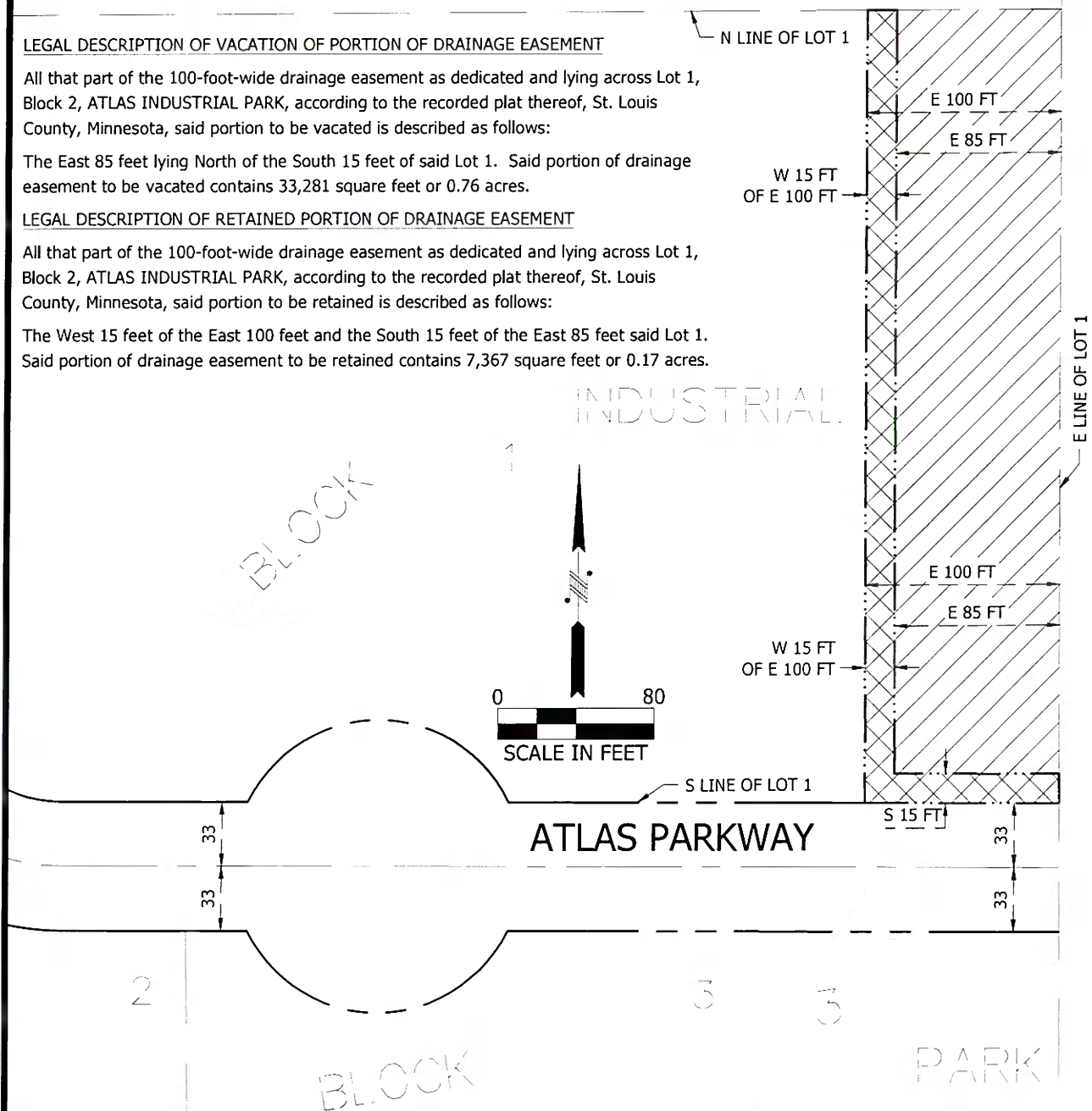
All that part of the 100-foot-wide drainage easement as dedicated and lying across Lot 1, Block 2, ATLAS INDUSTRIAL PARK, according to the recorded plat thereof, St. Louis County, Minnesota, said portion to be vacated is described as follows:

The East 85 feet lying North of the South 15 feet of said Lot 1. Said portion of drainage easement to be vacated contains 33,281 square feet or 0.76 acres.

LEGAL DESCRIPTION OF RETAINED PORTION OF DRAINAGE EASEMENT

All that part of the 100-foot-wide drainage easement as dedicated and lying across Lot 1, Block 2, ATLAS INDUSTRIAL PARK, according to the recorded plat thereof, St. Louis County, Minnesota, said portion to be retained is described as follows:

The West 15 feet of the East 100 feet and the South 15 feet of the East 85 feet said Lot 1. Said portion of drainage easement to be retained contains 7,367 square feet or 0.17 acres.



SURVEYOR'S NOTES

1. THIS IS NOT A BOUNDARY SURVEY.

Approved by the City Engineer of the City of Duluth, MN this 24th day of Sept 2025

By [Signature]

LEGEND



AREA OF DRAINAGE EASEMENT VACATION

AREA OF RETAINED DRAINAGE EASEMENT

CENTER LINE
RIGHT OF WAY LINE
RETAINED EASEMENT LINE
EXISTING PLAT LINE

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

David R. Evanson
David R. Evanson
MN License #49505

DATE: 09-16-2025

VACATION EXHIBIT

CLIENT: FITWELL INVESTMENTS LIMITED PARTNERSHIP
ADDRESS: VACANT PROPERTY ATLAS PARKWAY, DULUTH, MN 55808
DATE: 09-16-2025

REVISIONS:

JOB NO: 25-188 SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM

Petition to Vacate Street, Alley, or Utility Easement

Name: Fitwel Investments Limited Partnership

Description of street, alley, or easement to vacate: Existing 100' Drainage Easement

My request for this vacation is to (indicate purpose of vacation):

Allow for Soil Management Area (SMA) at this portion of the site.

The City of Duluth will not need this street, alley, or easement in the future because:

A 15' drainage area will remain for drainage per civil drawings that are also submitted as part of this request. City of Duluth Engineering have reviewed, recommended and approved this 15' drainage area.

PLEASE TAKE NOTICE: Pursuant to Section 50-37.6 of the Duluth City Code, the above-identified applicant(s) petition the Duluth City Council 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 factual basis and reasons supporting the petition)¹:

1. This site has substantial qty of industrial fill and if this fill is disturbed for construction it needs to be handled and stored per MPCA requirements. The existing easement area allows for on-site soil management area (SMA) which is much more economical than hauling the soil to off site landfill.
2. Discussions with City of Duluth engineering confirm this easement is not required and we need to only not impeded drainage at this portion of the site per the submitted civil drawings.

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 signatures 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): Vicki W. DeLong

Date: 9/10/25

Notice: This is public data.

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.

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.



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

MEMORANDUM

DATE: October 7, 2025

TO: Planning Commissioners

FROM: Jason Mozol, Senior Planner

SUBJECT: UDC Map Amendment (PLUMA-2509-0006) related to adding lower Miller Creek and lower Coffee Creek to the shoreland overlay

Staff were recently requested to provide the relevant setback from Miller Creek below S 26th Ave W by an architect working for an adjacent property owner. To answer this question, staff consulted with the Minnesota Department of Natural Resources (DNR) and City Engineering staff to identify relevant regulations and appropriate stream classifications. Upon review, staff determined that applying cold-water shoreland regulations to this section of stream is appropriate. Further, staff recognized that the adjacent section of Coffee Creek, recently daylighted during construction of the Twin Ports Interchange project, has similar characteristics to Miller Creek and should also be designated as a cold water shoreland zone.

Since shoreland regulations are part of the Natural Resources Overlay (NR-O) District, the process to add these streams to the mapped overlay is a UDC Map Amendment.

Proposed Changes:

Include the sections of Miller Creek and Coffee Creek described below, and illustrated in the attached maps, in the cold-water shoreland zone:

- Coffee Creek- DNR Stream Identification Number S-002-000.7- from the outlet from the storm sewer system on parcel number 010-1110-00390 to the confluence with Miller Creek on parcel number 010-1110-00200.
- Miller Creek- DNR Stream Identification Number S-002-001- from the outlet from the storm sewer system below S 26th Ave W on Lots 415 and 416 and the vacated alley, Block 10 of Duluth Proper Second Division, parcel number 010-1100-00310 to the inlet below the Duluth Transit Authority facility in the vacated section of S 25th Ave W Northeasterly of Block 10 of Duluth Proper Second Division (parcel number 010-1110-00010).
- Miller Creek- DNR Identification Number S-002-001- from the outlet below the Duluth Transit Authority facility on Lot 2 of Duluth Proper Second Division, 1st Subdivision (parcel number 010-1110-00010) to the

www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.

confluence with Coffee Creek on Lot 2 of Duluth Proper Second Division, 1st Subdivision (parcel number 010-1110-00200).

- From the confluence of Miller and Coffee Creeks on Lot 2 of Duluth Proper Second Division, 1st Subdivision (parcel number 010-1110-00200) to the box culvert inlet within the I-35 right-of-way of Duluth Proper Second Division, 1st Subdivision.

Findings and Recommended Action:

Per Section 50.37.3 of the UDC, Planning Commission shall review the application, and council shall approve the application or approve with modifications, upon determining 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.

The Planning Commission may recommend approval, approval with modifications or denial to the City Council.

Staff finds that:

- Both Coffee Creek and Miller Creek are public waters identified by the Minnesota Department of Natural Resources (DNR).
- The Minnesota DNR identifies these as trout streams (cold water streams) since they support sensitive trout species.
- This request meets the criteria of general welfare and good zoning practice. Trout have been observed within the subject section of Miller Creek and it is reasonable to expect these fish will access the recently daylight section of Coffee Creek since they are hydrologically connected. Further, upstream sections of Coffee Creek support trout populations.
- Cold water designations have been applied to sections of other trout streams, such as Chester Creek, downstream of enclosed sections.
- This proposal is consistent with the comprehensive land use plan. The future land use for the areas surrounding the streams is "Open Space". Open Space is defined as, "High natural resource or scenic value, with substantial restrictions and development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls." The cold water shoreland designation is the most restrictive shoreland classification and meets the intent of "substantial restrictions and development limitations."
- This proposal is reasonably related to the overall needs of the community. The open space section of the Comprehensive Plan identifies the numerous ecological, recreational, and functional benefits healthy waterways provide. The strategy and principle below, identified in the Comprehensive Plan, are executed by this rezoning action.
 - Governing Principle #2- Declare the necessity and secure the future of undeveloped places-
 - Undeveloped areas are an essential part of Duluth's municipal fabric— urban plazas, neighborhood parks, large tracts of public ownership, and private lands zoned for minimal development. These minimally developed or undeveloped areas collectively create an open space system. These areas contribute to Duluth's cultural, health, recreational, and economic value and community identity. This open space system provides vistas, encourages active recreation, supplies natural infrastructure such as storm water

www.duluthmn.gov

The City of Duluth is an Equal Opportunity Employer.

retention, plant and animal habitat, and water quality, and is the strongest visual element defining Duluth's sense of place.

- Open Space Policy #2- Examine the value and need for all of Duluth's publicly owned open space-
 - Strategy #7- Amend the Unified Development Chapter (UDC) to require more permanent protection of ecologically significant lands (including wetlands, important forested areas, streams, etc.) during the development process.
- These stream sections exist within a previously developed area. It is reasonable to anticipate that development will be proposed that is not consistent with the cold-water shoreland regulations. Projects that are otherwise unfeasible and demonstrate practical difficulty in conformance with all criteria defined in Sec 50-37.9 may be permitted via the shoreland variance process. Therefore, these potential impacts will be mitigated to the extent possible.
- Comments on this project were received from the City's Engineering Department, see below, and from the DNR, see attached.
 - "Miller Creek and Coffee Creek are both designated trout streams and are regulated by the MnDNR. Both of these lower reaches for each stream have aquatic life that include trout. The shoreland requirements for cold water streams or trout streams benefit the health of the stream. The MnDNR requires the City of Duluth to enforce the public waters rules. This change is needed to make the shoreland zone consistent for the entire length of the streams." Tom Johnson, Senior Stormwater Engineer, PE

Staff recommends that the Planning Commission recommend approval to the City Council.



Legend

 Subject Stream Sections

MU-N
(Mixed Use
Neighborhood)

R-2
(Residential
Urban)

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

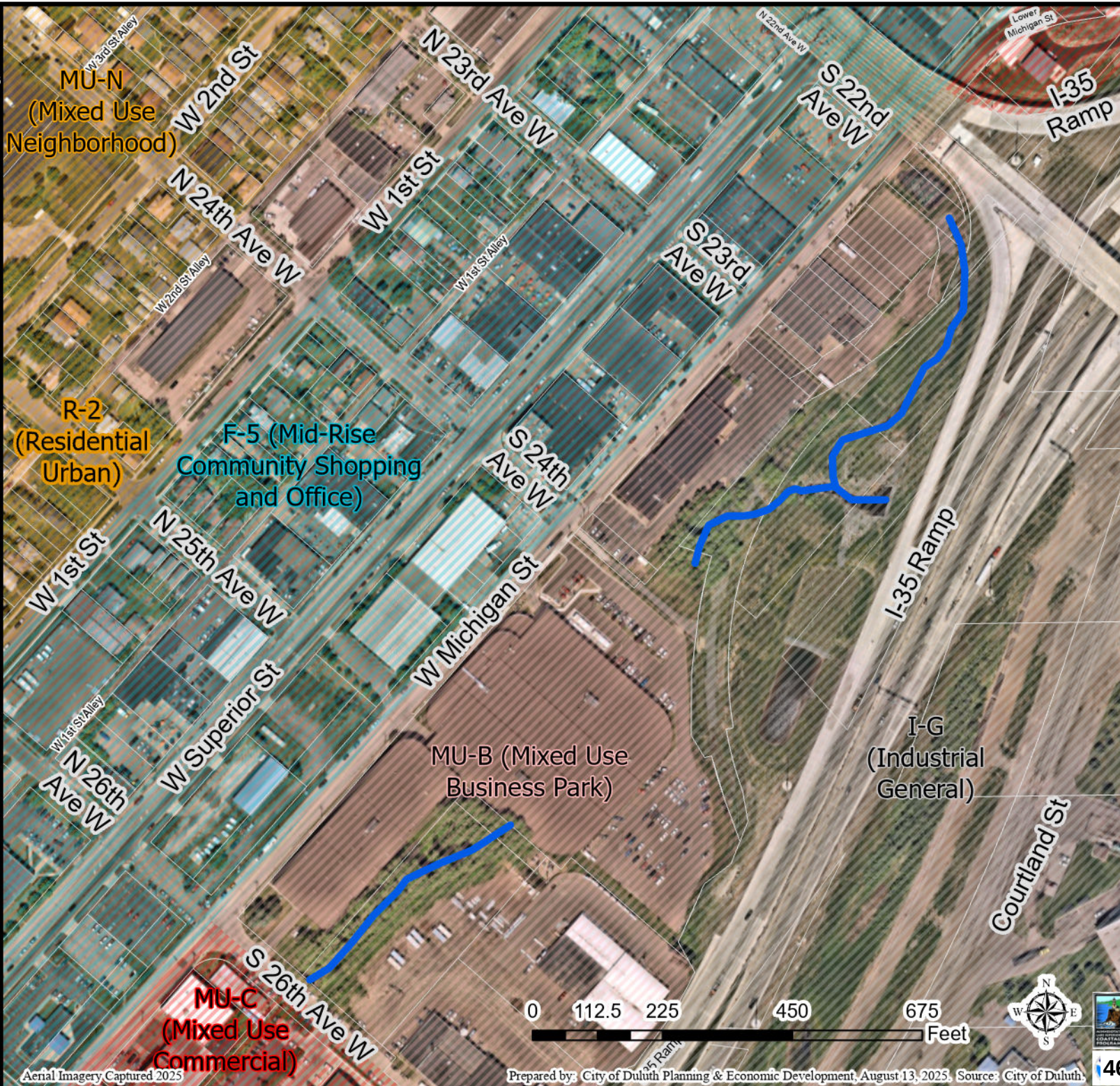
MU-B (Mixed Use
Business Park)

MU-C
(Mixed Use
Commercial)

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 Imagery Captured 2025

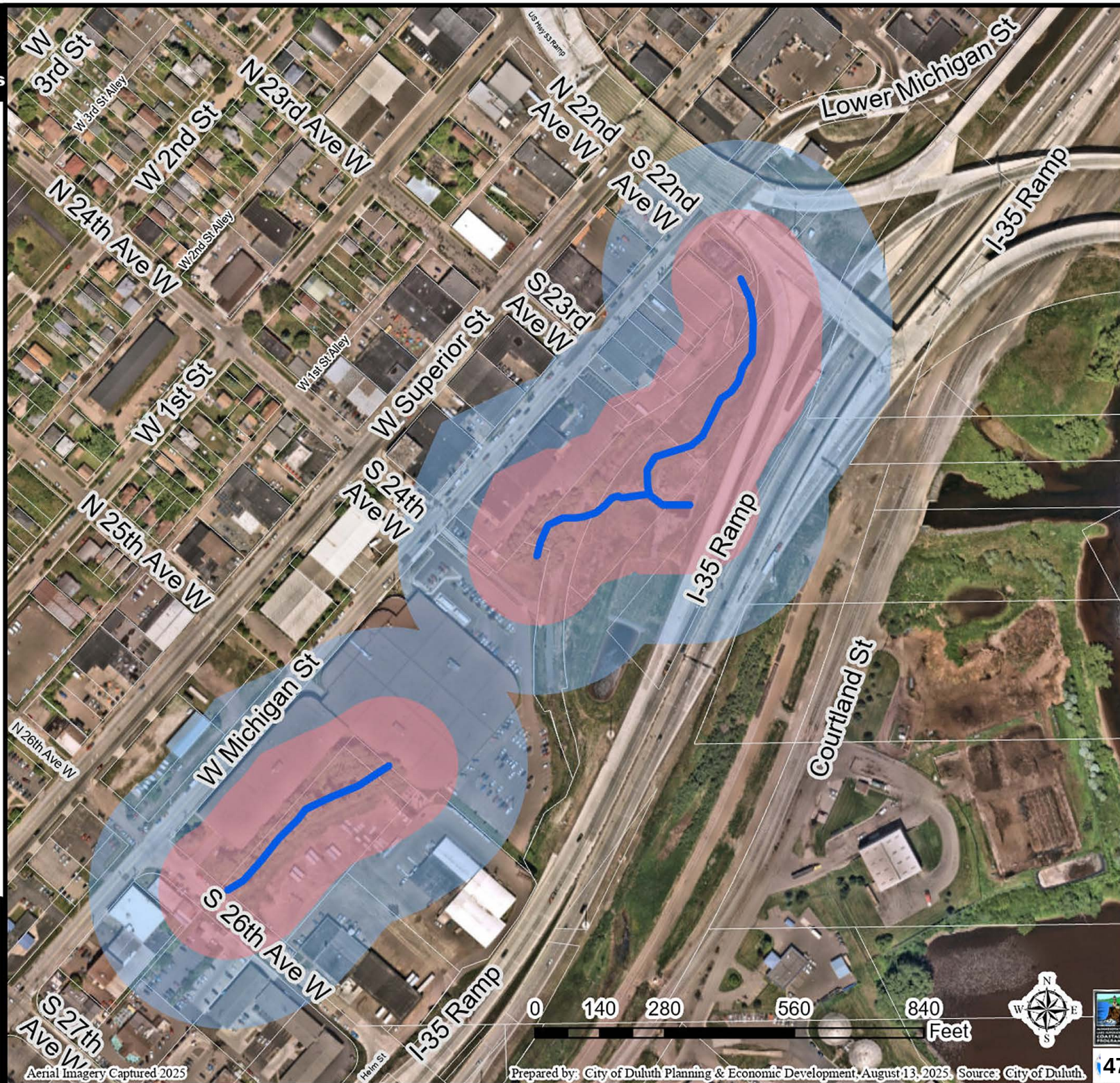
Prepared by: City of Duluth Planning & Economic Development, August 13, 2025. Source: City of Duluth.





Legend

- Subject Stream Sections
- Proposed Shoreland Zones
- Proposed Structure Setback





PLUMA-2509-00069 - DNR Comments

From Speldrich, Bri (DNR) <Brianna.Speldrich@state.mn.us>
Date Fri 10/3/2025 12:44 PM
To Jason Mozol <jmozol@DuluthMN.gov>
Cc MN_Ordinance Review (DNR) <ordinance.review.dnr@state.mn.us>

Hi Jason,

Below are my comments for amendment request PLUMA-2509-00069:

DNR identifies the streams included in this request as Miller Creek and Coffee Creek. Both watercourses are public waters and designated trout streams. Because these streams are public waters, shoreland controls should be applied to these areas to ensure compliance with state shoreland rules.

It appears this amendment request includes adding these reaches to the Natural Resource Overlay (NR-O) map and applying Cold Water Shoreland Management Zone controls to these areas. This will address the identified shoreland compliance issue.

Please note Minnesota Rule 6120.3900 Subpart 6B requires that local government units provide a copy of approved shoreland ordinance amendments to DNR within 10 days of final action for final review and approval. Feel free to contact me should you have questions.

Thank you,

Bri Speldrich
Area Hydrologist | Carlton County & Duluth Metro
Ecological and Water Resources

Minnesota Department of Natural Resources
525 Lake Ave S, Suite 415
Duluth, MN, 55802
Phone: 218-302-3246
Email: brianna.speldrich@state.mn.us
she/her/hers
mndnr.gov





Planning & Economic Development Department

Planning • Room 160
Construction Services • Room 100

411 West First Street
Duluth, Minnesota 55802

218-730-5308

• planning@duluthmn.gov
• constructionservices@duluthmn.gov

TO: Planning Commission
FROM: Ben VanTassel, Director, Planning & Economic Development Department
DATE: October 8, 2025
RE: PLOR-2510-0015 Conveyance of Lester Golf Course Property

Recommendation

Staff recommends adoption of the resolution associated with PLOR-2510-0015, which recommends to City Council that the referenced property be conveyed to the Duluth Economic Development Authority.

Summary

The Lester Park Golf Course property is a 268-acre site that was previously a city owned and operated golf course. In 2021, the City of Duluth conveyed approximately 37.5 acres of the property to the Duluth Economic Development Authority (DEDA) for development purposes. The remainder of the property, an approximately 230 acre parcel, remains city owned. Due to the limited capacity and challenges related to maintaining open space and the unique nature and development potential of the site, the City is considering a public sale of the remaining property. State law authorizes the City to sell park property and the initial step in that process is a recommendation by the Planning Commission to proceed with a sale.

The City intends to convey the remaining property at the Lester Park Golf Course to DEDA, which will prepare the property and conduct the public sale process. DEDA, an authority of the city of Duluth, is best equipped to complete pre-development activities (e.g title preparation, surveys, etc.) and has the expertise and resources to effectively navigate these processes efficiently.

After conveyance to DEDA, and leading up to a public sale, additional public processes and decisions will be required of Planning Commission and City Council. The property is currently zoned as Park and Open Space (P-1) and its future use is designated as Open Space under the Duluth 2035 Comprehensive Land Use Plan. Prior to the public sale process by DEDA, the City will ensure a land use study is undertaken on the Property to review the future land use and zoning designations. Potential changes to future land use and property rezonings will follow the typical public process, including opportunities for input from the public, with Planning Commission oversight and City Council approval.

Approval of this resolution will initiate a series of public processes and provide the opportunity for our community to envision and realize the future of the Lester Park Golf Course property.

**PLANNING COMMISSION
CITY OF DULUTH, MINNESOTA**

RESOLUTION NO. PLOR-2510-0015

**RESOLUTION OF THE CITY OF DULUTH PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL APPROVE SALE OF CERTAIN REAL
PROPERTY IN THE LESTER PARK NEIGHBORHOOD TO THE DULUTH
ECONOMIC DEVELOPMENT AUTHORITY**

WHEREAS, in 2021 the City of Duluth (“City”) conveyed approximately 37.5 acres of the 268-acre Lest Park Golf Course property to and the Duluth Economic Development Authority (“DEDA”) pursuant to a development agreement, upon the finding that DEDA was best equipped to engage developers and facilitate the City’s future development goals upon the property, such goals including increasing the City’s tax base and addressing the City’s ongoing need for additional housing units; and

WHEREAS, the city and DEDA are mutually interested in exploring potential future uses for the remaining approximately 230 acres of city-owned Lester Park Golf Course property, as described and depicted on the attached Exhibit A (“Property”); and

WHEREAS, 1955 Minn. Laws, Chapter 82, S. F. No. 536 authorizes the city to sell park property at a public sale upon a recommendation of the city planning commission adopted by a three-fourths vote, in addition to other requirements; and

WHEREAS, the Property is currently zoned as a Parks and Open Space district (P-1) and its future use designated as open space under the Duluth 2035 Comprehensive Land Use Plan; and

WHEREAS, the proposed conveyance to DEDA is conditioned upon the City rezoning the property to a classification that will permit economic development of the Property in accordance with the Development District Plan for Development District No. 17, ad; and

WHEREAS, the City intends to make reasonable efforts to pursue such rezoning, including conducting a land use study of the Property and seeking amendment to the City’s comprehensive land use plan; and

WHEREAS, the proposed conveyance to DEDA is further conditioned upon DEDA agreeing to sell the Property through a public sale process in accordance with 1955 Minn. Laws Chapter 82; and

WHEREAS, the Commission has reviewed said conditions for purposes of determining whether the proposed conveyance of the Property to DEDA is in conformance with the City’s comprehensive plan and to make its recommendation of the proposed conveyance; and

NOW, THEREFORE, BE IT RESOLVED that the commission finds that the proposed conveyance of the Property conforms with the comprehensive plan and hereby recommends that the city proceed with the proposed conveyance of the Property to DEDA according to the requirements of Duluth City Code and applicable Minnesota law.

Approved by the City of Duluth Planning Commission this 15th day of October, 2025.

ATTEST:

President

Secretary



PLOR-2510-0015

Proposed Conveyance of
Lester Park Golf Course

Legend

 Property Area

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 Imagery Captured 2025

Prepared by: City of Duluth Planning & Economic Development, October 8, 2025. Source: City of Duluth.

