



## CITY OF DULUTH

Community Resources Department  
Planning Division  
411 W 1<sup>st</sup> St Rm 402 \* Duluth, Minnesota 55802-1197  
Phone: 218/730-5580 Fax: 218/730-5904

Cindy Petkac, AICP, Land Use Supervisor  
cpetkac@duluthmn.gov

### ACTIONS OF PLANNING COMMISSION June 9, 2009

I. **Call to Order:** President Akervik called the meeting of the Planning Commission to order at 5:02 p.m., **Tuesday, June 9, 2009**, in the third floor Council Chambers of Duluth City Hall and explained the public hearing procedure to the audience.

II. **Roll Call:**

Members Present: Mike Akervik (P), Mindy Appold (VP), Henry Banks, Joan Barrett, Drew Digby, Mindy Granley, Frank Holappa, Katelyn Kuor, Joan Morrison, Heather Rand, David Sarvela, John Vigen

Absent Excused: Jim Stebe

Staff Present: Kyle Deming, Chuck Froseth, John Judd, Alison Lutterman, Cherie Merritt, Cindy Petkac

III. **Public Hearings**

*Items FN09041, FN09042, FN09052, FN09053, FN09054 were heard and discussed together but voted on separately.*

A. **FN09041** - Water Resource Management Ordinance variance for impervious surface area for 2115 Miller Trunk Highway by I & S Group for Kohl's (CP)

Approved  
Vote: Unanimous

B. **FN09042** - C-5 Plan Review for 2115 Miller Trunk Highway by I & S Group for Kohl's (CP)

Recommend Approval (Conditions)  
Vote: Unanimous

C. **FN09052** - Water Resource Management Ordinance special use permit for fill in a shoreland area, 2115 Miller Trunk Highway, by I & S Group for Kohl's (CP)

Approved  
Vote: Unanimous

- D. **FN09053** - Water Resource Management Ordinance Special Use Permit for fill in a floodway district, 2115 Miller Trunk Highway, by I & S Group for Kohl's (CP)

Approved  
Vote: Unanimous

- E. **FN09054** - Water Resource Management Ordinance variance to fill a wetland area for 2115 Miller Trunk Highway, by I & S Group for Kohl's (CP)

Approved  
Vote: Unanimous

- F. **FN09046** - Water Resource Management Ordinance Variance to install retaining wall at 9436 Condgon Boulevard by James and Patricia Suchan (JJ/CF)

Approved (Conditions)  
Vote: Unanimous

- G. **FN09051** - Water Resource Management Ordinance Special Use Permit for building a garage in a flood fringe, 13214 W 2<sup>nd</sup> Street by Diane Shea ( JJ/CF)

Approved (Conditions)  
Vote: Unanimous

- H. **FN09055** - Floodplain Map Amendment for Ordean School Site by Independent School District 709 (CP)

Recommend Approval  
Vote: Unanimous

## VI. Old Business

- A. **FN09029** - C-5 Plan Review for Culver's Restaurant located at the northwest corner of Mall Drive and Trinity Road by Brian Bocht for Blue Fjord LLC (CF)  
*(Tabled at April 14, 2009, Planning Commission meeting)*

*Held for future meeting at Applicant's request*

- B. **FN09033** - Special Use Permit for 1630 Rice Lake Road by City of Duluth, Maintenance Operations (CP) *(Tabled at May 12, 2009, Planning Commission meeting)*

Recommend Denial  
Vote: 11/1 (Barrett)

- C. **FN09027** - Vacation of Ensign Street from Chambersburg Avenue to Church Place from Independent School District 709 (CF) (*Tabled at May 12, 2009, Planning Commission meeting*)

Recommend Approval  
Vote: Unanimous

#### **VIII. New Business**

- A. **FN09060** - Review of the May 21, 2009 list of 40 parcels (19 tracts) of tax-forfeited land reclassified to non-conservation by the St. Louis County Board. (KD)

Recommend Approval  
Vote: Unanimous

ckm