

City of Duluth Planning Commission

**March 14, 2023 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:02 p.m. on Tuesday, March 14th, 2023 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Margie Nelson, Danielle Rhodes, Michael Schraepfer, and Andrea Wedul (arrived after the consent agenda vote)

Members Absent: Jason Holliday, and Samuel Lobby

Staff Present: Adam Fulton, Jean Coleman (Attorney's Office), Chris Lee, John Kelley, Kyle Deming, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – February 14th, 2023

MOTION/Second: Rhodes/Schraepfer approved

VOTE: (5-0)

Public Comment on Items Not on Agenda

No speakers.

(Items PL 23-017 and PL 23-027 were removed from the consent agenda and placed under public hearings.)

Consent Agenda

PL 23-024 Minor Subdivision of Parcel on Sockeye Drive by Frank Messina

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

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

PL 23-021 Master Sign Plan at 520 W Central Entrance by Jigsaw LLC

Commissioners: PL 23-028 and 029 – Commissioner Gary Eckenberg noted the comments they received from a neighbor Meg Rosvold who had concerns about a neighboring property. He asked if that property is also owned by Center City Housing Corp. Deputy Director Fulton noted there are some addresses in the area with issues. Those are issues associated with private ownership, or the property in question may be owned by the Duluth HRA. The issues

regarding surrounding properties, should be taken seriously but are not germane to the current application. Commissioner Danielle Rhodes asked about the project funding, and if it is low-income housing. Deputy Director Fulton noted the project will be funded in part by the Minnesota Housing Finance Agency, so there will be a level of affordability provided through this new housing construction project. Rhodes asked about the regulating plan. Per Deming, the plan provides for a variety of housing styles which includes 8 different building types. Rhodes asked how many units will be in the proposed project. Deming noted they are just talking about rezoning, so he doesn't have the number. Deputy Director Fulton noted it is consistent with the Ramsey Plan. The goal for Wadena West is 60 units of affordable housing. Services will be able to be provided on-site. It will provide for needed housing in the community.

Public: No speakers.

MOTION/Second: Crawford/Schraepfer approved as per staff recommendations

VOTE: (5-0)

Public Hearings

(Commissioner Jason Crawford recused himself from the following item. His co-worker is the applicant.)

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

Staff: Deputy Director Fulton noted there is no presentation on this item, but staff is available to answer any questions.

Applicant: N/A

Public: No speakers.

MOTION/Second: Schraepfer/Eckenberg approved as per staff recommendations

VOTE: (5-0, Crawford Abstained)

(Commissioner Mike Schraepfer recused himself from the following item. His co-worker is the applicant.)

PL 23-027 Interim Use Permit for a Vacation Dwelling Unit at 2810 W Skyline Parkway by Mike Kokotovich

Staff: Deputy Director Fulton noted there is no presentation on this item, but staff is available to answer any questions.

Applicant: N/A

Public: No speakers.

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

VOTE: (5-0, Schraepfer Abstained)

PL 23-004 Variance to Allow an Accessory Structure in the Front Yard at 30 S 42nd Avenue E by Jack Shapiro

Staff: Kyle Deming introduced the applicant's proposal for a variance to allow the placement of a 24' x 28' detached garage in the area between the front of the home and Quebec Avenue. The need for a variance is caused by site constraints unique to the site and not caused by the

applicant, including shallow subsurface soil conditions and the location of the sanitary sewer service. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Andrea Wedul asked if the proposed structure was one-story tall. Deming affirmed.

Applicant: Present, but did not speak.

Public: No speakers.

MOTION/Second: Wedul/Crawford approved as per staff recommendations

VOTE: (6-0)

PL 23-026 Variance from Side Yard Setbacks for New Single-Family Dwelling Unit at 70xx E Superior Street by Charles Obije

Staff: John Kelley introduced the applicant's proposal for a corner side yard variance to reduce the setback from the required 25' setback to 15' to construct a new house and garage on a 60' x 300' lot in the RR-2, Rural Residential 2 zone district. Staff recommends approval with the condition listed in the staff report.

Commissioners: Eckenberg asked what the time frame is for the variance. Kelley noted discussion item 8 in the staff report, which lists the project must begin within one-year.

Applicant: N/A

Public: No speakers.

MOTION/Second: Rhodes/Schraepfer approved as per staff recommendations

VOTE: (6-0)

PL 23-035 UDC Map Amendment to Rezone Property at Duluth International Airport from MU-N to MU-B to AP (Airport) District

Staff: Kyle Deming introduced the City's proposal for a UDC Map Amendment/Rezoning to change the zoning of 660 acres from MU-N to AP (Airport) and to change 110 acres from MU-B to AP in order to reflect the actual use of the land and to implement the comprehensive plan. Staff recommends approval of the rezoning to the City Council via ordinance.

Commissioners: Rhodes asked if this rezoning was in addition to the Airport Overlay. Deming noted this is the base zoning, and is separate from the Airport Overlay.

Applicant: N/A

Public: No speakers.

MOTION/Second: Wedul/Rhodes recommended approval as per staff recommendations

VOTE: (6-0)

PL 23-037 Minor Subdivision of Jigsaw Division Lot 2 into 2 Lots at the Southwest Corner of Anderson Road and Central Entrance by the Jigsaw, LLC

Staff: Kyle Deming introduced the applicant's proposal for a subdivision of a part of Lot 2, Block 1, into two parcels for a proposed development. The applicant is seeking to further split Lot 2 to create tracts of land for a 660 sq. ft. coffee kiosk and a building to contain two other tenants, a 2,500 sq. ft. restaurant and a 3,500 sq. ft. personal services use. All parcels are sized to allow space for buildings to be construction within applicable front, rear, and side yard setbacks. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Wedul asked about the driveway, is there a reason to split it off? Deming indicated there will be private access easements to allow all of the parcels to cross one another.

Eckenberg asked if the proposed coffee kiosk is related to the restaurant. Deming noted the kiosk is a stand-alone business and has no relation to the restaurant other than being close in proximity.

Applicant: Dan Regan of Launch Properties (representing Jigsaw, LLC) addressed the commission and welcomed questions. Commissioner Rhodes inquired about snow removal. The applicant stated Launch Properties will be in charge of snow removal.

Public: No speakers.

MOTION/Second: Crawford/Wedul approved as per staff recommendations

VOTE: (6-0)

PL 23-038 Special Use Permit for a Restaurant at 520 W Central Entrance by Jigsaw LLC

Staff: Kyle Deming introduced the applicant's proposal for a special use permit to allow two restaurants in the Jigsaw Development at the southwest corner of Central Entrance and Anderson Road. The project will consist of 2,500 sq. ft. restaurant and a 660 sq. ft drive-thru coffee kiosk and related parking and landscaping. The proposed coffee kiosk includes a one-lane drive-thru with more than five vehicle stacking space, as is required. No screening is required for vehicles using the drive-thru due to its location away from residential properties. Staff recommends approval with the conditions listed in the staff report; including, the applicant provide additional trees along the Central Entrance frontage to comply with the UDC.

Commissioners: Eckenberg asked about the traffic flow. Do you have to go through two parking lots to get to the drive-thru? Deming affirmed. Eckenberg doesn't feel it is the safest route. President Nelson asked if there are two businesses, shouldn't there be two special use permits? Deputy Director Fulton noted they have gone both ways in the past, and decided to combine these into one permit. Wedul asked about the MN DOT traffic study. Has this project been reviewed in conjunction with the traffic study? Deming stated the plans include sidewalk connections to Central Entrance from both driveways in order to connect to future sidewalks installed with the reconstruction of Central Entrance. Additionally, the applicant updated their traffic study and concluded there will be no additional traffic impact with the redesigned project compared to the original 2018 traffic study findings. Eckenberg asked about the names of the businesses. Deming responded that he did not know the names and that the special use permit is to allow a use and not a particular business.

Applicant: Present, but did not speak.

Public: No speakers.

MOTION/Second: Eckenberg/Schraepfer approved as per staff recommendations

VOTE: (6-0)

PL 23-032 UDC Map Amendment to Rezone from MU-B to F-5 South of W 1st Street between N 19th Avenue W and N 20th Avenue W

Staff: Deputy Director Adam Fulton introduced the city's proposal for a UDC Map Amendment (rezoning) to change the zoning of one-half block from Mixed Use-Business (MU-B) to Form District 5 (F-5). This site was formerly home to the Kemps Creamery, which was built in 1914. For many decades, this stretch of W 1st Street through Lincoln Park has been primarily industrial in nature. The property owners for the majority of the area have expressed interest in finding a developer to redevelop the site with uses that complement the mix of housing and commercial uses. The maximum height for development is 55'. This will help reinvest in a blighted neighborhood. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Eckenberg asked if there are form districts all around this property. Deputy Director Fulton noted just one side is a form district, and much of the surrounding area is zoned MU-B. If the city did a total rezoning, legal non-conformities would exist. Rhodes asked about the height restriction. Fulton affirmed the height limit is 55’.

Applicant: N/A

Public: No speakers.

MOTION/Second: Crawford/Wedul recommended approval as per staff recommendations

VOTE: (6-0)

Tabled Item

PL 23-003 UDC Text Amendments to Off-Street Parking Requirements by the City of Duluth
Deputy Director Fulton noted this item will remain tabled.

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. Mayor Larson’s State of the City Address will be on March 22, 2023 at 6 p.m. There is a brownfield public meeting being held tonight. He noted the handout given to the commissioners by Becca Mulenberg in regards to the Kinseth Hotel Group planning review for a hotel on Sundby Road. Staff will come back to the planning commission with an evaluation on if an EAW is necessary.

Heritage Preservation Commission – Gary Eckenberg gave an update. The HPC met yesterday and approved a certificate of appropriateness for temporary roof repairs at the Carnegie Building. They were informed of exterior improvements to the Board of Trade Building. The building is not a local landmark, but is located within a historic district.

Joint Airport Zoning Board – No update.

Duluth Midway Joint Powers Zoning Board – Deputy Director Fulton noted there will be an upcoming meeting in late March or early April.

Adjournment

Meeting adjourned at 6:00 p.m.

Respectfully,

DocuSigned by:

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Ryan Pervenanze – Manager
Planning & Development