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 algins 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,

Signed by:
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Ben Van Tassel, Director
Planning & Economic Development