



# CITY OF DULUTH

PLANNING & CONSTRUCTION SERVICES  
Community Planning Division  
411 West First Street – Room 208 - Duluth, Minnesota 55802-1197  
218-730-5580 – An Equal Opportunity Employer

## Planning Commission Agenda

City Council Chambers, 3<sup>rd</sup> Floor Duluth City Hall  
Tuesday, December 11, 2018 – 5:00 PM

### CALL TO ORDER AND ROLL CALL

### APPROVAL OF MINUTES (November 13, 2018)

CONSENT AGENDA Items that are perceived to be non-controversial or routine will be placed on the consent agenda. There will not be an individual public hearing on each of these items unless the applicant or a member of the public wishes to speak to the matter. These items on the consent agenda will be approved by the planning commission with one vote.

1. PL 18-148 Minor Subdivision to Divide 1.65 Acres Into Two Parcels, One Parcel Containing A House (2821 Hagberg St.), And A Second Vacant Parcel by Holly Dahl
2. PL 18-125 Variance from Shoreland Setback at 3429 Minnesota Avenue by Duluth Rowing Club (Tabled from November 13, 2018 PC Meeting)

### PUBLIC HEARINGS

3. PL 18-152 Change the Future Land Use Designation from Open Space to Institutional for Property at the Southwest Corner of Trinity Road and Lake Superior College Drive (Miller Creek Disc Golf Course) by the City of Duluth
4. PL 18-153 UDC Map Amendment to Rezone the Southwest Corner of Trinity Road and Lake Superior College Drive (Miller Creek Disc Golf Course) from Residential-Traditional (R-1) to Mixed Use-Institutional (MU-I) by the City of Duluth

### OTHER BUSINESS

5. PL 18-154 Tax Increment Financing Comprehensive Plan Compliance for a Mixed Use Commercial and Housing Development the Corner of East Superior Street and North Fourth Avenue East (Voyager Hotel Site)

### COMMUNICATIONS

6. Manager’s Report
7. Reports of Officers and Committees  
-Heritage Preservation Commission Representative
8. Adjournment



City of Duluth  
 Planning Commission  
 November 13, 2018 Meeting Minutes  
 Room 303 - Duluth City Hall

Call to Order

Vice-President Janet Kennedy called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, November 13, 2018, in city hall room 303.

Roll Call

Attending: Jason Crawford, Gary Eckenberg, Janet Kennedy, Tim Meyer, Margie Nelson, Luke Sydow, Sarah Wisdorf, and Zandra Zwiebel

Absent: Mike Schraepfer

Staff Present: Adam Fulton, Robert Asleson, Jenn Moses, John Kelley, Kyle Deming, and Cindy Stafford

Approval of Planning Commission Minutes – October 9, 2018

**MOTION/Second:** Sydow/Nelson approve the minutes with one change

**VOTE: (8-0)**

Unfinished Items

(Sydow Recused himself from the following agenda item)

1. PL 18-122 MU-W Planning Review for 15 Room Expansion at the Existing Hotel at 1033 Minnesota Avenue by Park Point Marina Inn and Suites, LLC (Tabled from October 9, 2018, Meeting for More Information)

**Staff:** Jenn Moses introduces the applicant's proposal for a 3-story, 6,100 square foot, 15-room addition to the southeast side of the existing hotel. Staff has revised the report and proposed conditions since the tabling of the item at the October 9, 2018 planning commission. There is more information listed about the 200-foot rule, and how the land-use supervisor came to his decision. Staff recommendations now include additional timeframes that are extended beyond what was initially recommended. The parking condition still applies. Staff recommends approval with the revised conditions listed in the staff report.

**MOTION/Second:** Meyer/Crawford approved as per revised staff recommendations.

**NO VOTE**

**MOTION/Second:** Nelson/Zwiebel remove from Table

**VOTE: (7-0, Sydow Abstained)**

**MOTION/Second:** Nelson/Zwiebel bring back to allow for public hearing

**VOTE: (7-0, Sydow Abstained)**

**Applicant:** Jeremy Hurd represents Park Point Marina Inn and Suites, LLC, addresses the commission. They ask to strike items (conditions) 1, 2 and 4 from the staff report. They would like the same allowance as the other hotel in the area. The UDC does not allow for conditions which are arbitrary. The amended UDC went into effect after the application. Tim Meyer asks if legal wants to comment. Robert Asleson asks if there are any specific questions. Meyer asks about the building timeframe. Do they have a legal footing to stand

on which refers to 180 days? Asleson states there is discretion for the planning commission to apply a timeframe. Hurd comments that the discretion allowed is to bring it back into compliance with the UDC section 50-37. He states this is not what is happening here.

**Public:** Deborah Medlin, questions the staff interpretation of the 200-foot rule. She doesn't think it should exclude existing buildings.

**Commissioners:** Meyer asks staff about the 2016 staff rule. Moses states the code refers to new buildings instead of situations where the view is already blocked. Staff went with the interpretation from the dictionary when referring to topography.

**MOTION/Second:** Meyer/Zwiebel approved as per staff's recommendations.

**VOTE: (4-3, Zwiebel, Nelson and Wisdorf Opposed – Sydow Abstained)**

#### Consent Agenda and hearing

**Items that are perceived to be non-controversial or routine will be placed on the consent agenda. There will be no staff presentations on these items; the Planning Commission will be acting upon the staff recommendation and conditions written in the staff reports. There will not be an individual public hearing on each of these items unless the applicant or a member of the public wishes to speak to the matter. Instead there will be one public hearing for all the items on the consent agenda, and they will be addressed by the Planning Commission with one vote.**

2. PL 18-134 Concurrent Use Permit for Private Obstruction (Small Cell Antenna) on a MN Power Pole in the Public Right of Way at 4518 Trinity Road by CommNet Cellular Inc d/b/a Verizon Wireless
3. PL 18-135 Concurrent Use Permit for Private Obstruction (Small Cell Antenna) on a City Pole in the Public Right of Way at 1740 Maple Grove Road by CommNet Cellular Inc d/b/a Verizon Wireless  
**Staff:** Steven Roberston gives an overview  
**Public:** No speakers.  
**MOTION/Second:** Zwiebel/Wisdorf approve staff's recommendations for consent agenda items.

**VOTE: (8-0)**

#### Public Hearings

4. PL 18-068A UDC Map Amendment to Rezone **Area C and Area D, South of Arrowhead Road** Near Kenwood Avenue from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N) by the City of Duluth  
**Staff:** John Kelley introduces the city's proposal to rezone properties in the general area of West Arrowhead Road, Kenwood Avenue, Maryland Street and Warren Avenue from Residential-Traditional (R-1) to Urban Residential (R-2) and Urban Residential (R-2) to Mixed Use-Neighborhood (MU-N), and areas south of West Arrowhead Road and west of Kenwood Avenue from Residential-Traditional (R-1) to Mixed Use-Neighborhood (MU-N). The areas proposed for rezoning each have unique characteristics related to existing land use and current zoning in proximity to the Kenwood Neighborhood commercial node. Based on these characteristics Areas A & B (located north of West Arrowhead Road) and Areas C & D (located south of West Arrowhead Road), all depicted on the map shall be considered under separate review and recommend action. Staff recommends approval. Zandy Zwiebel

asks about where the Carlson property is. Kelley states it is above Maryland Street. Zwiebel noted the public meeting suggested increasing the area in section D. Kelley stated they did not expand the rezoning.

**Applicant:** N/A

**Public:** Katie Krikorian, 1313 Missouri Ave., addresses the commission. She lives in area C. She is concerned about increased development. She would like a buffer established. There is R-1 zoning to the east and potential development could change that. She would like to see buffers put in place to protect the neighbors already living there. Dave Holappa, 1303 W. Arrowhead Rd., addresses the commission. He doesn't think area D is big enough. Brad Johnson who owns property in Area D and close to area C addresses the commission. The traffic in the area is a reason people leave and go to Hermantown. He feels the more development there is, the less they need to drive to other areas. He is in support of the rezoning of area D.

**Commissioners:** Zwiebel asks about the consideration of buffers. Kelley states when a development is proposed, buffers are required. The strongest buffering would be fencing. Rezoning doesn't require buffering. Gary Eckenberg asks about item D. Is expansion to the west feasible? Kelley states this area was considered but not included. Per Kelley, a strip type development could potentially fit. Future rezoning could go further west.

**MOTION/Second:** Zwiebel/Wisdorf recommend approval as per staff's recommendations.

**VOTE: (8-0)**

5. PL 18-068B UDC Map Amendment to **Rezone Area A and Area B, North of Arrowhead Road** Near Kenwood Avenue from Residential-Traditional (R-1) and Residential-Urban (R-2) to Residential-Urban (R-2) Mixed Use-Neighborhood (MU-N) by the City of Duluth

**Staff:** John Kelley introduces the proposal. Area A has increased. Manager Adam Fulton adds there is additional flexibility allowed in an R-2 district. Buffers could be expanded. There is not a proposal for a planned development, but it would be an option in R-2. Margie Nelson asks for clarification on permitted use in R-1 versus R-2. Kelley states R-1 is more residential. R-2 allows for multiple-dwelling units as well as office use. R-2 permits higher density. Zwiebel asks where the Carlson property is. Kelley refers to the map.

**Applicant:** N/A

**Public:** Tom Bowman addresses the commission. He is opposed to the rezoning. He notes the expansion of Area A. R-2 is a significant change. You can put in a retail space, a restaurant, a cemetery even. Currently R-1 housing and a functional neighborhood. He feels this rezoning is an overreach. Dave Thoreson addresses the commission. He lived in area A for 20 years. He bought in this area because it was residential. He struggles with supporting the rezoning. When is enough, enough? Traffic is a concern. He thinks the rezoning is either because someone is in the wings waiting, or it is an invitation to invite developers. He doesn't want to have to sell his single-family home. He is opposed. Dave Hollapa, 1303 W. Arrowhead Rd. (area B), wants to talk about future planning. He doesn't want to see anyone have to move. Area B is not large enough to accommodate developments and buffering. Eric Buche, Woodrich Circle, talks about return on investment. Along with financial, there is also emotional investment to consider. With added development, it no longer makes the area a residential neighborhood. There are unknowns, and the people who live in the area care about their neighbors. He urges the commissioners to vote no. Anne Thoreson, 1620 Warren Ave., addresses the commission. She notes there are 4-5 faces in each house. She is opposed the rezoning. Cathy Croke, 1012 Woodrich Circle,

addresses the commission. She has lived there since 1979. It is a close neighborhood. She feels rezoning would not consider the family aspect of the neighborhood and is against the rezoning. Jim Ganye, 1235 W. Arrowhead Rd., addresses the commission. He has lived in the area since 1990. He can't reverse out of his driveway as it is now. He is opposed to the rezoning.

**Commissioners:** Chair Kennedy notes they have heard the public's comments.

**MOTION/Second:** Zwiebel/Wisdorf motion on division of the question

**MOTION/Second:** Zwiebel/Wisdorf move to approve

**MOTION/Second:** Wisdorf/Zwiebel motion to divide the question into Area B and Area A.

**VOTE: (8-0)**

**MOTION/Second:** Zwiebel/Wisdorf recommend approval of the rezoning of Area B as per staff's recommendation.

**VOTE: (8-0)**

**Commissioners:** (Discussion on Area A) Eckenberg asks how much more does Kenwood need to be expanded? Nelson lived in the neighborhood for five years. She is not in support of changing this to R-2. Zwiebel understands the concerns of the community. The city wants to be pro-active to development of the area. Nobody is pushing the rezoning at this time. She feels the community is getting very involved. If the city had a residential plan in place it might be different. She is opposed to the rezoning. Meyer notes the difficulty in establishing neighborhoods. He doesn't want to disrupt a functioning neighborhood. He feels the pressure to increase commercial zones and the need to increase density, but doesn't know if this is the right place. He can't support the rezoning

**MOTION/Second:** Zwiebel/Wisdorf recommend approval of the rezoning of Area A as per staff's recommendation.

**VOTE: (1 -7) - MOTION FAILS (Crawford Yea)**

(Five Minute Recess taken at 6:20)

6. PL 18-125 Variance from Shoreland Setback at 3429 Minnesota Avenue by Duluth Rowing Club

**Staff:** John Kelley introduces the applicant's proposal for a variance to place an 8' x 20' storage container on an engineered concrete slab approximately four feet from the Ordinary High Water level (OHWL) instead of the required 50 feet. Based on the review of the site, staff finds that the standard for a variance has not been met, and recommends the planning commission deny the variance because there are no practical difficulties resulting from adherence to the required setbacks for the property. There are locations on the site outside of the 50' setback that could accommodate the container as a trailer with the wheels and hitch or as a storage container/shed on a foundation. The need for the variance is caused by the Applicant's desired location for the storage container and is not caused by the shape of the lot, its topography, or other features unique to the site.

**Applicant:** Tom Raushenfels of Duluth Rowing Club addresses the commission. He notes the correct address is 3911 Minnesota Ave. By placing the storage container where they are proposing would keep it hidden from view. It would be in same place as the torn down shed. Anywhere else would hinder movement and change the flow of traffic during regattas.

It would be the less intrusive place to put it. Luke Sydow asks why it can't be located in the building. Raushenfels states it is due to insurance rules. Manager Fulton states railroad shipping containers are a concern. This would be a permanent structure by putting in on a permanent foundation. Sydow asks about the definition of how it is attached. Manager Fulton states if it is attached to a footing of some sort, it is not temporary. Sarah Wisdorf asks if they can place it behind the building on dirt. Raushenfels states if it is under 180 days. Wisdorf asks why not construct a regular building versus the shipping container. Raushenfels notes the security of the shipping container. Meyer asks the applicant what their practical difficulty is. Raushenfels states it is more handy. Meyer again asks what the difficulty is. Raushenfels replies the difficulty is the movement of their eight shells (boats). To maneuver around a shed would be a hardship. Zwiebel asks what size building they need for the storage of fuel. Raushenfels states an 8 x 15' building is needed. Meyer asks if they explored options for fuel storage only. Raushenfels states this was the safest and most secure option. Kennedy asked about the old shed. Greg Peterson (board for Rowing Club) states initially the shed was still there. The new container matches, and is more secure. They decided to take the old shed down. They want to be good neighbors. Zwiebel asks about their mitigation plan. Peterson states they will use wrip wrap to prevent erosion.

**Public:** No speakers.

**Commissioners:** Chair Kennedy asks about the old shed. Before it was removed, was it already in the setback? Manager Fulton states the old shed was likely an illegal use, or approved under a different zoning framework. Meyer sees the practical difficulty being the gas cannot be stored in the building. He suggests tabling to allow for fuel storage only. Nelson is in favor of tabling for a better plan. She would be in support of a smaller structure. Sydow is concerned about the next request to store gas in a shipping container. He is concerned about setting a precedent.

**MOTION/Second:** Zwiebel/Wisdorf denied as per staff's recommendations. (No Vote)

**MOTION/Second:** Eckenberg/Meyer Tabled

**VOTE: (8-0, tabled)**

7. PL 18-136 Preliminary Plat of "Hawthorne Division" to Form Three Lots from a Combination of Previously Platted and Unplatted Land at the Northwest Corner of Hawthorne Road and East Fourth Street by Julie Ann Kubat

**Staff:** Kyle Deming introduces the applicant's proposal to create three conforming lots in the R-1 district ranging in size from .61 acres to 1.97 acres from a combination of currently platted and unplatted land. The proposal will create two new building sites, which will be developed in the future. Staff recommends approval. Nelson asks if all of the lots will be conforming. Deming affirms.

**Applicant:** Julie Ann Kubat addresses the commission. They purchased the property with hopes to subdivide the land for family. Initially they were hoping to do boundary line adjustment, but had to do a full plat because some of the property has never been platted. They have no plans to build at this time, but want to move forward with estate planning.

**Public:** Xiu Lin, who lives on Lakeview Avenue, addresses the commission. He is concerned with safety. With two additional driveways on Hawthorne Rd. he is worried about the traffic and the close proximity to Ordean School. He is also concerned about loss of green space.

Amanda Sutton, 434 Lakeview Ave., addresses the commission. They have been in their home for less than six months. She is asks if they would be notified if new buildings go up.

Per Manager Fulton, no notice would likely be provided since a single family house is a permitted use. Andy Hayden, 402 Lakeview Ave., addresses the commission. He asked if the

slopes and fill easement along the alley could be extended to the area behind his house to keep as a natural buffer. The natural environment on the site has value as there is a wildlife corridor through this area.

**Commissioners:** Sydow asks staff about setback requirements. Deming explains.

**MOTION/Second:** Nelson/Wisdorf approve as per staff's recommendations.

**VOTE: (8-0)**

Communications

- A. Manager's Report – Adam Fulton gives an overview. He notes the neighborhood meeting for the medical district plan. An EAW is anticipated to be brought to the planning commission in January. Imagine Canal Park report will be shared to the Canal Park Business Group next month. Twin Ports Interchange is under way. Planning staff has moved in city hall, and is now located in room 110. The new CAO will be starting next Monday.
- B. Reports of Officers and Committees
  - Heritage Preservation Commission – Zwiebel gives an update. They approved the building permit for a back-up generator at city hall, which is a local designated landmark. Also new consideration for Lincoln Park pavilion.
- C. Meeting adjourned at 7:24 p.m.

Respectfully,

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Adam Fulton - Manager  
Community Planning



# CITY OF DULUTH

PLANNING & CONSTRUCTION SERVICES DEPARTMENT  
Community Planning Division  
411 West First Street – Room 208 - Duluth, Minnesota 55802-1197  
218-730-5580 – An Equal Opportunity Employer

**DATE:** December 3, 2018  
**TO:** President Schraepfer and Planning Commissioners  
**FROM:** Adam Fulton, Community Planning Manager  
**RE:** Monthly Status Update

## Projects

### Medical District Planning

The City's team working on the medical district plans, made of representatives from Community Planning, Business Development, Construction Services, and City Engineering, continues to finalize the parameters for the Environmental Assessment Worksheet with the project consultant, Barr Engineering.

Community Planning staff is preparing a maximum development analysis for the medical district area, based on existing zoning and adopted plans. The analysis will be used to help City Engineering understand the nature of potential redevelopment surrounding the two hospitals (Essentia and St. Luke's) in order that utilities are designed in a nature appropriate to accommodate redevelopment.

### Twin Ports Interchange

The updated Twin Ports Interchange draft is attached for review. Comments will be accepted through December 7<sup>th</sup>. The document will then be finalized and is anticipated to be brought before the City Council as a refinement to a level of detail for the project recommended under the comp plan, likely to be considered at the December 17<sup>th</sup> meeting.

### 2020 Census

Community Planning staff is working with others in City Hall and at the US Census office to begin preparation for the 2020 Census, which will take place beginning April 1, 2020. Kathy Wilson is the staff lead for Community Planning in this effort. A local complete count committee is expected to be established to assist in publicity of the 2020 Census. The work of the committee will include ensuring a complete count, particularly in hard-to-reach areas of the city, and assisting with notifications regarding census hiring opportunities.

### Superior Street Reconstruction

The latest information on the reconstruction of Superior Street is available at <http://www.superiorstreet.org/>. Phase one of the project is mostly complete, and is now open for public access. Phase two will begin in the spring of 2019 with construction between Lake Avenue and 4<sup>th</sup> Avenue East.

### Project 333

Planning Commission is reviewing Project 333 for conformity with the Comprehensive Plan at the December meeting. The project is also undergoing review by the Duluth Economic Development Authority for financial assistance. Located in the F-8 district, the project is a permitted use under the provisions of the UDC.

### Imagine Canal Park

The final report for the Imagine Canal Park pop-up events will be posted on Thursday, December 6, 2018 at <http://www.imagineduluth.com/canalpark2/>, which is after the time of Planning Commission packet distribution. The final report outlines the responses provided by the community to the pop-up events, and includes recommendations by the project consultant, 8-80 Cities.

### Comprehensive Plan Reports

The Imagine Duluth 2035 comprehensive plan is intended to be reviewed annually in March. Staff is preparing for the March 2019 update, which will include an evaluation of the benchmarks set forth in the plan, as well as a summary of current implementation actions underway. In the coming months, Staff will bring the draft report format before the Planning Commission.

Implementation actions are also being prioritized. Implementation actions are underway by many city departments; for purposes of Community Planning, this includes work on ordinance amendments, planning for Core Investment Areas, and establishing a timeline for rezoning under the UDC, which will bring the Official Zoning Map into compliance with the adopted land use updates.



## DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES

PC Packet 12-11-18

Community Planning Division  
411 West First Street – Room 110 - Duluth, Minnesota 55802-1197  
218-730-5580 – An Equal Opportunity Employer

**November 5, 2018**

### **Twin Ports Interchange Community Connections Evaluation Process Summary**

#### **Background**

The Minnesota Department of Transportation (MnDOT) is proposing a project known as the “Twin Ports Interchange.” City of Duluth staff from the Community Planning and Engineering divisions have worked with MnDOT staff and community members to evaluate the Twin Ports Interchange project in the context of current community needs, adopted plans, and citywide priorities.

The City of Duluth adopted its comprehensive plan update, *Imagine Duluth 2035*, in June of 2018. The research phase of the comprehensive plan update affirmed MnDOT’s identified need for a new interchange at I-35, I-535, and US 53 – the Twin Ports Interchange. These roadways, owned and maintained by MnDOT, are important corridors for freight, inter-state travel, commuting, and access to businesses for residents of Superior and Duluth. The current interchange design presents safety issues, including blind merges and left-hand exits. The interchange is located in the Lincoln Park neighborhood; when originally constructed, the project resulted in removal of housing and many neighborhood buildings. It also isolated the business district from the remainder of the Lincoln Park neighborhood to the west. In preparation for the future interchange replacement, the City’s adopted Comprehensive Plan included Transportation Policy P6, Strategy S3: “Seek to ensure that reconstruction of the Twin Ports Interchange at US Hwy 53 and Interstate 35 meets the competing needs of freight transportation, safety, and neighborhood connectivity and improvements, particularly in Lincoln Park.”

One of the four MnDOT project goals for the Twin Ports Interchange (hereafter, “TPI”) is focused on *Community Connections*. This memo summarizes the basis and rationale for the connections that are most important to the community, and highlights potential opportunities available as part of the TPI reconstruction.

#### **Process**

MnDOT and the City of Duluth initially convened two public meetings on Monday, September 24, 2018, for purposes of discussing *Community Connections*. The purpose of these meetings was to 1: Identify what issues were most important to the neighborhood related to the Twin Ports Interchange (TPI) project; and 2: Identify why those issues were important for the neighborhood and how potential solutions could result in positive neighborhood change. Complete meeting notes are attached.

Primary responses at the meetings included:

- Connections between Lincoln Park and the freeway, downtown, and Canal Park should be “more intuitive,” with better signage and identification. Connections should look more attractive and draw visitors to the neighborhood. The downtown connections should include safer pedestrian and bicyclist crossings of Mesaba Avenue.
- Improvements to the Cross City Trail as it passes through the TPI and Lincoln Park area should include signage and wayfinding, easier curve radii getting on and off the pedestrian bridge (currently 90 degree turns), additional curb cuts and access points into Lincoln Park, and fewer intersections and curb cuts where conflicts with vehicles present safety hazards.

- Off-street and on-street parking locations in Lincoln Park should be easy to find, safe and attractive, and allow vehicle parking for appropriate lengths of time.
- Transit improvements should include attention to safety, comfort, and convenience, with ideas such as extending the Port Town trolley, improving lighting, and adding shelters.
- There is support for increased placemaking and public art to create a vibrant business district.
- Continued attention should be placed on separating industrial traffic from other traffic to the extent possible for safety reasons.

While not all of these goals can be addressed as part of the Twin Ports Interchange project, it was noted that the interchange and related roadways directly impact connections to and between these neighborhoods, and that the construction period will exacerbate these challenges. A visual interpretation of identified needs can be reviewed in the two attached maps.

Following the two public meetings, MnDOT held a Stakeholder Advisory Committee Meeting on October 4, where Community Planning staff helped facilitate further discussion about *Community Connections*. At that meeting, MnDOT presented preliminary sketches connections options, including:

- A roundabout at Superior Street/Michigan Street/Garfield Avenue
- A bridge over the freeway from the roundabout to Railroad Street
- A new pedestrian bridge over the freeway that would be more functional for cyclists
- A wider sidewalk/trail along Mesaba Avenue to the existing crossing at 1<sup>st</sup> Street.

These preliminary sketches are attached. At the October 4<sup>th</sup> meeting, the Stakeholder Advisory Committee affirmed the need for evaluating multiple options, including the preliminary options presented at the meeting, to accomplish the following priorities:

- Provide options for users of all modes of transportation
- Promote further economic development in Lincoln Park, Bayfront, and Canal Park
- Reduce vehicle traffic congestion during peak events, both summer and winter
- Contribute to the travel experience within and to these neighborhoods for visitors and residents alike

On October 9, City staff discussed the community connections goal with Planning Commission, sharing the input received from the public meetings and answering general questions about the project. This Community Connections Evaluation Process Summary, if adopted by City Council, serve as an amendment to the Imagine Duluth 2035 Comprehensive Plan update, because of its intent in providing a higher level of detail to the planning policies and strategies outlined in the original plan.

## **Issue Identification**

### **Challenge: Vehicular traffic from I-35 cannot find its way to the Lincoln Park Business District.**

**Why:** 1. Routes. Historically, auto routes for regional through-traffic were routed through the main thoroughfare in Lincoln Park. When the freeway was constructed, it bypassed the neighborhood. The majority of vehicle traffic now travels on the freeway without direct sightlines to the stores, restaurants, and other local businesses. Lack of a direct freeway exit hampers continued economic development in the neighborhood. 2. Wayfinding. Visitors who know of potential destinations are often unable to navigate to the location because the road design and signage do not provide navigational cues.

**Challenge: People cannot travel between Lincoln Park and Bayfront/Canal Park.**

**Why:** The freeway severs connections between these two neighborhoods, leaving only two circuitous options: a winding route using Garfield Avenue and Railroad Street, which is an industrialized area with associated heavy industrial traffic; or a lengthy, confusing, route through downtown that involves many turns and stoplights. These two options are not optimal, and result in two areas that are geographically adjacent but are separated by the transportation barrier created by I-35.

**Challenge: Lincoln Park lacks a gateway or “front entrance.”**

**Why:** The primary freeway exit to the neighborhood directs traffic onto a side avenue, 20<sup>th</sup> Ave W, although all signage labels it as 21<sup>st</sup> Ave W. The exit funnels traffic onto a roadway in poor condition and without further wayfinding. The view from this exit shows back entrances of adjacent buildings and provides no information to identify the business district or directions to destinations.

From downtown on the east, travelers intermingle with traffic entering the freeway, resulting in a chaotic, fast, and unsafe dynamic as people approach the unlabeled turn towards the business district on Superior Street. If travelers travel straight along Michigan Street, it looks and functions as a freeway frontage road, not a way to access local businesses.

The bike route is not supported by quality bike infrastructure. On existing bike infrastructure, connections through and to Lincoln Park are not recognizable and subject to many at-grade crossings, which can be dangerous to cyclists.

**Challenge: Visitors to Lincoln Park do not know where to park or whether it is safe. Parking time limits are restrictive.**

**Why:** Existing freeway bridges allow parking underneath, which is needed for the neighborhood; however, being under a bridge with little light and few nearby buildings results in a perceived safety hazard, especially for people walking to cars at night. Remaining on-street parking, with time limits, is in demand and doesn't encourage visitors to linger.

**Challenge: Pedestrians and bicyclists cannot access downtown from Lincoln Park.**

**Why:** The I-35/Mesaba Ave intersection separates Lincoln Park from downtown. The existing Cross City Trail weaves around and under the freeway using an indirect and inconvenient route. Existing sidewalks have no boulevard, meaning pedestrians along Superior Street are located immediately adjacent to merging freeway traffic that weaves and travels at high speeds. No safe crossing of Mesaba Avenue is located along the main thoroughfare of Superior Street. The route and trail is not viable for recreational users with children, an important metric for trail viability.

**Challenge: Existing infrastructure is focused on freight and automobiles and ignores alternative modes of transportation**

**Why:** Conventional transportation planning focuses on vehicle travel, with models of design and funding that assume and accommodate increasing automobile travel. On the other hand, the City’s comprehensive plan identifies a need to reduce vehicle trips while increasing transit, pedestrian, and bicycle opportunities. In designing a comprehensive transportation network, all modes should be designed for at the outset.

**Challenge: People do not understand where the Cross City Trail goes and what amenities exist along the route.**

**Why:** The freeway and its downtown intersections cause the Cross City Trail to follow a circuitous route from Lincoln Park to its connections with downtown (near the Depot) and Bayfront (Railroad Street). In Lincoln Park’s business district, the trail travels between the freeway and Lower Michigan Street, but has no ramps to access the district. The Twin Ports Interchange project is anticipated to change the route of the Trail, both temporary (during construction) and permanent (after construction), potentially in ways that fragment this regional travel route. The project should maintain and enhance the Cross City Trail both during and after construction.

**Challenge: The Lincoln Park neighborhood is close to the waterfront and Miller Creek, but lacks public access to either amenity.**

**Why:** Historically, this area developed with industry and railyards along the waterfront. This development pattern remains, with industrial and port land separated from the remainder of the neighborhoods by rail lines and the freeway. Much of this land located near the waterfront is contaminated because of historic uses. Miller and Coffee Creeks run underground through much of the area, and no solutions to address this negative externality have yet been identified.

## **Goals**

Transportation investments need to accommodate regional and local traffic, using all modes, traveling within and through Duluth neighborhoods in order to support economic development by meeting visitor, resident, and business needs.

The four *Community Connections* identified during this process are:

1. Connect Lincoln Park and Canal Park
2. Connect Lincoln Park and Downtown
3. Connect I-35 and Lincoln Park (both northbound and southbound)
4. Improve Cross City Trail connections to the neighborhood and across the project area

Investments in these connections should be evaluated using the following questions:

- How does this make the connection easy, direct, and more intuitive for travelers?
- Does this improve safety for pedestrians and bicyclists?
- Will this improve local traffic flow and congestion related to events and popular destinations?
- Does it support a “front door” or gateway to Lincoln Park?

**Identified Opportunities**

<b>Opportunity</b>	<b>Intuitive Connection</b>	<b>Ped/Bike Safety</b>	<b>Traffic Flow and Connection</b>	<b>Gateway</b>
<b>Connect Lincoln Park &amp; Canal Park</b>				
Bridge from Superior St/Michigan St to Railroad St	Yes	If designed as a complete street	Yes, provides additional capacity when combined with existing Garfield bridge	Yes
New or improved pedestrian and bike bridge, with updated materials, great signage and lighting, and easier bridge approaches	Yes with signage and an attractive bridge people want to use.	Yes	If more people will walk or bike to Bayfront/Canal Park. Perhaps parking lots in Lincoln Park with bike share to bike to Canal Park?	Signature bridge could provide opportunity for placemaking and identify connections between districts
Enhanced connection using Garfield Ave and Railroad St	Only with significant signage, lighting, and road design to provide visual wayfinding cues	Adequate ROW for multi-use trail but contaminated soils are problematic; not safe on road due to industrial traffic	Does not provide additional capacity	Opportunity for gateway at Superior Street and Garfield
Enhanced redevelopment of sites along route between Lincoln Park and Canal Park	Yes, would improve visual cues for road users	Possibly	Additional development may result in increased trips, impacting traffic flow	Yes
<b>Connect Lincoln Park &amp; Downtown</b>				
New or improved pedestrian and bike bridge, with updated materials, great signage and lighting, and easier bridge approaches	Crossing the freeway (twice) makes it less intuitive. Would need significant wayfinding. Vertical grades make this a challenging connection to downtown.	Safer for those who are ok using a circuitous route.	No additional capacity	Signature bridge could provide opportunity for placemaking and identify connections between districts
Wider, more comfortable pedestrian sidewalk along north side of Mesaba/Superior Street	No	Slightly safer for pedestrians	No	No
Stoplight at pedestrian crossing on Mesaba Ave at Superior Street, designed to meet MnDOT requirements and reduce traffic speeds, pedestrian safety.	Improves the connection	Yes	No	No

Roundabout at Michigan, Superior, and Garfield	No	Roundabouts provide safer interchange design than current design	Uncertain whether traffic study would show additional capacity at intersection	Yes
Reconstruct Mesaba/Superior St/freeway interchange to maintain Superior Street as a consistent at-grade complete street	Yes	Yes	Traffic flow between downtown and Lincoln Park improved; some impacts to through traffic would occur.	Yes
Relocate the DTA bus layover facility at M&H gas station to allow for potential development or trail opportunities and eliminate large curb cuts along the Cross City Trail	Yes, can create a less chaotic driving experience on this stretch	Yes	Fewer conflicts but additional development may result in increased trips, impacting traffic flow	Future use of this site could contribute to placemaking at this boundary of the neighborhood
<b>Connect I-35 &amp; Lincoln Park</b>				
Freeway signage clearly identifying Lincoln Park exits from both north and south	Yes	No	No	No
20 <sup>th</sup> Ave W/21 <sup>st</sup> Ave W exit: improve signage at exits (identifying Lincoln Park), include gateway elements, and promote traffic calming at adjacent freeway supported infrastructure. Improve 20 <sup>th</sup> Ave W to include better road surface, improved sidewalks and lighting, and “gateway” elements. Eliminate one-way systems in vicinity of project to reduce driver confusion.	Yes	No	Yes, if combined with shuttles and bike share so that people can park near this exit and have alternate means to reach DECC/Bayfront	Yes
27 <sup>th</sup> Ave W exit: Signage to indicate this is an exit to Lincoln Park, combined with local wayfinding on 27 <sup>th</sup> Ave W and Superior St directing traffic to destinations. Include visual gateway elements to Lincoln Park neighborhood especially on Hwy 53 bridges over Superior St and Michigan St. Include redevelopment of sites along route to support the “feel” of the Lincoln Park neighborhood.	Yes	Could be if 27 <sup>th</sup> Ave W/Superior St designed as complete streets	Yes, if combined with shuttles and bike share so that people can park near this exit and have alternate means to reach DECC/Bayfront	Yes
Identify MnDOT property in the project area that could be turned back for development sites	Possibly, depending on location of sites	No	Additional development may result in increased trips, impacting traffic flow	Yes, can contribute to urban form

Incorporate public art and high quality aesthetic components into the TPI project	Yes	Yes, could help to slow traffic	No	Yes
<b>Improve Cross City Trail Connections</b>				
Add curb cuts from CCT to business district, with directional signage.	Yes	No	No	No
Add identification and wayfinding signage along CCT from downtown through Lincoln Park	Yes	No	If it encourages more people to bike to destinations rather than drive	Yes
Add new ped/bike bridge over freeway as mentioned above	Newer bridge could make it clear that CCT crosses in that location	Wider bridge could allow more passing room. Improved curve radii at access would be safer.	If it encourages more people to bike to destinations rather than drive	Yes
Reroute trail behind M&H gas station to reduce conflicts with vehicles entering and exiting station	Yes	Yes	No	No

## **Conclusion**

Transportation can support community revitalization, particularly multimodal transportation systems that can connect neighborhoods to jobs, services, and other key destinations. Identifying Community Connections is an important component of comparing alternatives during the transportation planning process. The TPI and its associated infrastructure, now that it has exceeded its lifespan, offers an opportunity to consider retrofits and new design options that can increase connectivity and enhance health and safety for the people of Duluth.

## **Twin Ports Interchange – Community Connections Meetings – Summary Notes**

### **Monday, September 24, 2018 – Clyde Iron Ballroom Location**

What do we hope to accomplish?

Why are proposed solutions important for the neighborhood?

Noon Meeting

Cars – What to accomplish?

- Access from freeway to Lincoln Park – make it look better. Wayfinding. Make it feel like “front door”.
- Economic development – visibility (example – signage)
- Make Lincoln Park access intuitive – design less confusing, easier to describe
- Urban aesthetics – revitalization within craft district
  - Grand entrance to craft district – 20<sup>th</sup> Ave
- Mesaba 2-way – but not intuitive/easy connection to Canal Park
- Easy access to parking (previous study: leave parking under bridges)
- 2 hour maximum for meters

Bicycles – What to accomplish?

- Bike share Lincoln Park ↔ Canal Park
  - \*make this intuitive
- M & H area unsafe for bikes
- Connect Cross City trail to Garfield – set up for future Blatnik reconstruction
- High end detours during construction
- Connections to Superior St from neighborhood
- Existing CCT → curb cuts/access
- Aesthetics
- Connect Lincoln Park ↔ Downtown (Superior St)

Pedestrians – What to accomplish?

- Neighborhood connections to district → safe crossings
- Roundabout challenging for peds.
- Sidewalk repair and maintenance
- Extending Port Town trolley
- Lighting for safety including transit stops
  - Maintenance of lighting
- ID 27<sup>th</sup> Ave West as Lincoln Park exit

Other/Environmental

- Tree installation on Superior? (Shanna)

- Ash planting
- Visibility and spacing
- Make sure ongoing staff to maintain
- Placemaking and public art should be community-led not city-led

### Evening Meeting

#### Cars – What to accomplish?

- Access to waterfront on Rice’s Point
- Use/design of Garfield once heavy vehicles rerouted
- Stronger vehicular connections to Canal Park
- Stronger wayfinding to direct to Lincoln Park businesses – on freeway “Lincoln Park Craft District” – Now?
- Change signage to 20<sup>th</sup> Ave West

#### Bicycles – What to accomplish?

- Access to Lakewalk
- Safety when near industry
- Make CCT inviting – move behind bus barns and on old RR grade?
  - Bike paths separate from streets?
  - Fewer crossings

#### Pedestrians & other modes

- North sidewalk on Superior St.  
Lincoln Park ⇔ Downtown
- Ped walk signal? @ Mesaba, tunnel or bridge @ Mesaba
- Ped bridge – serviceable but not ideal
- Reconfigure Garfield bridge to be ped/bike friendly since less industrial traffic

#### Environmental

- Good Signage
- Promote water access @ Rice’s Point
- Better lighting @ overpasses, but careful design, warmer light!
- Public art & landscaping
- Maintenance of landscaping/mowing
- Stamping of concrete
- Safe overnight parking



Change Sign:  
20th Ave W instead  
of 21st Ave W

Under "Superior Street" Sign:  
Lincoln Park Craft District  
\*Remove 21st Ave W Sign\*

Are two lanes needed here?  
Possibly start with one lane  
and have a right turn lane  
closer to 1st Street

\*Remove 21st Ave W Sign\*

Sign:  
Lincoln Park Craft District  
Turn Right

Gateway Element

Sign:  
Lincoln Park Craft District  
Exit 255A

Reconstruct 20th Ave E  
with new pavement, friendly  
sidewalks, banners/poles,  
attractive lighting

Extend lighting and landscaping west of 53? Possibility of banners on poles?

Repair sidewalks, replant street trees, refresh lighting along Superior St



Sign:  
Lincoln Park Craft District  
Exits 254 and 255A

CCT Signage

Parking:  
- Evaluate 2-hour maximums  
- Identify public lots  
- Improve signage

CCT Signage

Gateway Element

Stoplight at new  
interchange - sign:  
Lincoln Park Craft District  
Turn Left

Curb cuts from  
CCT to business district

Sign:  
Lincoln Park Craft District  
Turn Left



Sign\*

h Ave E  
ment, friendly  
ers/poles,  
ng

ior St

CCT Signage

ct

Garfield bridge:  
- Restripe for bike lanes

Sign:  
Canal Park  
Turn Left

Sign:  
Lincoln Park Craft District  
Turn Right

Sign:  
Lincoln Park Craft District  
Turn Left

Sign:  
Canal Park  
Turn Right

Gateway Element

CCT Signage



Pedestrian Bridge:  
New railing materials,  
paint, signage, lighting

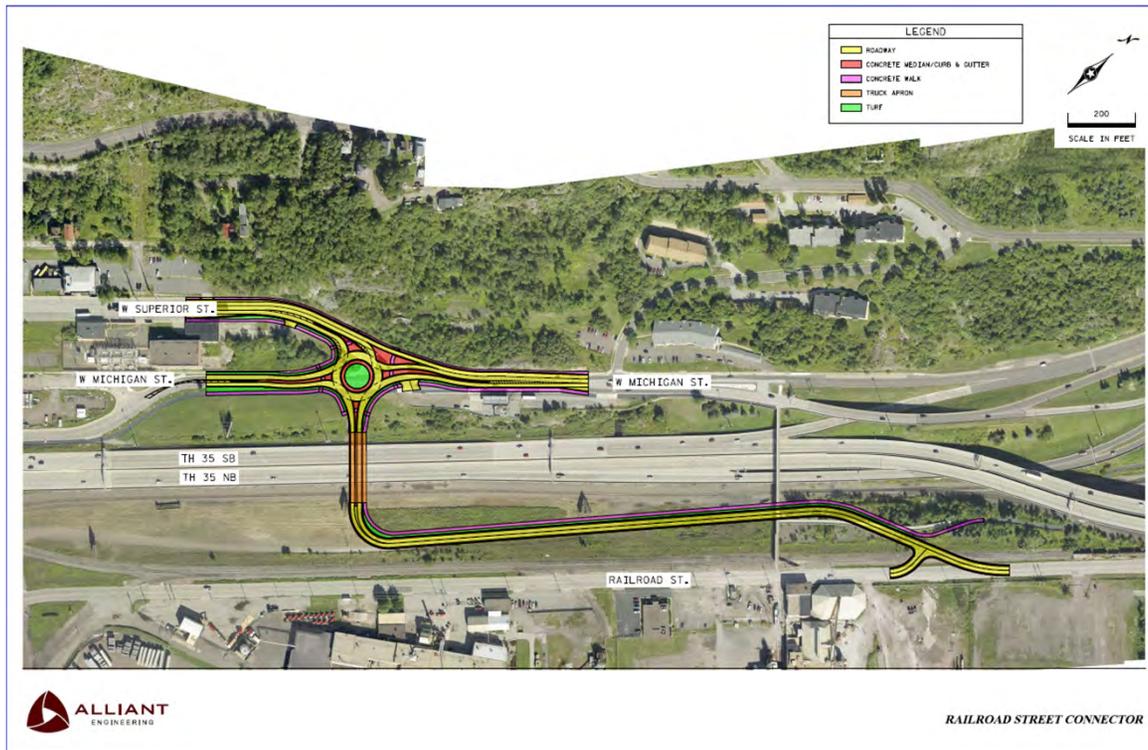
Mesaba Ave:  
Study pedestrian and bike  
crossings

Railroad Street:  
- improve road surface  
- multi-use trail on north side  
- Attractive lighting

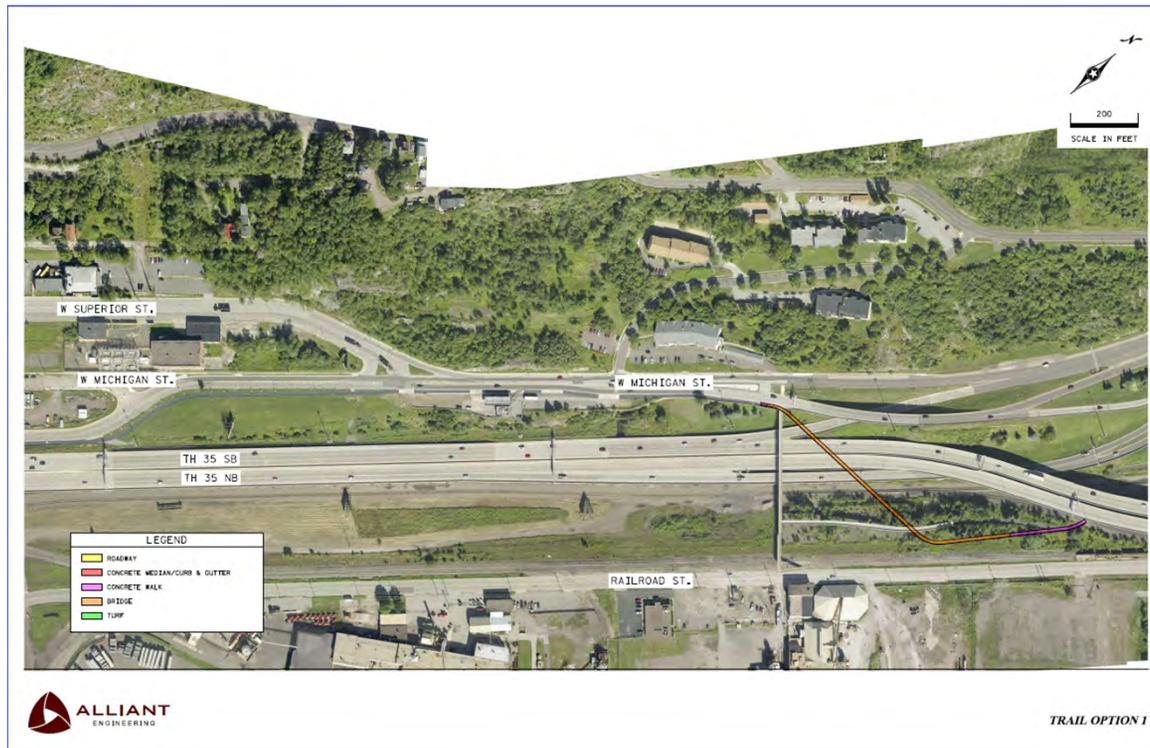


Sign:  
Lincoln Park Craft District  
Turn Left  
Canal Park  
Turn Right

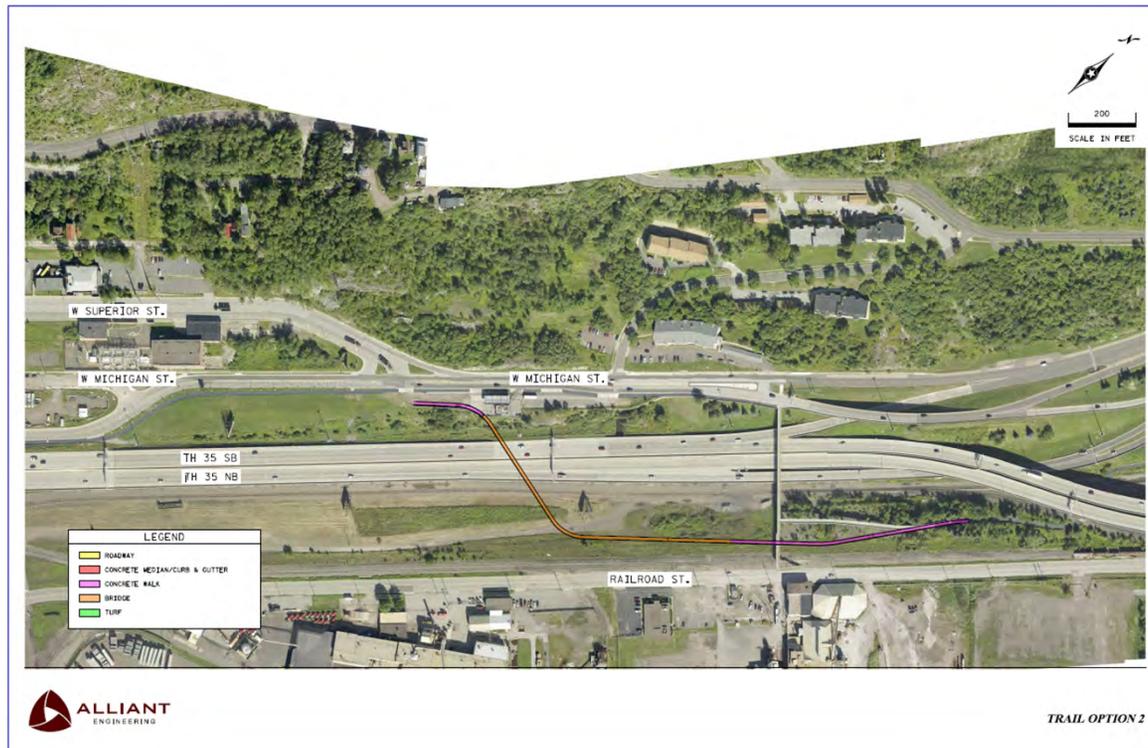
# Rail Road Street Connector



# Trail Option



# Trail Option 2



# RAB



# Shared Use Trail Exhibit







**CITY OF DULUTH**  
Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
Phone: 218/730.5580 Fax: 218/723-3559

<b>File Number</b>	PL 18-148	<b>Contact</b>	Kyle Deming, 218-730-5333	
<b>Type</b>	Minor Subdivision	<b>Planning Commission Date</b>	Dec. 11, 2018	
<b>Deadline for Action</b>	<b>Application Date</b>	Nov. 21, 2018	<b>60 Days</b>	Jan. 20, 2019
	<b>Date Extension Letter Mailed</b>	Nov. 26, 2018	<b>120 Days</b>	Mar. 21, 2019
<b>Location of Subject</b>	2821 Hagberg St. (Piedmont Heights)			
<b>Applicant</b>	Ruth Dahl	<b>Contact</b>	<a href="mailto:hksdahl@outlook.com">hksdahl@outlook.com</a>	
<b>Agent</b>	Holly Dahl (POA or Ruth Dahl)	<b>Contact</b>	<a href="mailto:hksdahl@outlook.com">hksdahl@outlook.com</a>	
<b>Legal Description</b>	Lots 62, 63, and 64, Seventh Ward Garden Division			
<b>Site Visit Date</b>		<b>Sign Notice Date</b>	N/A	
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>	N/A	

**Proposal**

Applicant is requesting a Minor Subdivision to reconfigure a parcel that contains three lots: Proposed Parcel A consists of Lot 62 contains the house and garage and proposed Parcel B consists of Lots 63 and 64 that are vacant.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Single-Family Residence	Traditional Neighborhood
<b>North</b>	R-1	Single-Family Residence	Traditional Neighborhood
<b>South</b>	R-1	Single-Family Residence	Traditional Neighborhood
<b>East</b>	R-1	Single Family Residential	Traditional Neighborhood
<b>West</b>	R-1	Wetland	Traditional 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 the application:

- (a) The lot or lots to be subdivided or combined have frontage on an improved public street;
- (b) Each proposed lot meets the minimum zoning requirements of the district that it is in.
- (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and
- (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

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

Governing Principle #1 - Reuse previously developed lands. Directs investment to sites which have the potential to perform at a higher level than their current state.

Governing Principle #8 – Encourage a mix of activities, uses, and densities.

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. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

**Review and Discussion Items**

1. Applicant is proposing a Minor Subdivision to split the three platted lots they own into Parcel A that contains the dwelling and detached garage (Lot 62) and Parcel B that is vacant land (Lots 63 and 64) so the parcels can be sold separately.
2. Parcel A will be 150 feet by 160 feet (0.55 acres) which meets the minimum lot area and frontage requirements.
3. Parcel B will be 300 feet by 160 feet (1.10 acres) which meets the minimum lot area and frontage requirements.
4. Both parcels have access to an improved street and sanitary sewer, water, and gas in Hagberg St.
5. The proposed Minor Subdivision does not increase any nonconformities that might exist related to the position of the existing dwelling and detached garage relative to front and side lot lines.
6. Parcel B contains a large area of wetland, the boundaries of which have not been officially delineated. In staff's judgement, there appears to be an area of upland on the easterly portion of Parcel B large enough for a dwelling. However, a wetland delineation will need to be prepared and approved by the City and any necessary wetland permits issued before a building permit can be granted for Parcel B.
7. No public, agency, or City comments were received concerning this proposal.
8. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
9. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements.
10. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. Applicant must provide the City with proof of recording.

**Staff Recommendation**

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

1. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this subdivision, the Community Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
2. Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL 18-148  
 Minor Subdivision  
 2821 Hagberg St.

PC Packet 12-11-18

### Legend

#### Floodplain (UDC)

- General Flood Plain
- Flood Way
- Flood Fringe

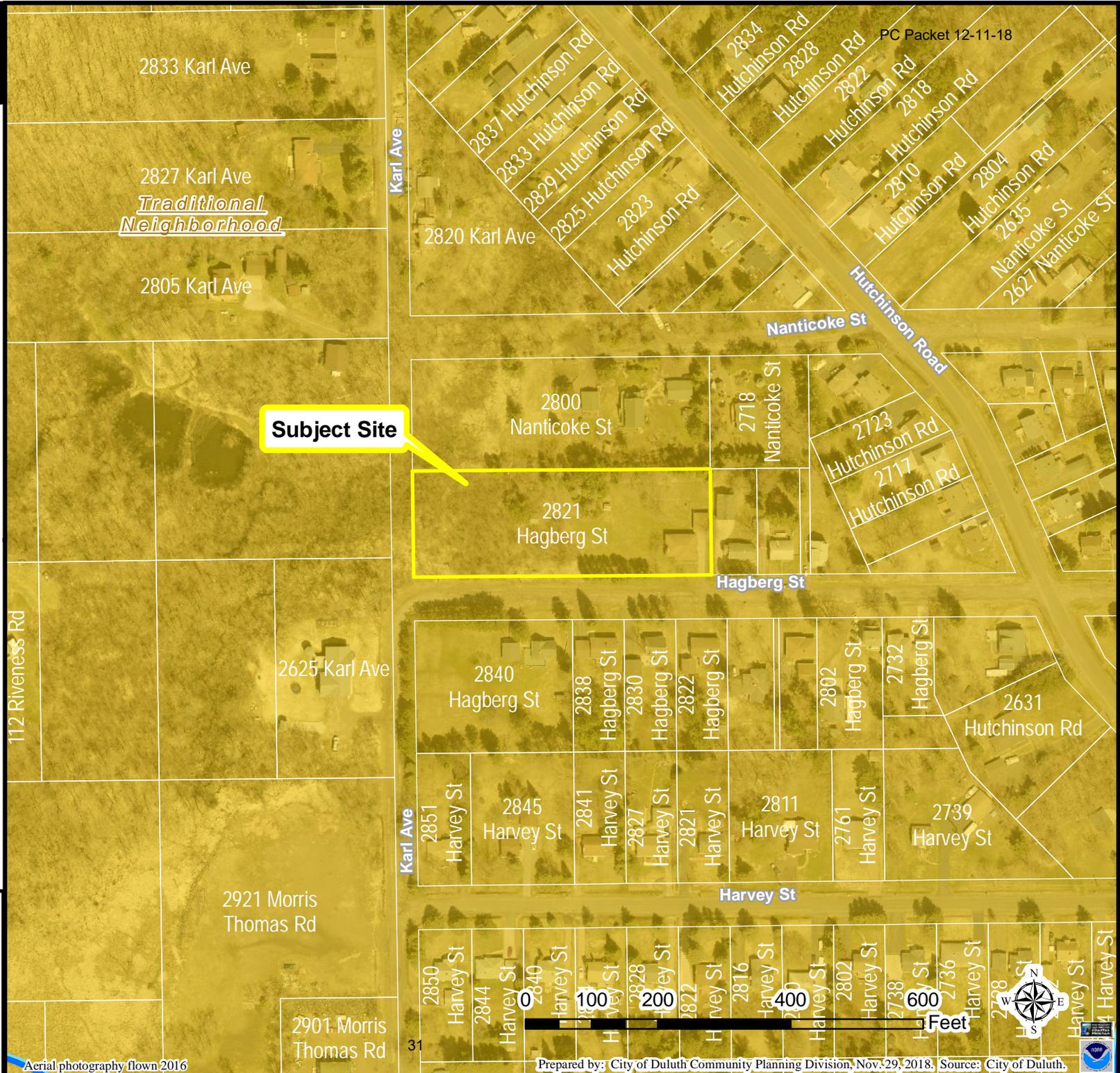
#### Shoreland (UDC)

- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)

#### Future Land Use

- Preservation
- Recreation
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
- Auto Oriented Commercial
- Large-scale Commercial
- Business Park
- Tourism/Entertainment District
- Medical District
- Institutional
- Commercial Waterfront
- Industrial Waterfront
- Light Industrial
- General Industrial
- Transportation and Utilities

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, Nov. 29, 2018. Source: City of Duluth.



0 100 200 400 600 Feet



PL 18-148  
 Minor Subdivision  
 2821 Hagberg St.

### Legend

- Gas Main
- 1 - Seasonally Flooded Basin or Flat
- 2 - Wet Meadow
- 3 - Shallow Marsh
- 4 - Deep Marsh
- 5 - Shallow Open Water
- 6 - Shrub Swamp
- 7 - Wooded Swamp
- 8 - Bogs
- Municipal and Industrial Activities
- Riverine Systems
- Water Main
- Hydrant

### Sanitary Sewer Mains

- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- PS Pump Station

### Storm Sewer Mains

- Storm Sewer Pipe
- Storm Sewer Catch Basin

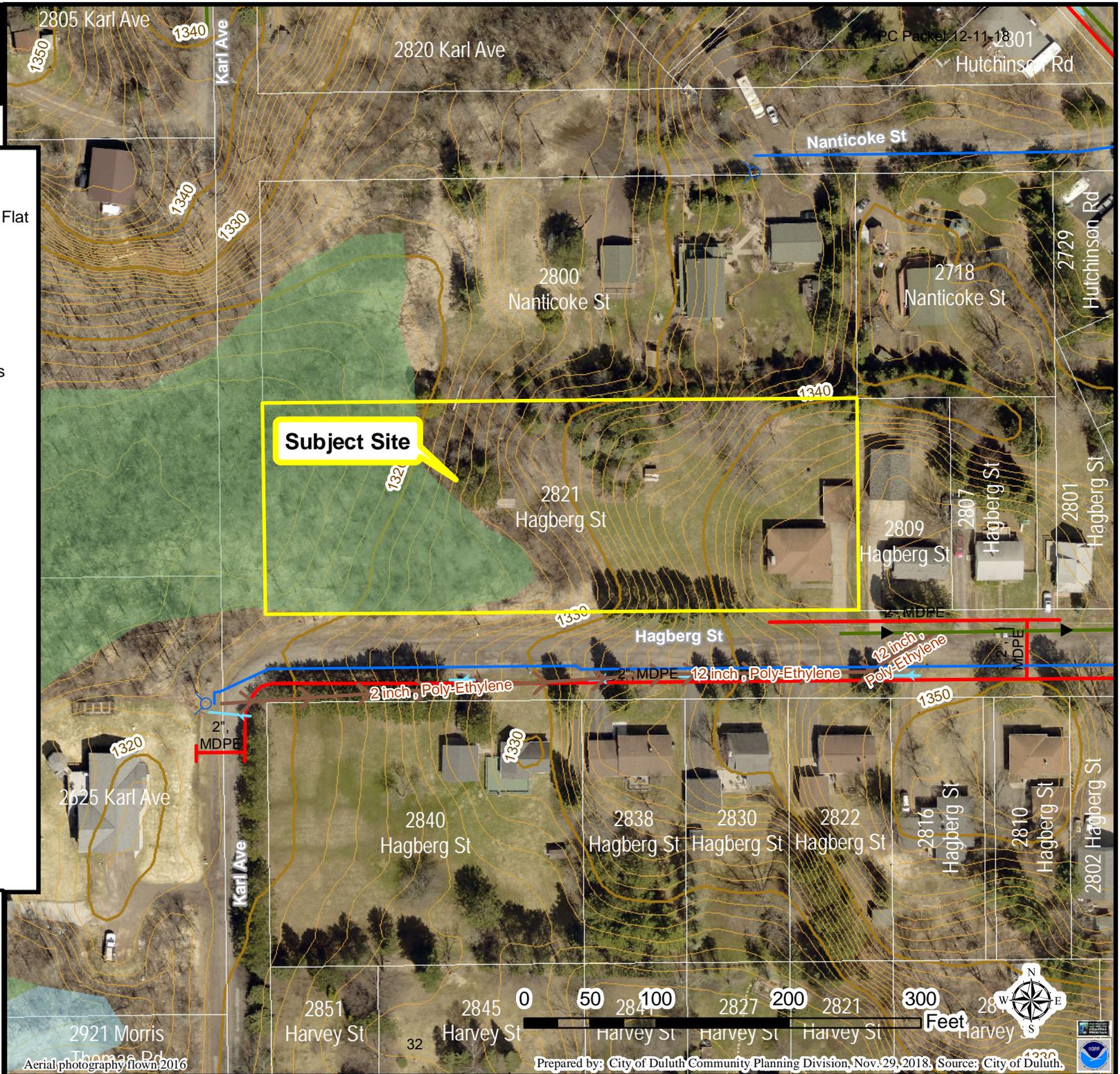
- 1 Ft contour
- 10 Ft contour

### Floodplain (UDC)

- General Flood Plain
- Flood Way
- Flood Fringe

### Shoreland (UDC)

- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)



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PL 18-148  
 Minor Subdivision  
 2821 Hagberg St.

Seventh  
 Ward Garden  
 Division

### Legend

- 1 - Seasonally Flooded Basin or Flat
- 2 - Wet Meadow
- 3 - Shallow Marsh
- 4 - Deep Marsh
- 5 - Shallow Open Water
- 6 - Shrub Swamp
- 7 - Wooded Swamp
- 8 - Bogs
- Municipal and Industrial Activities
- Riverine Systems

**Lots**

- Parcels
- 1 Ft contour
- 10 Ft contour

**Subdivision Boundaries**

**Boundary Lines**

- <all other values>

**Subtype, ROW\_TYPE**

- Lot Line
- Parcel Line
- ROW (Road)
- ROW (Not Road)
- Subdivision Line
- Water Line
- Survey Line
- Municipal Boundary

**Floodplain (UDC)**

- General Flood Plain
- Flood Way
- Flood Fringe

**Shoreland (UDC)**

- Cold Water
- Natural Environment
- General Development
- Trout Stream (GPS)
- Other Stream (GPS)



**Subject Site**



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Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, Nov. 29, 2018. Source: City of Duluth.



Instrument was filed in this office the day of ... 1910 at ... and was duly registered in Book ... of Registers of Titles, page ... By M. C. Adams, Registrar of Titles, Deputy.

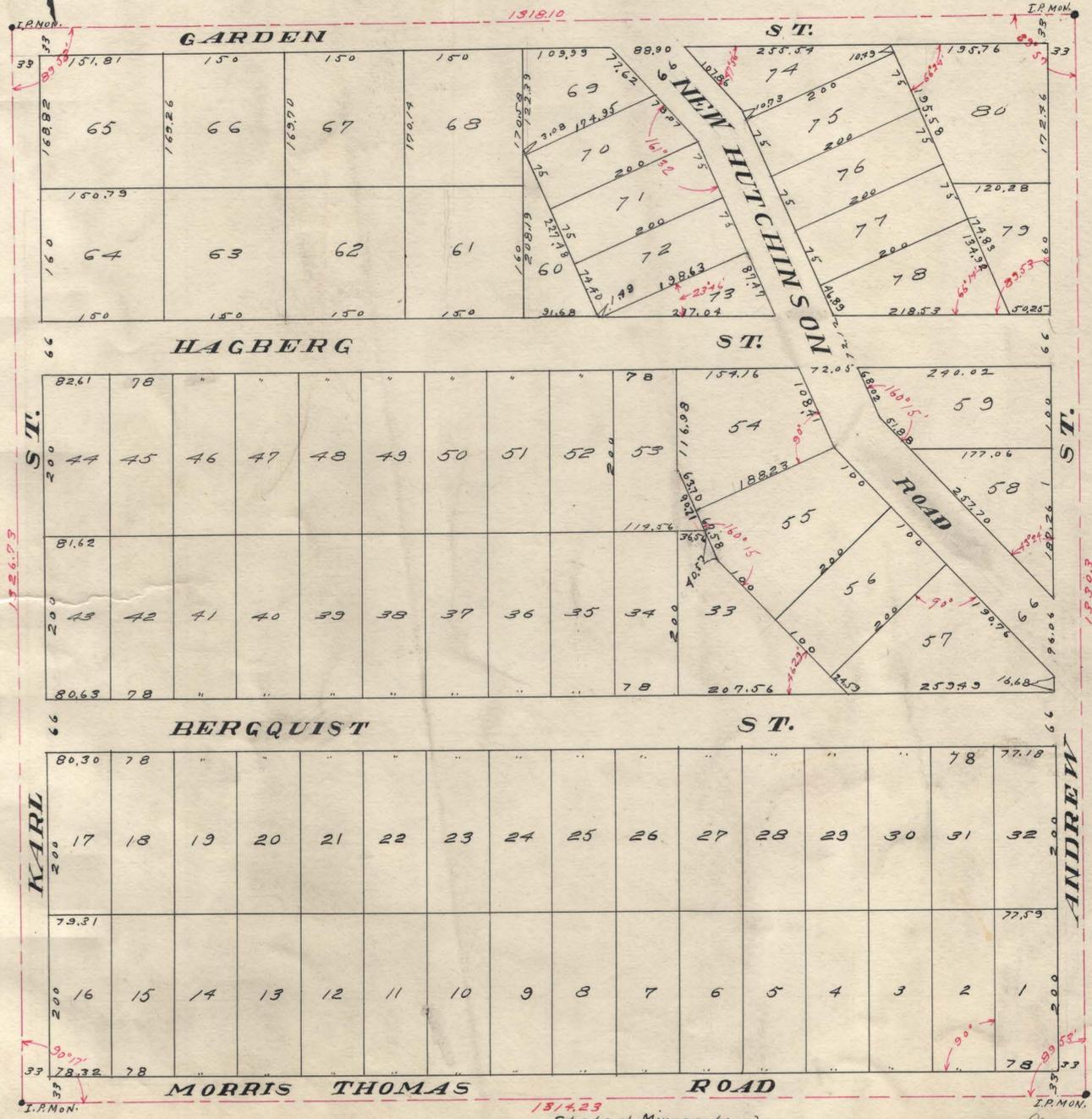
# SEVENTH WARD GARDEN DIVISION

SE 1/4 of SW 1/4 SEC. 30 T50N, R14W. DULUTH ST. LOUIS COUNTY MINNESOTA

Scale 1" = 100'

F. W. Nichols, Civil Eng'r

STATE OF MINNESOTA, ss. County of St. Louis. I hereby certify that the within instrument was filed in this office for record NOV 28 1910 at 4 ... M. C. Adams, Registrar of Deeds, Deputy.



Taxes for the year 1909 on the lands described within, PAID. W. A. HULGATE, County Treasurer, M. Nichols, Deputy. Taxes paid and transfer entered, 28th day of Nov. A.D. 1910. O'Halloran, County Auditor, A. Lipan, Deputy.

STATE OF MINNESOTA, ss. County of Blue Earth. On this 1st day of November A.D. 1910, before me, a Notary Public within and for said county, personally appeared Anna M. Willard, some well known to be the person who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. Mary C. Holzer, Notary Public Blue Earth County Minnesota, My Commission expires Oct 20-1914.

The undersigned mortgages of the SE 1/4 of the SW 1/4 of Section 30 Township 50 North Range 14 West County of St. Louis, Minnesota, hereby consents to the foregoing plat being filed and released to the public for highway purposes all streets, alleys and roadways from the lien of the certain mortgage covering said land recorded in the office of the Registrar of Deeds in and for the County of St. Louis, State of Minnesota, in Book 213 of mortgages on page 500. Signed, Sealed and Delivered in the presence of Michael A. Havel, Fred Nelson, J. J. Hanson, and George H. Stryker. Attest: J. J. Hanson, Secretary Atlas Investment Company, 225 S. 2nd St. Duluth, Minn. By John D. Stryker, President. Attest: K. S. Richardson, Secretary Atlas Investment Company, 225 S. 2nd St. Duluth, Minn.

STATE OF MINNESOTA, ss. County of Blue Earth. On this 1st day of November A.D. 1910 before me personally appeared George H. Clark and W. O. Willard some well known to me and being in the County of St. Louis, State of Minnesota, to wit: the South-east one Quarter (SE 1/4) of the South-west one Quarter (SW 1/4) of Section Thirty (Sec 30) in Township Fifty (T50) North of Range Fourteen (R14) West of the Fourth Principal Meridian, according to the U.S. Gov't survey thereof; and being desirous of platting the same into town lots have caused the same to be surveyed and the annexed plat thereof to be made, in accordance with the statutes in such cases made and provided. Now therefore do the said Karl J. Hagberg and Christina Hagberg his wife, and Andrew Bergquist, and Salma M. Bergquist, his wife ratify and confirm in all respects said survey and the plat thereof as SEVENTH WARD GARDEN DIVISION and here by dedicate to public use the streets therein delineated. In witness whereof we have hereunto affixed our hands and seals this 8th day of October A.D. 1910. In the presence of Anker Anderson, Harold Bergquist, Henry Traff. Notary Public Blue Earth County, Minn. My commission expires Sept. 20-1914.

KNOW ALL MEN BY THESE PRESENTS: That Karl J. Hagberg and Christina Hagberg, his wife, and Andrew Bergquist and Salma M. Bergquist, his wife, being the owners of the following described property lying and being in the City of Duluth, County of St. Louis, and State of Minnesota, to wit: the South-east one Quarter (SE 1/4) of the South-west one Quarter (SW 1/4) of Section Thirty (Sec 30) in Township Fifty (T50) North of Range Fourteen (R14) West of the Fourth Principal Meridian, according to the U.S. Gov't survey thereof; and being desirous of platting the same into town lots have caused the same to be surveyed and the annexed plat thereof to be made, in accordance with the statutes in such cases made and provided. Now therefore do the said Karl J. Hagberg and Christina Hagberg his wife, and Andrew Bergquist, and Salma M. Bergquist, his wife ratify and confirm in all respects said survey and the plat thereof as SEVENTH WARD GARDEN DIVISION and here by dedicate to public use the streets therein delineated. In witness whereof we have hereunto affixed our hands and seals this 8th day of October A.D. 1910.

In the presence of Anker Anderson, Harold Bergquist, Henry Traff. Notary Public Blue Earth County, Minn. My commission expires Sept. 20-1914.

State of Minnesota } ss. County of St. Louis } On this 11th day of October A.D. 1910 personally appeared before me Karl J. Hagberg and Christina Hagberg his wife, and Andrew Bergquist, and Salma M. Bergquist, his wife, to me well known to be the persons described in and who execute the foregoing certificate and who acknowledge the same to be their free act and deed. J. Hanson, Notary Public St. Louis County, My commission expires April 14, 1917.

I George Hanson do hereby certify that I am a surveyor and that I have at the request of the proprietors thereof made a careful survey of the property described in the foregoing certificate of the proprietors and have platting the same into town lots, blocks, and streets as more fully appears on the annexed plat known as SEVENTH WARD GARDEN DIVISION. The sizes of all lots and the widths of all streets are the same as shown on the plat. Monuments for the guidance of future surveys have been placed at the points designated thereon. In the presence of J. Hanson, Surveyor, R. W. Nichols.

State of Minnesota } ss. County of St. Louis } On this 11th day of November A.D. 1910 personally appeared before me George Hanson, to me well known to be the person described in and who executed the foregoing certificate, and who acknowledged that he executed the same as his free act and deed. J. Hanson, Notary Public St. Louis County, My commission expires August 17-1912.

We hereby certify that we have examined the annexed plat of SEVENTH WARD GARDEN DIVISION and find the same to be correct. The Fuller Plat Commissioners, J. A. Smith, City of Duluth.

I hereby certify that the plat of SEVENTH WARD GARDEN DIVISION was approved and accepted by the Common Council of the City of Duluth on this 2nd day of Nov., A.D. 1910. H. W. Cheadle, City Clerk.

STATE OF MINNESOTA } ss. County of St. Louis } On this 9th day of November A.D. 1910, before me personally appeared John D. Stryker, and K. S. Richardson to me personally known who being by me duly sworn did say that they are respectively the president and secretary of the Atlas Investment Company; that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was executed in behalf of said corporation by authority of its Board of Directors; that said John D. Stryker and K. S. Richardson each acknowledged said instrument to be the free act and deed of said corporation. J. Hanson, Notary Public St. Louis County, My Commission expires Oct 28-1915.

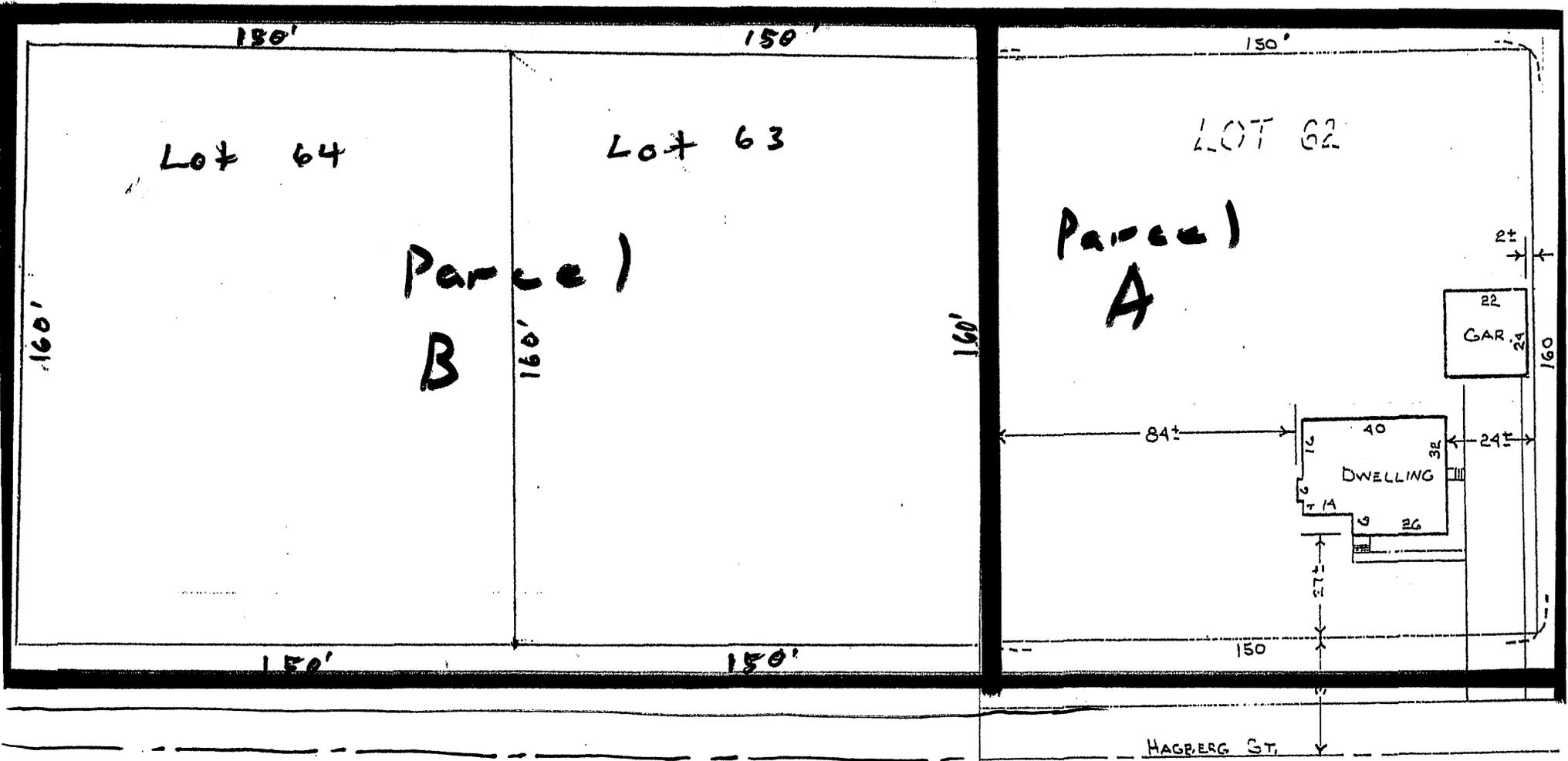


PLU

# Seventh Ward Garden Division Lots 62, 63 and 64

# Proposed Situation

PC Packet 12-11-1





# CITY OF DULUTH

PLANNING & CONSTRUCTION SERVICES DEPARTMENT  
 Community Planning Division  
 411 West First Street – Room 208 - Duluth, Minnesota 55802-1197  
 218-730-5580 – An Equal Opportunity Employer

## MEMORANDUM

**DATE:** December 4, 2018

**TO:** Planning Commission

**FROM:** John Kelley, Planner II

**SUBJECT:** PL 18-125 Shoreland setback variance

At the November 13, 2018 Planning Commission meeting the application for a shoreland variance to place an 8' x 20' storage container on a concrete pad at 3429 Minnesota Avenue was tabled. The Planning Commissioners requested that the applicant consider an alternative shed type, size and location for the proposed storage shed. The applicant has removed the storage container from the rear yard area of the clubhouse and is planning to sell it.

The applicant would like to amend their variance request to construct a 10 x 10 shed behind the clubhouse approximately 5' to 10' feet from the Ordinary High Water Level (OHWL). The metal siding proposed shed would be a wooden framed structure with metal siding and a metal pitched roof.

The attached drawings and email by the applicant were submitted for the Planning Commissions consideration. Staff finds that the shoreland setback for structures restricts the location for a storage shed to be constructed on the property that would adhere to the Unified Development Chapter requirements. Staff further finds that the applicant has reduced the size of the shed requested and that it will be constructed of wood and metal on a concrete pad with exterior treatments to match the existing buildings. The shed size and construction type will minimize impacts to the site and viewshed from the harbor Therefore, staff recommends the Planning Commission approve the requested variance because there is a practical difficulty adhering to the normal setbacks for the property.



**CITY OF DULUTH**

Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

<b>File Number</b>	PL 18-125	<b>Contact</b>	John Kelley, jkelley@duluthmn.gov	
<b>Type</b>	Variance from Shoreland Setbacks	<b>Planning Commission Date</b>	November 13, 2018	
<b>Deadline for Action</b>	<b>Application Date</b>	Sept 4, 2018	<b>60 Days</b>	November 3, 2018
	<b>Date Extension Letter Mailed</b>	Sept 18, 2018	<b>120 Days</b>	January 2, 2019
<b>Location of Subject</b>	3911 Minnesota Avenue			
<b>Applicant</b>	Duluth Rowing Company	<b>Contact</b>		
<b>Agent</b>	Tom Griggs	<b>Contact</b>	thomg0313@gmail.com	
<b>Legal Description</b>	PID 010-3580-00009			
<b>Site Visit Date</b>	November 2, 2018	<b>Sign Notice Date</b>	October 30, 2018	
<b>Neighbor Letter Date</b>	November 2, 2018	<b>Number of Letters Sent</b>	25	

**Proposal**

Applicant is requesting a variance to place an 8' x 20' storage container on an engineered concrete slab approximately 4 feet from the Ordinary High Water Level (OHWL) instead of the required 50 feet.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
Subject	P-1	Rowing club	Traditional Neighborhood/ Preservation
North	R-1	Undeveloped shoreland	Traditional Neighborhood
South	P-1	Undeveloped shoreland	Preservation
East	R-2, R-1	Assisted living, Residential	Traditional Neighborhood
West	N/A	N/A	N/A

**Summary of Code Requirements**

Sec. 50-18.1.D-1 – Minimum Shoreland Area Standards: for General Development Waters, maintain a minimum structure setback of 50 feet.

Sec. 50-37-9.B – Variance Procedures: “The Planning Commission shall... make a decision on the application based on the criteria in subsections 50-37.9.C – 50.37.9.M...”

Sec. 50-37.9.C – General Variance Criteria (paraphrased): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant’s property, enforcement of the ordinance would cause the landowner exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) that the landowner is proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Sec. 50-37.9.L – Standards for Variances in Shorelands: “No variance shall be granted that compromises the general purposes or intent of Section 50-18.1.D or results in adverse consequences to the environment. Variances shall include a requirement for the applicant to mitigate the impacts of the variance on shoreland areas.”

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

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. Parks and open space areas are scattered through or adjacent to the neighborhood.

Future Land Use – Preservation: Lands with substantial restrictions. High natural resource or scenic value, or severe development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: most city parklands and primary viewsheds; shorelands of lake, rivers, streams; wetlands and floodplains; high-value habitat; low-intensity private or public uses.

Site History – In 2015, the Planning Commission approved a shoreland variance for the Duluth Rowing Club to construct a clubhouse approximately 3 feet from the Ordinary High Water Level (OHWL) instead of the required 50 feet.

**Review and Discussion Items**

Staff finds that:

- 1) Applicant is seeking a shoreland setback variance for an existing 8' x 20' storage container on wheels with a hitch located behind the new clubhouse. The applicant proposes to remove the wheels and place the container on an engineered concrete slab. The container would be set back approximately 4 feet from the OHWL of the Superior Bay/Harbor.
- 2) The Applicant stated that the container is required for insurance purposes to store fuel that cannot otherwise be stored within the clubhouse. The container will also store life jackets and other equipment for the rowing club daily use. The desired location for the container is due to its proximity to the coach boats that use the stored fuel and that the container would be blocked from view of neighboring properties.
- 3) Review of the site indicates that there are locations on the property outside of the 50' setback that could accommodate storage structures, and that the storage could be incorporated into the building if appropriate building code requirements were addressed for storage of fuels or other necessary storage matters.
- 4) The site has been utilized as a boathouse and similar functions with outdoor storage of materials has existed on the property for many years. The proposed project will not alter the essential character of the area.
- 5) The need for the variance will not result in practical difficulties for the Applicant, as there are other available locations suitable for storage structures.
- 6) No public, agency, or City comments have been received.

**Staff Recommendation**

Based on the above findings, Staff finds that the standard for variance has not been met and, recommends the Planning Commission deny the requested variance because there are not practical difficulties resulting from adherence to the required setbacks for the property. There are locations on the site outside of the 50' setback that could accommodate the container as a trailer with the wheels and hitch or as a storage container/shed on a foundation. The need for the variance is caused by the Applicant's desired location for the storage container and is not caused by the shape of the lot, its topography, or other features unique to the site.

Duluth Rowing Club  
Attn Tom Griggs  
3429 Minnesota Ave  
Duluth Minnesota 55802

October 9, 2018

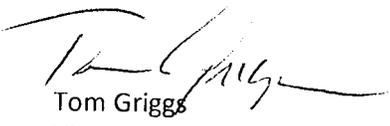
City of Duluth  
Department of Planning and Construction Services  
Attn: John Kelly  
422 W First St Rm 208  
Duluth MN 55802

This is in response to your letter dated September 18, 2018 concerning the Duluth Rowing Club request for variance for placement of a storage container within the 50 foot setback from the water.

Attached is a site plan showing the placement of the storage container west of the clubhouse and the southwest corner of the container being 4 feet from the water. The advantage of this location is the container is hidden from view of the neighbors and vehicles or people walking past the Rowing Center; and is located close to the coach boats which must have fuel containers, life jackets and other equipment carried to and from the boats every rowing day.

The second site is located on the east side of the clubhouse, and is *the only space outside the setback* other than the property used for required parking or the driveway. This location would cover the shutters the Planning Commission required when approving the Clubhouse variance and would be visible to neighbors and traffic, both vehicular and foot. Logistically it would be a longer haul to get the boats on and off the water.

Thank you for your consideration.



Tom Griggs  
Vice President  
Duluth Rowing Club  
218 260-6056

Duluth Rowing Club  
3429 Minnesota Ave  
Duluth Minnesota 55802

October 15, 2018

City of Duluth  
Planning Commission  
422 W First St Rm 208  
Duluth MN 55802

Subject: Mitigation Plan

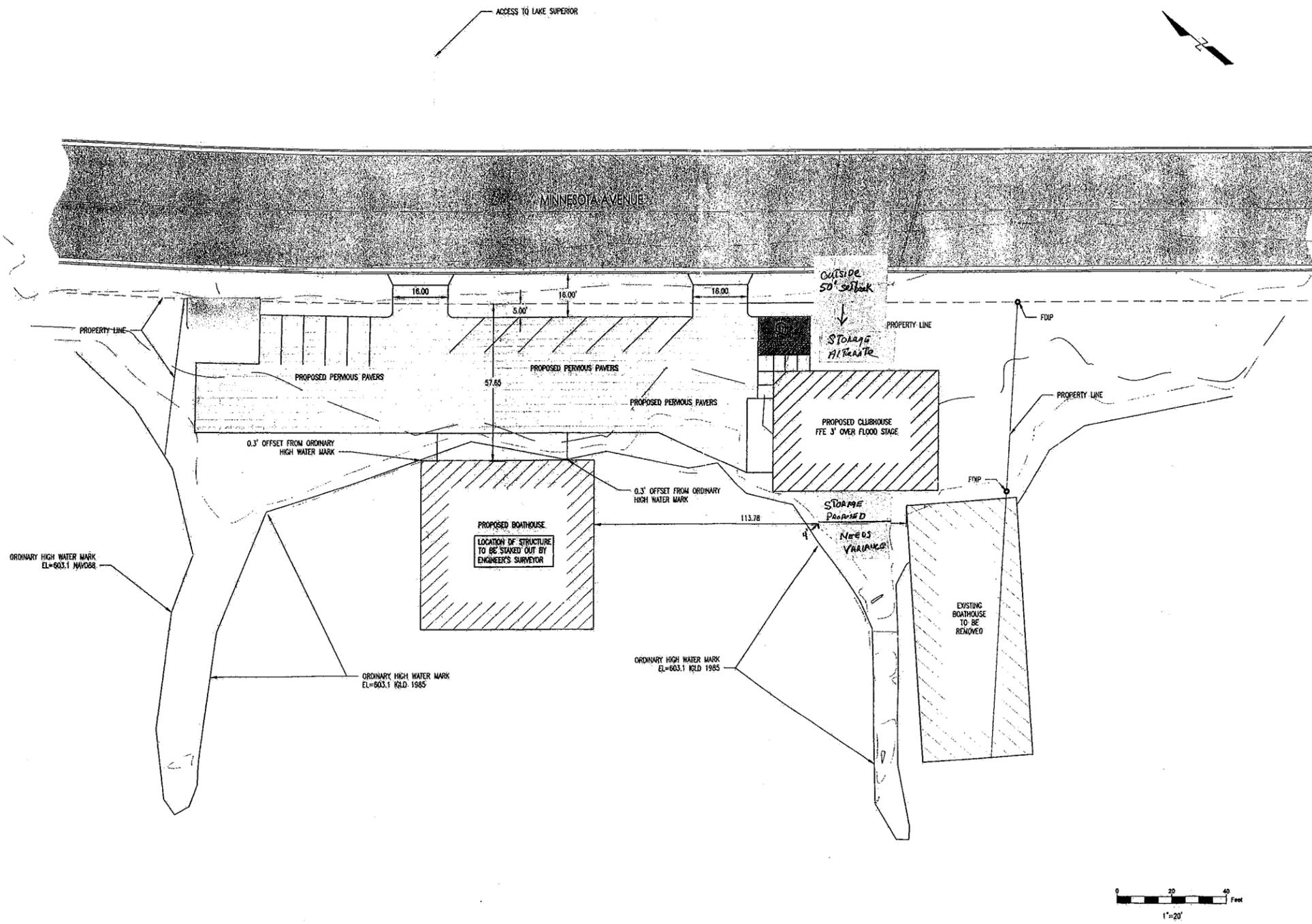
The Duluth Rowing Club proposes that in consideration for approval of the request for variance to place a storage container within the 50-foot setback as shown on the site plan, we will place heavy stone for rip rap along the entire north shore of the north peninsula to mitigate erosion. See attached site plan.

Landscape cloth will be placed all along the shoreline before placing the stone. This shore does get the brunt of the west and northwest winds across the bay causing erosion. We believe this action on our part will stop or severely curtail any future erosion.



Thomas Griggs  
Vice President  
Duluth Rowing Club  
218 260-6056

© CORPUS - LANDSCAPE ARCHITECTURE P.A.



**AMI**  
 Consulting Engineers P.A.  
 91 Main Street  
 Superior, WI 54880  
 PH 715.718.2193 Fax 877.761.7058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, AND REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULUTH LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF WISCONSIN.

NAME: CHAD W. SCOTT  
 SIGNATURE: [Signature]  
 DATE: 9-22-15  
 LIC. NO.: 42431

DATE	REV.	DESCRIPTION	REV. BY
9-22-15	0	ISSUED FOR CONSTRUCTION	CWS

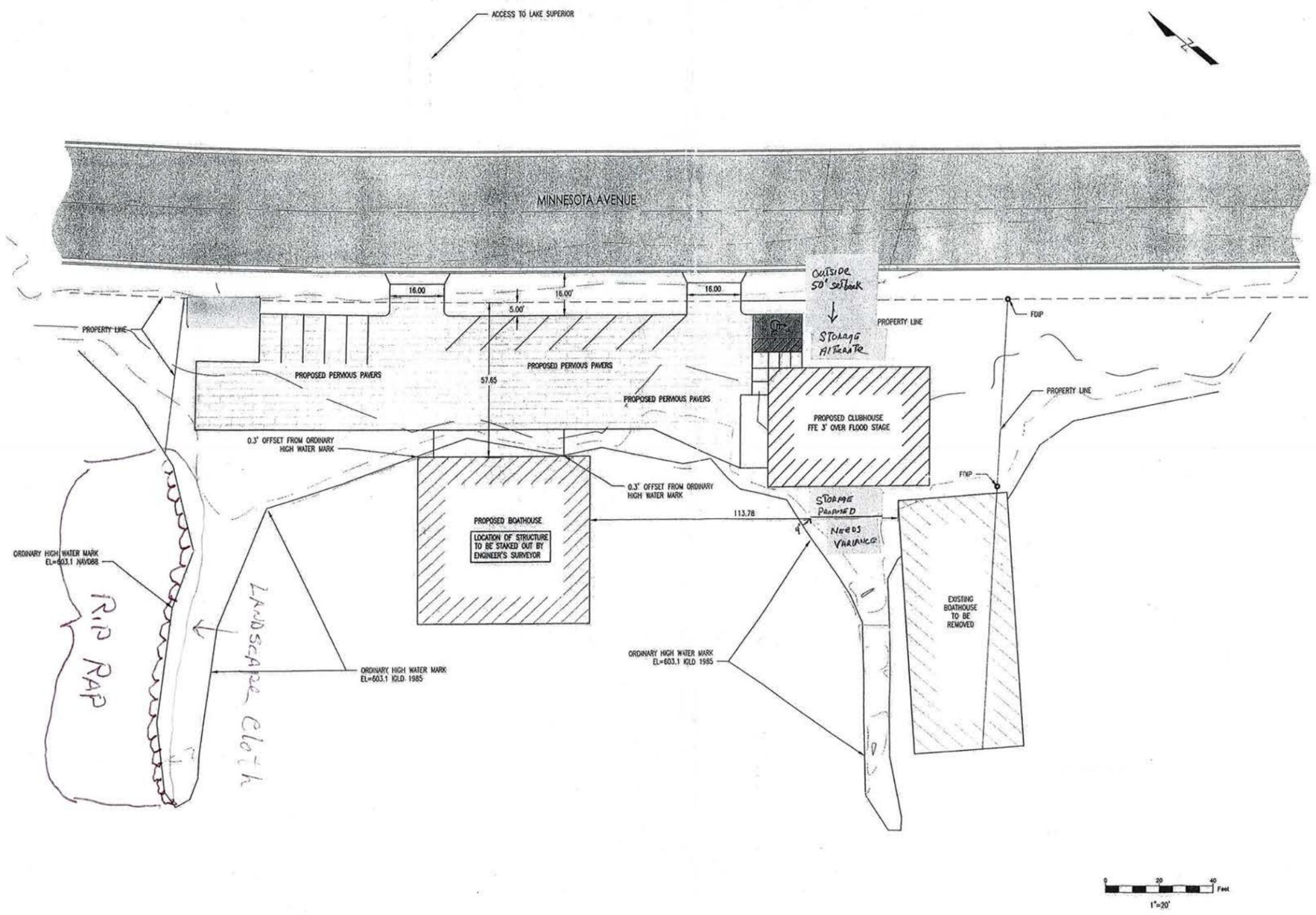
**NEW BOATHOUSE FOR  
 DULUTH ROWING CLUB  
 SOUTH LAKE AVE  
 DULUTH, MINNESOTA**

PROPOSED SITE PLAN

JOB No: 131037  
 DATE: 9-22-15  
 DRAWN BY: STF/SAJ  
 DESIGNED BY: IMS

SHEET:  
**S1.0**

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 Superior, WI 54880  
 PH 715.718.2193 Fax 877.761.7058

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 NAME: CHAD W. SCOTTY  
 SIGNATURE: [Signature]  
 DATE: 9-22-15  
 LIC. NO.: 42431

REV.	DATE	DESCRIPTION
0	9-22-15	ISSUED FOR CONSTRUCTION

**NEW BOATHOUSE FOR DULUTH ROWING CLUB**  
 SOUTH LAKE AVE  
 DULUTH, MINNESOTA  
 PROPOSED SITE PLAN

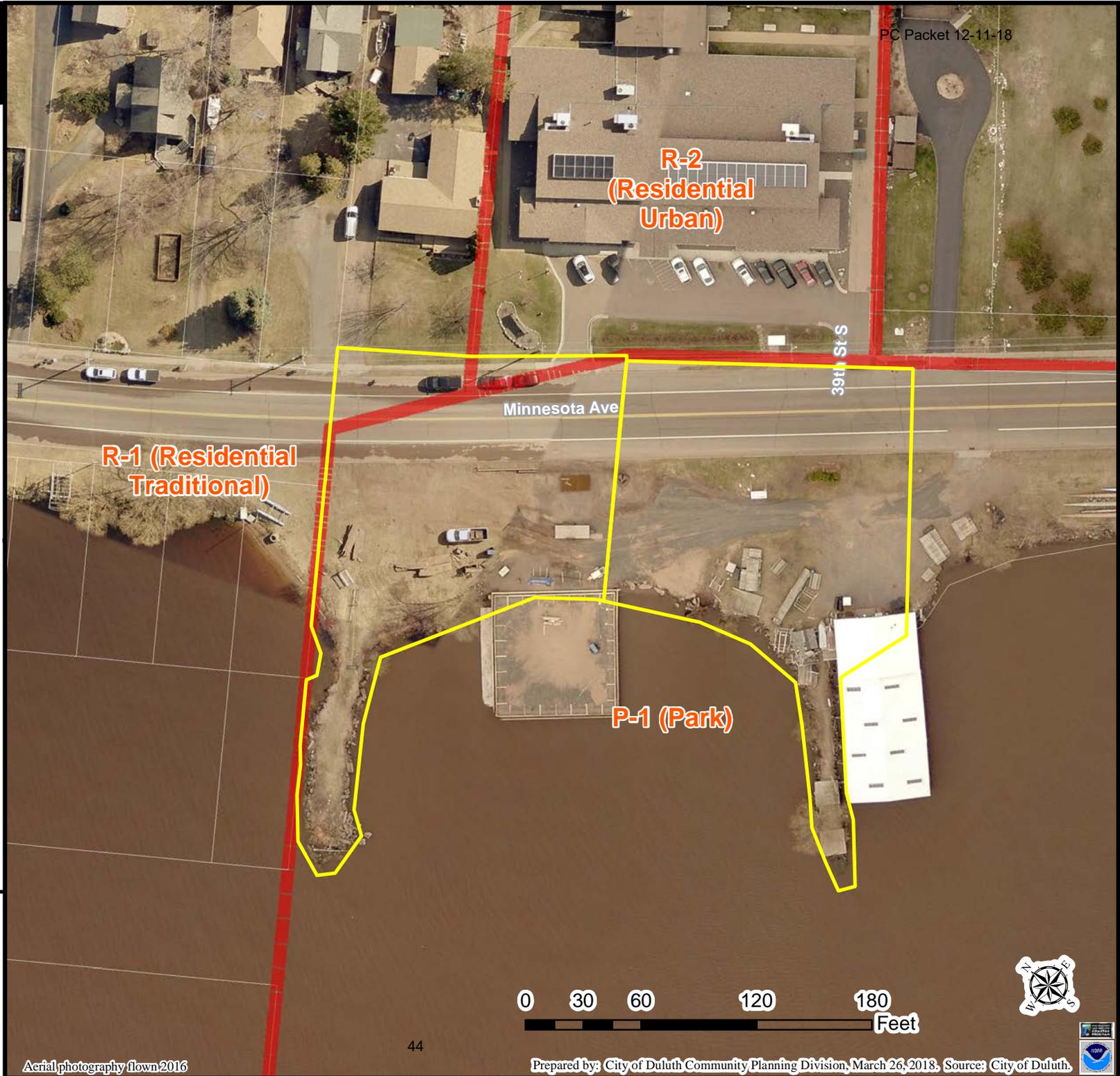
JOB No: 131037  
 DATE: 9-22-15  
 DRAWN BY: STF/SAJ  
 DESIGNED BY: IMS

SHEET:  
**S1.0**

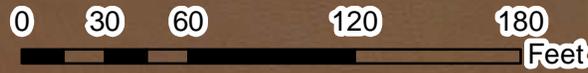


**Legend**

 Zoning Boundaries



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



**John Kelley**

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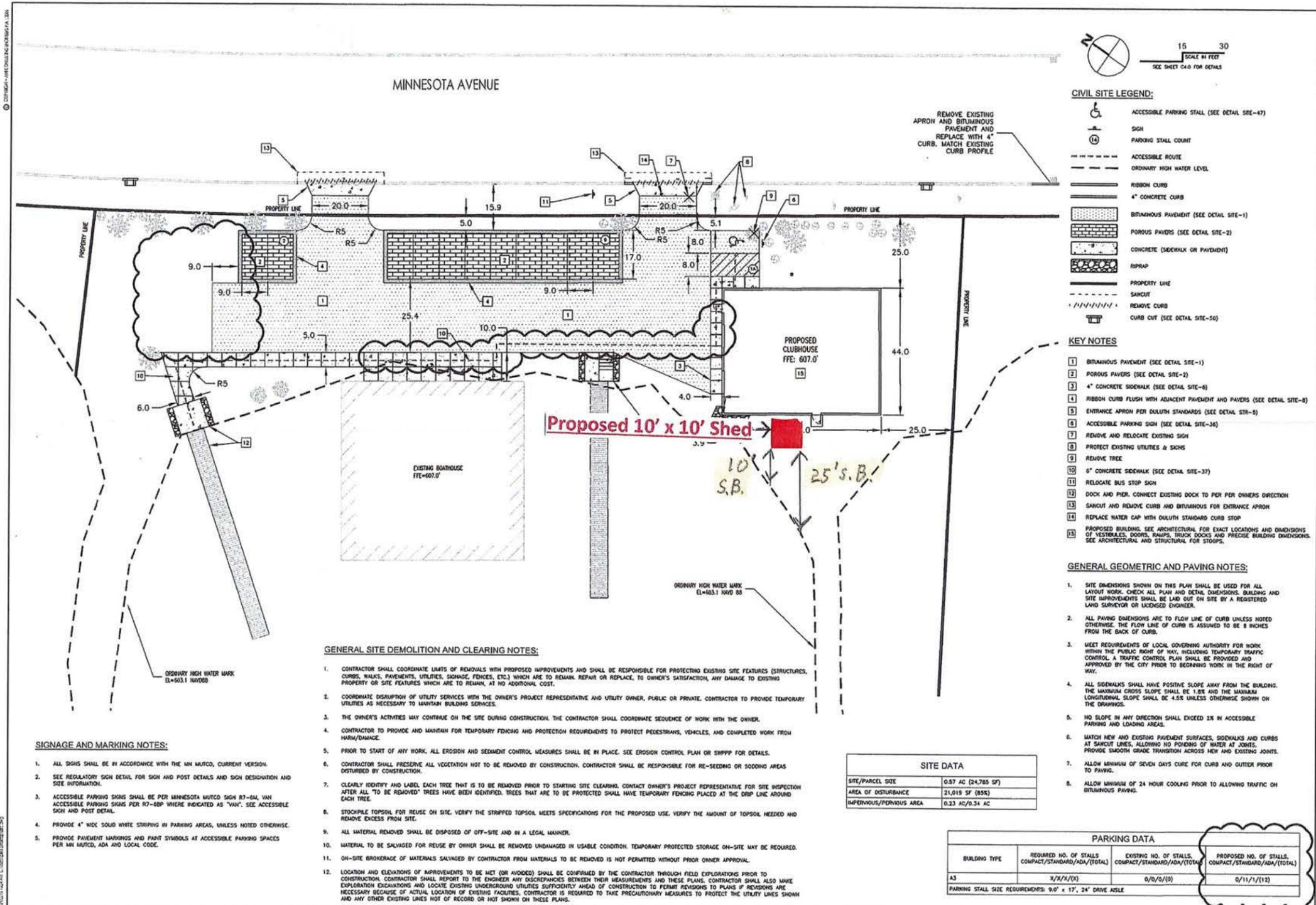
**From:** Greg Peterson <gregapeterson@charter.net>  
**Sent:** Wednesday, November 28, 2018 9:59 AM  
**To:** John Kelley  
**Cc:** Tom & Kris Rauschenfels; Thomas Griggs  
**Subject:** Shed Variance DRC  
**Attachments:** Shed Moved.jpg; Shed Moved to Front.jpg; Shed RENDERINGS.pdf; Shed Site Plan.pdf; Shed.pdf

Hi John,

We moved the trailer from the back today. We have it out front until we sell it. We would like to apply for a variance of a 10' x 10' shed in the back of the club house instead of the trailer. I have attached a site plan, renderings and drawing for the new shed. Is there anything else you need from us to proceed with the variance? I know we were tabled at the last planning commission's meeting so does that mean we will be on Decembers agenda? Will you please let us know by email or call 218-722-0668.

Sincerely,

Greg Peterson





**AMI**  
Consulting Engineers P.A.  
91 Main Street Superior, WI  
715.718.2193 - amienr.com  
TWIN CITIES - IRON RANGE

---

DESIGNED BY: ELLIOTT  
DRAWN BY: ECR  
DATE: 10/10/2016  
SHEET: C1.0

---

NO.	DATE	DESCRIPTION
1	10/10/2016	ISSUED FOR PERMIT
2	10/10/2016	REVISED PER CITY COMMENTS

---

**DULUTH ROWING CLUB CLUBHOUSE & SITE IMPROVEMENTS**  
3911 MINNESOTA AVENUE  
DULUTH, MINNESOTA

**SITE PLAN & DEMOLITION PLAN**

---

JOB NO: 161174  
DATE: 10/10/2016  
DRAWN BY: AJP  
DESIGNED BY: ECR

C1.0

**CIVIL SITE LEGEND:**

-  ACCESSIBLE PARKING STALL (SEE DETAIL SITE-47)
-  SIGN
-  PARKING STALL COUNT
-  ACCESSIBLE ROUTE
-  ORDINARY HIGH WATER LEVEL
-  RIBBON CURB
- 4" CONCRETE CURB
-  BITUMINOUS PAVEMENT (SEE DETAIL SITE-1)
-  POROUS PAVERS (SEE DETAIL SITE-2)
-  CONCRETE (SIDEWALK OR PAVEMENT)
-  RSPRAP
-  PROPERTY LINE
-  SAWCUT
-  REMOVE CURB
-  CURB OUT (SEE DETAIL SITE-50)

**KEY NOTES**

- 1 BITUMINOUS PAVEMENT (SEE DETAIL SITE-1)
- 2 POROUS PAVERS (SEE DETAIL SITE-2)
- 3 4" CONCRETE SIDEWALK (SEE DETAIL SITE-6)
- 4 RIBBON CURB FLUSH WITH ADJACENT PAVEMENT AND PAVERS (SEE DETAIL SITE-8)
- 5 ENTRANCE APRON PER DULUTH STANDARDS (SEE DETAIL SITE-9)
- 6 ACCESSIBLE PARKING SIGN (SEE DETAIL SITE-36)
- 7 REMOVE AND RELOCATE EXISTING SIGN
- 8 PROTECT EXISTING UTILITIES & SIGNS
- 9 REMOVE TREE
- 10 6" CONCRETE SIDEWALK (SEE DETAIL SITE-37)
- 11 RELOCATE BUS STOP SIGN
- 12 DOCK AND PIER, CONNECT EXISTING DOCK TO PER PER OWNER'S DIRECTION
- 13 SAWCUT AND REMOVE CURB AND BITUMINOUS FOR ENTRANCE APRON
- 14 REPLACE WATER CAP WITH DULUTH STANDARD CURB STOP
- 15 PROPOSED BUILDING, SEE ARCHITECTURAL FOR EXACT LOCATIONS AND DIMENSIONS OF RESTROOMS, DOORS, RAMP, TRUCK DOORS AND PRECISE BUILDING DIMENSIONS. SEE ARCHITECTURAL AND STRUCTURAL FOR STOPS.

**GENERAL GEOMETRIC AND PAVING NOTES:**

1. SITE DIMENSIONS SHOWN ON THIS PLAN SHALL BE USED FOR ALL LAYOUT WORK. CHECK ALL PLAN AND DETAIL DIMENSIONS. BUILDING AND SITE IMPROVEMENTS SHALL BE LAID OUT ON SITE BY A REGISTERED LAND SURVEYOR OR LICENSED ENGINEER.
2. ALL PAVING DIMENSIONS ARE TO FLOW LINE OF CURB UNLESS NOTED OTHERWISE. THE FLOW LINE OF CURB IS ASSUMED TO BE 8 INCHES FROM THE BACK OF CURB.
3. MEET REQUIREMENTS OF LOCAL GOVERNING AUTHORITY FOR WORK WITHIN THE PUBLIC RIGHT OF WAY, INCLUDING TEMPORARY TRAFFIC CONTROL. A TRAFFIC CONTROL PLAN SHALL BE PROVIDED AND APPROVED BY THE CITY PRIOR TO BEGINNING WORK OR THE RIGHT OF WAY.
4. ALL SIDEWALKS SHALL HAVE POSITIVE SLOPE AWAY FROM THE BUILDING. THE MAXIMUM CROSS SLOPE SHALL BE 1.8% AND THE MAXIMUM LONGITUDINAL SLOPE SHALL BE 4.5% UNLESS OTHERWISE SHOWN ON THE DRAWINGS.
5. NO SLOPE IN ANY DIRECTION SHALL EXCEED 2% IN ACCESSIBLE PARKING AND LOADING AREAS.
6. MATCH NEW AND EXISTING PAVEMENT SURFACES, SIDEWALKS AND CURBS AT SAWCUT LINES, ALLOWING NO POURING OF WATER AT JOINTS. PROVIDE SMOOTH GRADE TRANSITION ACROSS NEW AND EXISTING JOINTS.
7. ALLOW MINIMUM OF SEVEN DAYS CURE FOR CURB AND OUTER PRIOR TO PAVING.
8. ALLOW MINIMUM OF 24 HOUR COOLING PRIOR TO ALLOWING TRAFFIC ON BITUMINOUS PAVING.

SITE DATA	
SITE/PARCEL SIZE	0.57 AC (24,765 SF)
AREA OF DISTURBANCE	21,019 SF (85%)
IMPERVIOUS/POROUS AREA	0.23 AC/0.34 AC

PARKING DATA			
BUILDING TYPE	REQUIRED NO. OF STALLS COMPACT/STANDARD/ADA/TOTAL	EXISTING NO. OF STALLS COMPACT/STANDARD/ADA/TOTAL	PROPOSED NO. OF STALLS COMPACT/STANDARD/ADA/TOTAL
A3	1/1/1(3)	0/0/0(0)	0/1/1(2)

PARKING STALL SIZE REQUIREMENTS: 9'0" x 17', 24" DRIVE AISLE

**GENERAL SITE DEMOLITION AND CLEARING NOTES:**

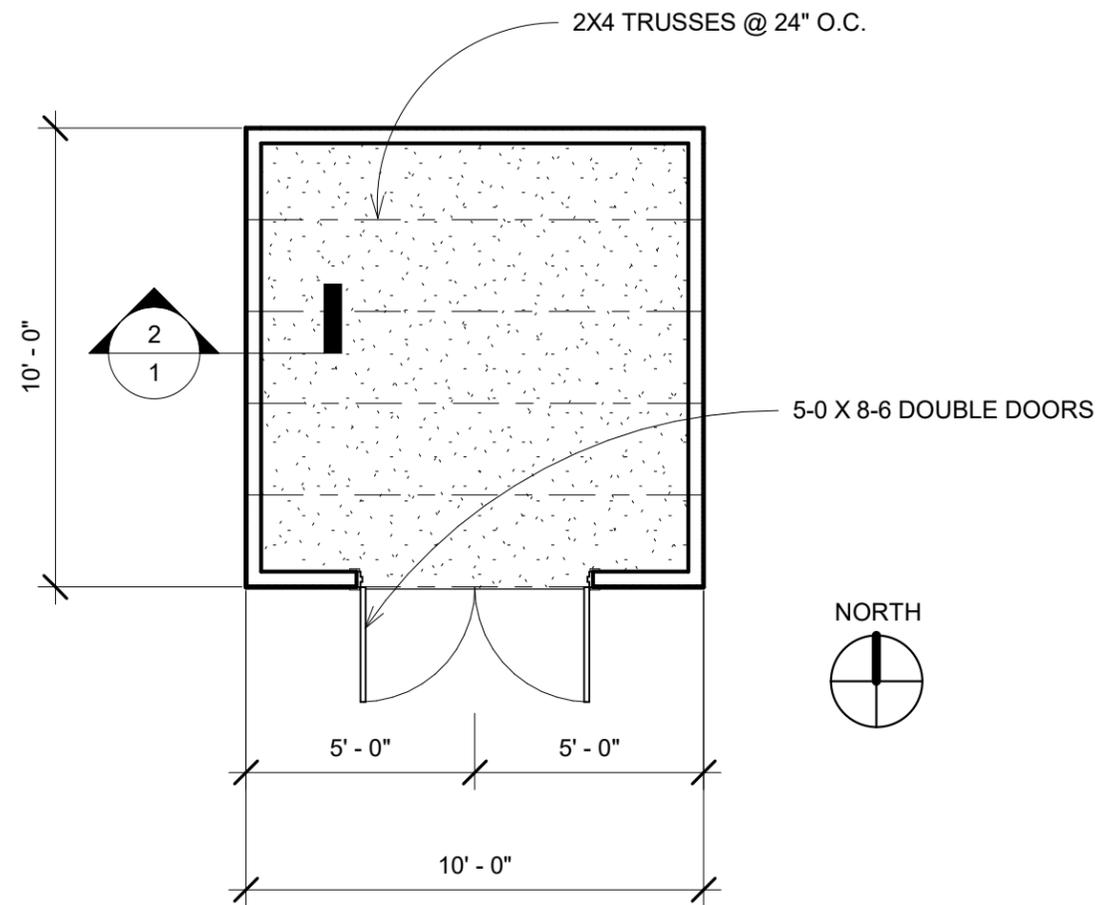
1. CONTRACTOR SHALL COORDINATE LIMITS OF REMOVALS WITH PROPOSED IMPROVEMENTS AND SHALL BE RESPONSIBLE FOR PROTECTING EXISTING SITE FEATURES (STRUCTURES, CURBS, WALKS, PAVEMENTS, UTILITIES, SIGNAGE, FENCES, ETC.) WHICH ARE TO REMAIN. REPAIR OR REPLACE, TO OWNER'S SATISFACTION, ANY DAMAGE TO EXISTING PROPERTY OR SITE FEATURES WHICH ARE TO REMAIN, AT NO ADDITIONAL COST.
2. COORDINATE DISRUPTION OF UTILITY SERVICES WITH THE OWNER'S PROJECT REPRESENTATIVE AND UTILITY OWNER, PUBLIC OR PRIVATE. CONTRACTOR TO PROVIDE TEMPORARY UTILITIES AS NECESSARY TO MAINTAIN BUILDING SERVICES.
3. THE OWNER'S ACTIVITIES MAY CONTINUE ON THE SITE DURING CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE SEQUENCE OF WORK WITH THE OWNER.
4. CONTRACTOR TO PROVIDE AND MAINTAIN FOR TEMPORARY FENCING AND PROTECTION REQUIREMENTS TO PROTECT PEDESTRIANS, VEHICLES, AND COMPLETED WORK FROM HARM/DAMAGE.
5. PRIOR TO START OF ANY WORK, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE. SEE EROSION CONTROL PLAN OR SWPPP FOR DETAILS.
6. CONTRACTOR SHALL PRESERVE ALL VEGETATION NOT TO BE REMOVED BY CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR RE-SEEDING OR SOODING AREAS DISTURBED BY CONSTRUCTION.
7. CLEARLY IDENTIFY AND LABEL EACH TREE THAT IS TO BE REMOVED PRIOR TO STARTING SITE CLEARING. CONTACT OWNER'S PROJECT REPRESENTATIVE FOR SITE INSPECTION AFTER ALL "TO BE REMOVED" TREES HAVE BEEN IDENTIFIED. TREES THAT ARE TO BE PROTECTED SHALL HAVE TEMPORARY FENCING PLACED AT THE DRIP LINE AROUND EACH TREE.
8. STOCKPILE TOPSOIL FOR REUSE ON SITE. VERIFY THE STRIPPED TOPSOIL MEETS SPECIFICATIONS FOR THE PROPOSED USE. VERIFY THE AMOUNT OF TOPSOIL NEEDED AND REMOVE EXCESS FROM SITE.
9. ALL MATERIAL REMOVED SHALL BE DISPOSED OF OFF-SITE AND IN A LEGAL MANNER.
10. MATERIAL TO BE SALVAGED FOR REUSE BY OWNER SHALL BE REMOVED UNDAMAGED IN USABLE CONDITION. TEMPORARY PROTECTED STORAGE ON-SITE MAY BE REQUIRED.
11. ON-SITE BROKERAGE OF MATERIALS SALVAGED BY CONTRACTOR FROM MATERIALS TO BE REMOVED IS NOT PERMITTED WITHOUT PRIOR OWNER APPROVAL.
12. LOCATION AND ELEVATIONS OF IMPROVEMENTS TO BE MET (OR AVOIDED) SHALL BE CONFIRMED BY THE CONTRACTOR THROUGH FIELD EXPLORATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPORT TO THE ENGINEER ANY DISCREPANCIES BETWEEN THEIR MEASUREMENTS AND THESE PLANS. CONTRACTOR SHALL ALSO MAKE EXPLORATION EXCAVATIONS AND LOCATE EXISTING UNDERGROUND UTILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISIONS ARE NECESSARY BECAUSE OF ACTUAL LOCATION OF EXISTING FACILITIES. CONTRACTOR IS RECOMMENDED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER EXISTING LINES NOT OF RECORD OR NOT SHOWN ON THESE PLANS.

**SIGNAGE AND MARKING NOTES:**

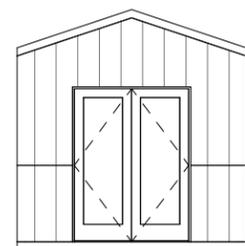
1. ALL SIGNS SHALL BE IN ACCORDANCE WITH THE MN MUTCD, CURRENT VERSION.
2. SEE REGULATORY SIGN DETAIL FOR SIGN AND POST DETAILS AND SIGN DESIGNATION AND SEE INFORMATION.
3. ACCESSIBLE PARKING SIGNS SHALL BE PER MINNESOTA MUTCD SIGN R7-84, VAN ACCESSIBLE PARKING SIGNS PER R7-80P WHERE INDICATED AS "VAN". SEE ACCESSIBLE SIGN AND POST DETAIL.
4. PROVIDE 4" WIDE SOLID WHITE STRIPING IN PARKING AREAS, UNLESS NOTED OTHERWISE.
5. PROVIDE PAVEMENT MARKINGS AND PAINT SYMBOLS AT ACCESSIBLE PARKING SPACES PER MN MUTCD, ADA AND LOCAL CODE.

DULUTH ROWING CLUB  
3900 Minnesota Avenue  
Duluth, MN 55802

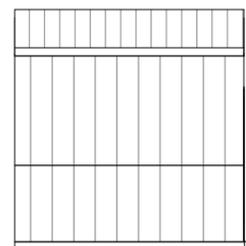
**PROPOSED STORAGE SHED**



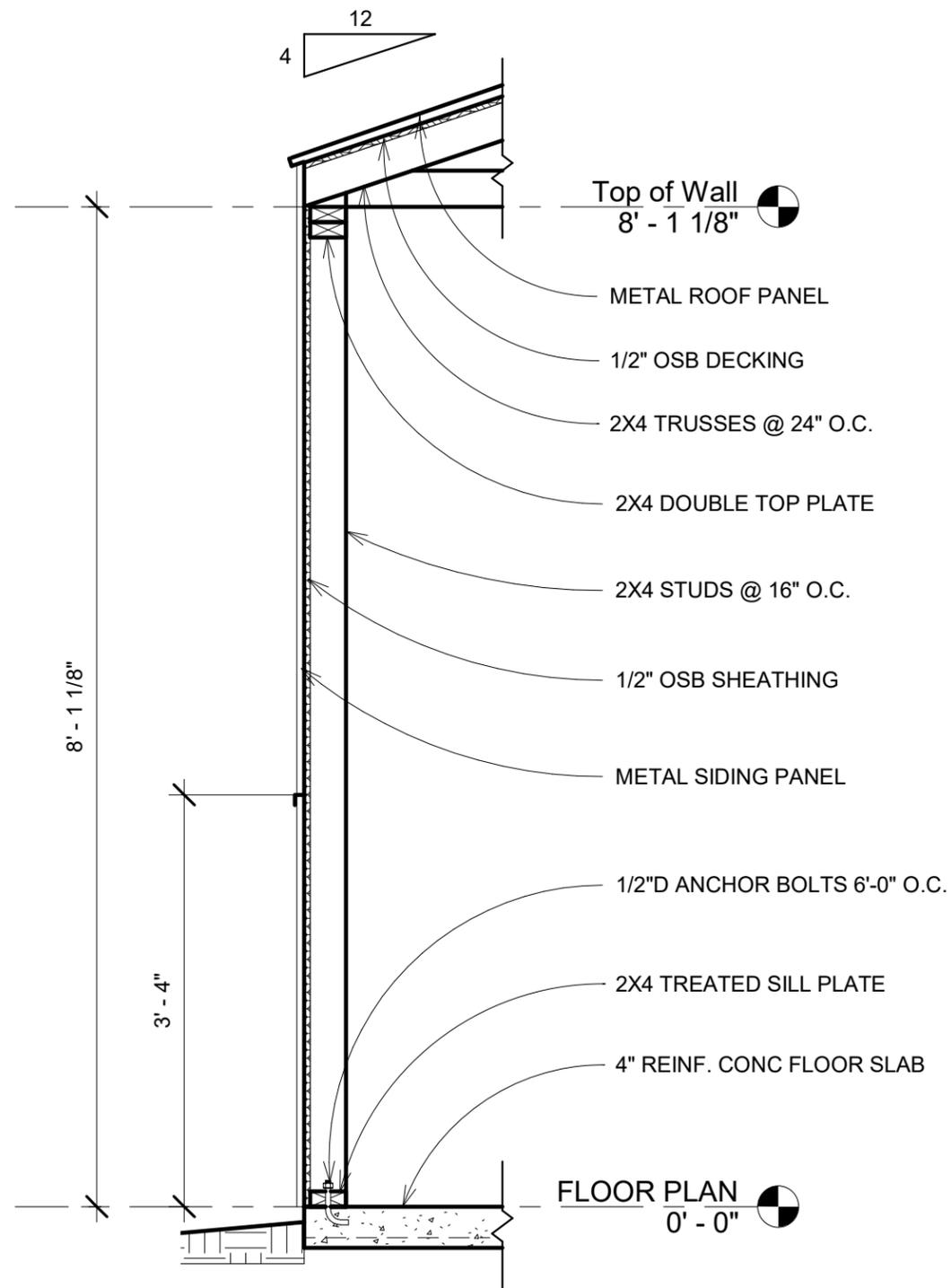
1 FLOOR PLAN  
1/4" = 1'-0"



3 SOUTH ELEVATION  
1/8" = 1'-0"

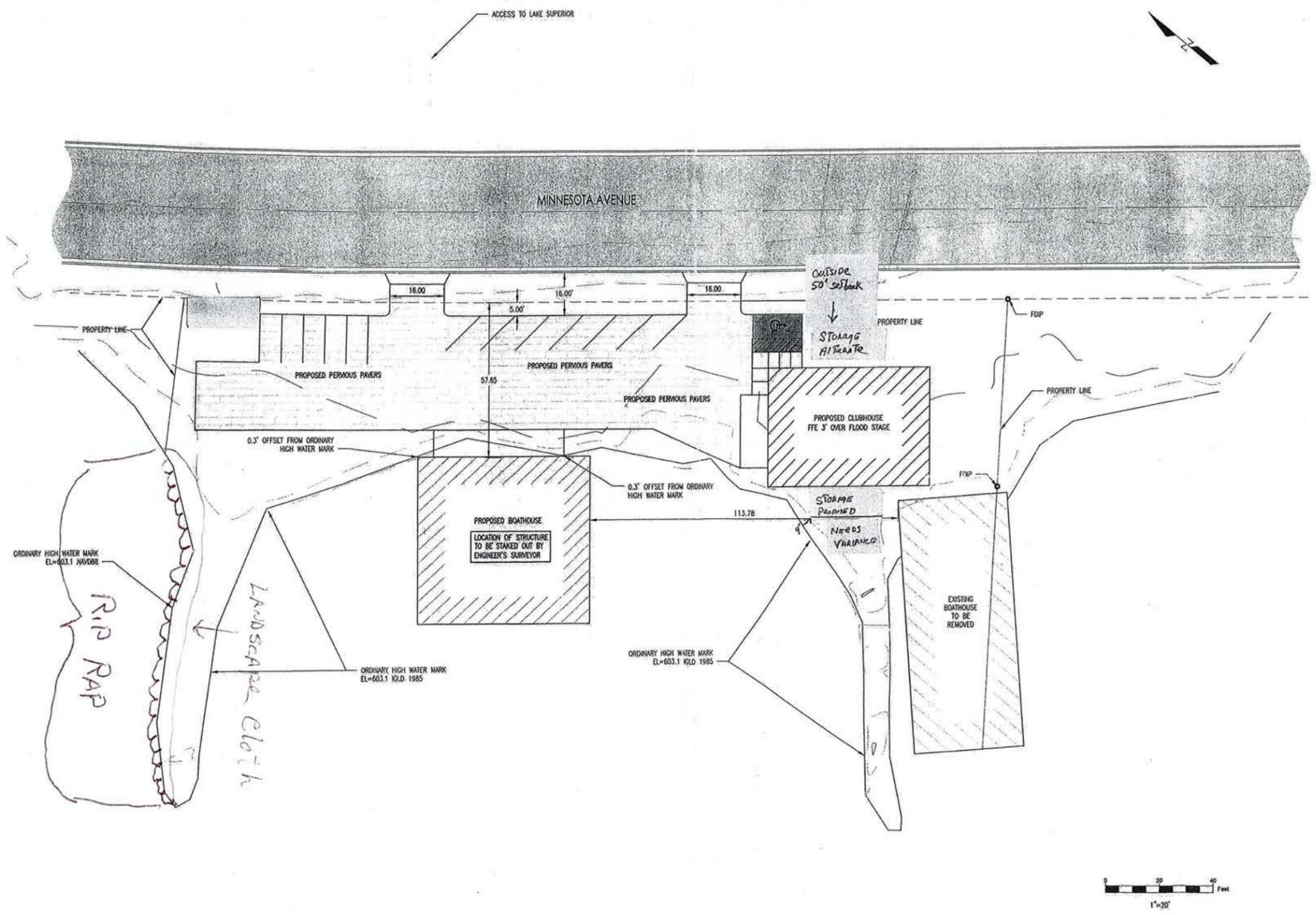


4 WEST ELEVATION  
1/8" = 1'-0"



2 WALL SECTION  
3/4" = 1'-0"

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 91 Main Street  
 Superior, WI 54880  
 PH 715.718.2193 Fax 877.761.7058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, AND CALCULATIONS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF WISCONSIN.  
 NAME: CHAD W. SCOTTY  
 SIGNATURE: [Signature]  
 DATE: 9-22-15  
 LIC. NO.: 42431

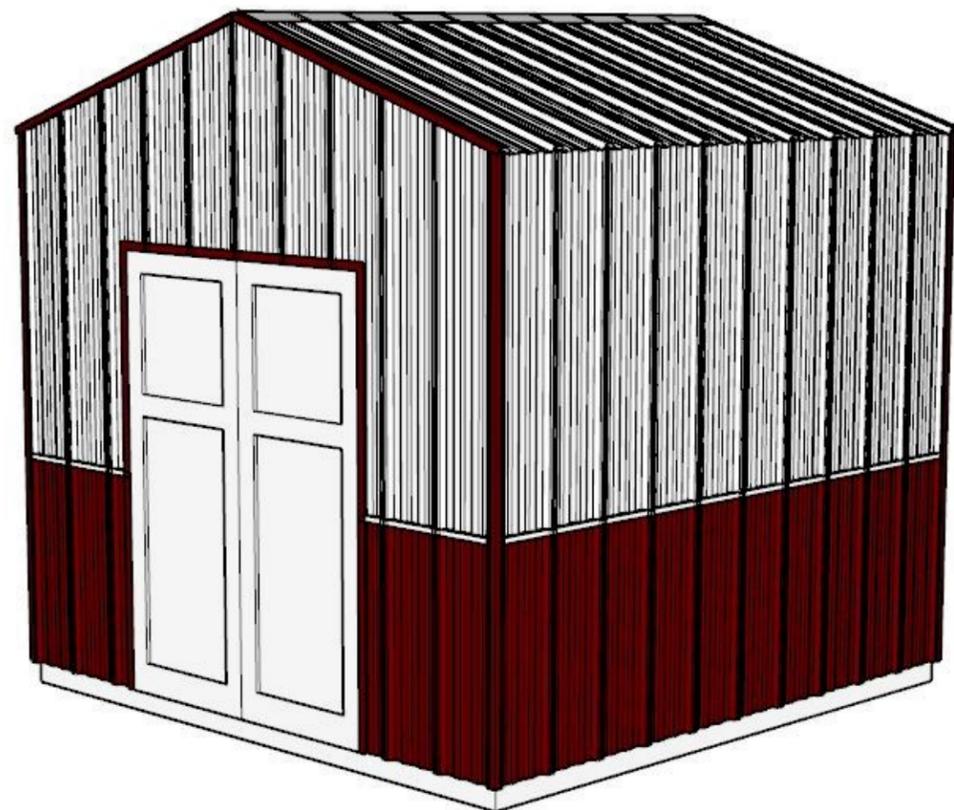
REV.	BY:	DATE:	DESCRIPTION:
0	CWS	9-22-15	ISSUED FOR CONSTRUCTION

**NEW BOATHOUSE FOR DULUTH ROWING CLUB**  
 SOUTH LAKE AVE  
 DULUTH, MINNESOTA  
 PROPOSED SITE PLAN

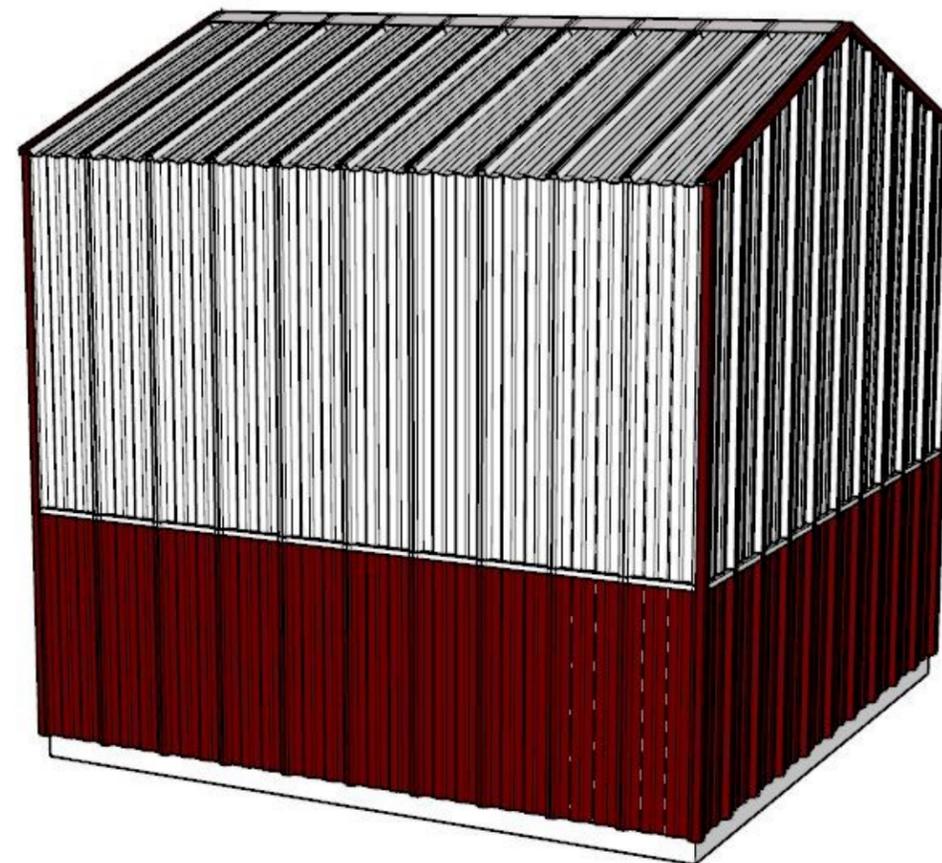
JOB No: 131037  
 DATE: 9-22-15  
 DRAWN BY: STF/SAJ  
 DESIGNED BY: IMS

SHEET:  
**S1.0**





**SOUTHEAST VIEW**



**NORTHEAST VIEW**







# CITY OF DULUTH

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES  
Community Planning Division

411 West First Street – Room 208 – Duluth, Minnesota 55802-1197  
218-730-5580 – [www.duluthmn.gov/community-planning](http://www.duluthmn.gov/community-planning)

TO: Planning Commission

FROM: John Kelley, Planner II

DATE: November 28, 2018

**RE: Imagine Duluth 2035 Future Land Use Map Amendment  
Lake Superior College Institutional footprint**

## **BACKGROUND:**

The City is proposing changes to the Imagine Duluth 2035 Future Land Use Map to support changes to the Lake Superior College (LSC) campus, which may include the addition of new student housing within the campus footprint. The area under consideration for a future land use map amendment is currently designated as Open Space. The Open Space land use category is for lands with natural resource, scenic, or recreational attributes, including lands with development limitations. The existing campus area is designated as Institutional and is applicable to university and college and public school campuses, large religious facilities or governmental campuses, or cemeteries. This land use category applies primarily to existing facilities. The Institutional land use category typically translates into Mixed Use-Institutional zoning.

The area proposed for the map amendment is a city owned parcel approximately 12 acres in size and is located immediately south of the existing LSC campus. Today the parcel is mainly used for the Miller Creek Disc Golf Course. The parcel was previously considered for development of student housing. In 1993 the City approved a Special Use Permit (SUP) for the then Duluth Technical College for the construction of up to 103 units. The City Council approved the sale of the parcel to ISD 709 contingent upon the site being developed for student housing within 5 years of approval. In 1997 the SUP was amended and approved by the City for Lake Superior College (formerly Duluth Technical College) to allow for a fewer number of units (24 total) for student housing. The approval was again contingent upon the sale of the parcel and construction of the housing within 5 years.

## **Land Use Categories**

### Open Space

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. Examples include: city parks and recreation areas, primary viewsheds, shorelands of the lake and streams, wetlands and floodplains, and high-value habitat.

- Low intensity uses such as trails and recreation
- Viewshed protection and access
- Water access, with some parking and supporting facilities

### Institutional

Applicable to medical, university/college, public school, religious, or governmental campuses. Can include adjacent areas that support them, with related commercial, office uses, and residential uses in the fringe areas of the district.

- Relationship to institutional master plans, which should guide expansions and ancillary land uses in adjacent areas
- Density increasing from fringe to taller buildings in core

Pedestrian-oriented design, transit facilities, and parking

### **PROCESS:**

Based on discussions with LSC and their need for student housing, staff began a review of the campus layout at LSC and this site for potential land use changes and development considerations. A public meeting was held on November 27, 2018, with seven attendees and LSC representatives. This was an open house where staff shared information and asked for questions and comments about the proposed land use change from Open Space to Institutional. Comments/concerns from attendees included the following:

- Lighting with the existing college buildings and any proposed new structure lighting
- Possible homes within the adjacent neighborhoods becoming college student rentals
- Noise and police calls
- Impacts to wildlife and streams
- Property values
- Build housing on north side of campus

### **FINDINGS:**

#### ***Existing Land Use***

The site is currently vacant land that is primarily utilized for the Miller Creek Disc Golf Course. The northwest corner of the parcel contains a portion of an existing paved parking lot used by LSC and disc golfers.

#### ***Transportation***

The parcel has street frontage along Trinity Road and along Lake Superior Drive, which is a private access road for the college. The property is located at the controlled intersection of Lake Superior College Drive, South Arlington Avenue and Trinity Road. Access to the site would be from the private road.

#### ***Natural Resources***

As stated above, the parcel is approximately 12 acres in size and is mainly flat and open terrain with some steeper sloped areas in the southwest corner. The site has forested areas on the east and western portions of the property. Two cold-water streams, Miller Creek and Coffee Creek, are located in proximity to the parcel. Staff reviewed the site to confirm the Unified Development Chapter's (UDC) shoreland setback requirements. The majority of the parcel is outside of the UDC shoreland setbacks for structures.

#### ***Utilities***

Existing water, gas, and sanitary sewer lines are located along Trinity Road. This parcel could effectively be served by existing utilities; other sites within the LSC institutional footprint could not be served as effectively by all required utilities.

## *Imagine Duluth 2035 Comprehensive Land Use Plan*

### **Principle #11**

#### **Consider education systems in land use actions.**

There is a connection between land use patterns and all level of educational facilities. School locations and housing opportunities for students and families require consideration of impacts on transportation and infrastructure systems, housing densities, parking, and non-student uses.

- For higher education, housing opportunities that integrate students into the larger community are generally desirable; however, impacts of poorly integrated student housing can result in negative impacts to neighborhoods.

### **Economic Development Chapter**

Policy #1— Invest in people to increase employees' skills, ensure workforce availability for employers, and promote income self-sufficiency

S3 - Collaborate with K-12, higher education, business, and other partners to develop an improved understanding of career paths to maximize opportunities for young people in the city.

Policy #3—Build on Existing Economic Strengths & Competitive Advantages

S2 - Coordinate with major institutions, including hospital and university campuses, to plan for their growth, minimize development impacts, and provide for stability and livability for the campuses, their employees, and surrounding neighborhoods.

#### **RECOMMENDATION:**

The proposed land use change is consistent with the Governing Principles and the Policies and Strategies of the Imagine Duluth 2035 Comprehensive Plan update. Staff has evaluated the property and determined it is suitable and presents an appropriate expansion of the Lake Superior College campus.

Planning staff recommends that the Planning Commission recommend approval of the Comprehensive Plan Future Land Use Map change to City Council.



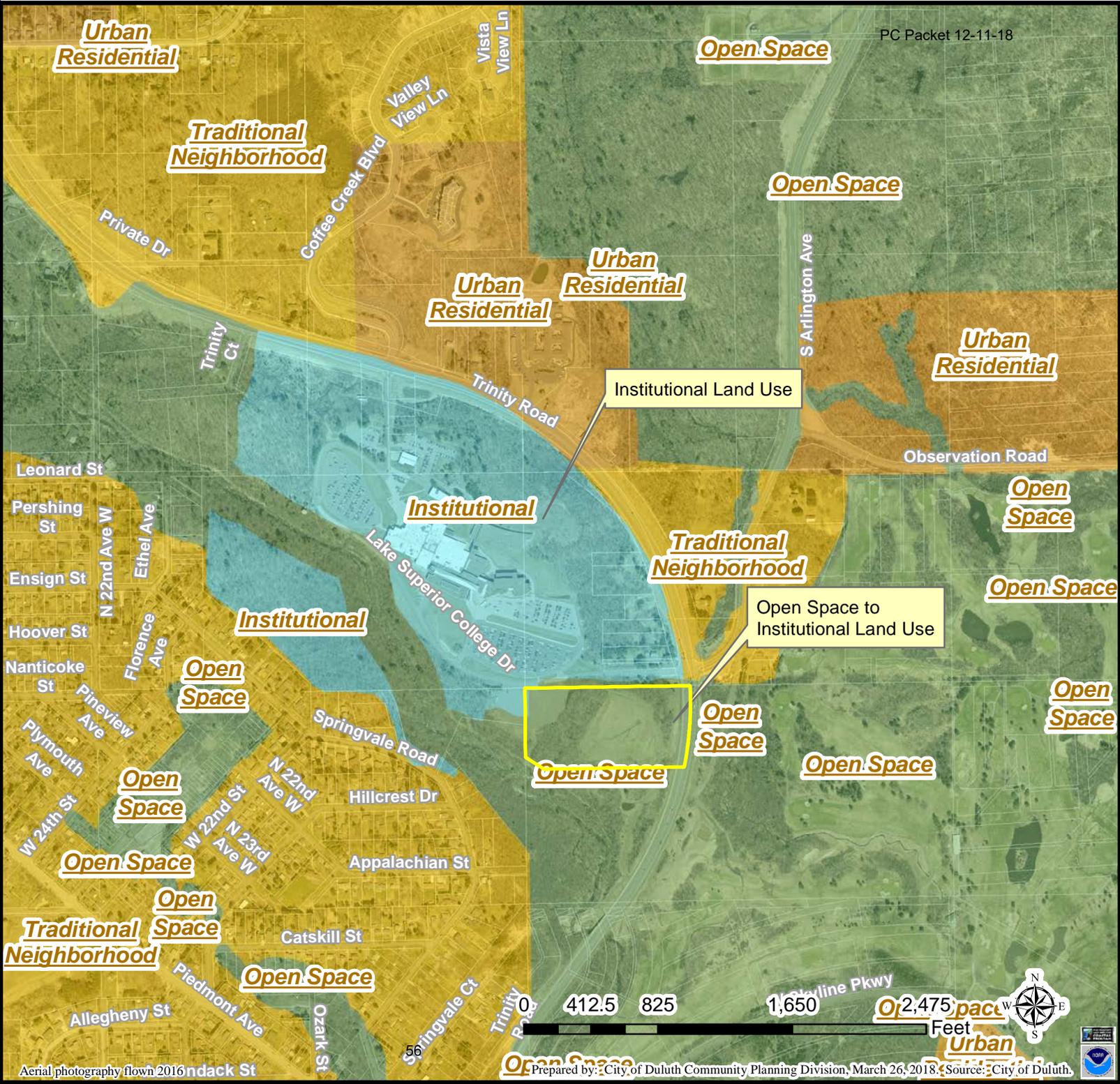
PL 18-152

# Future Land Use Map Change Open Space to Institutional

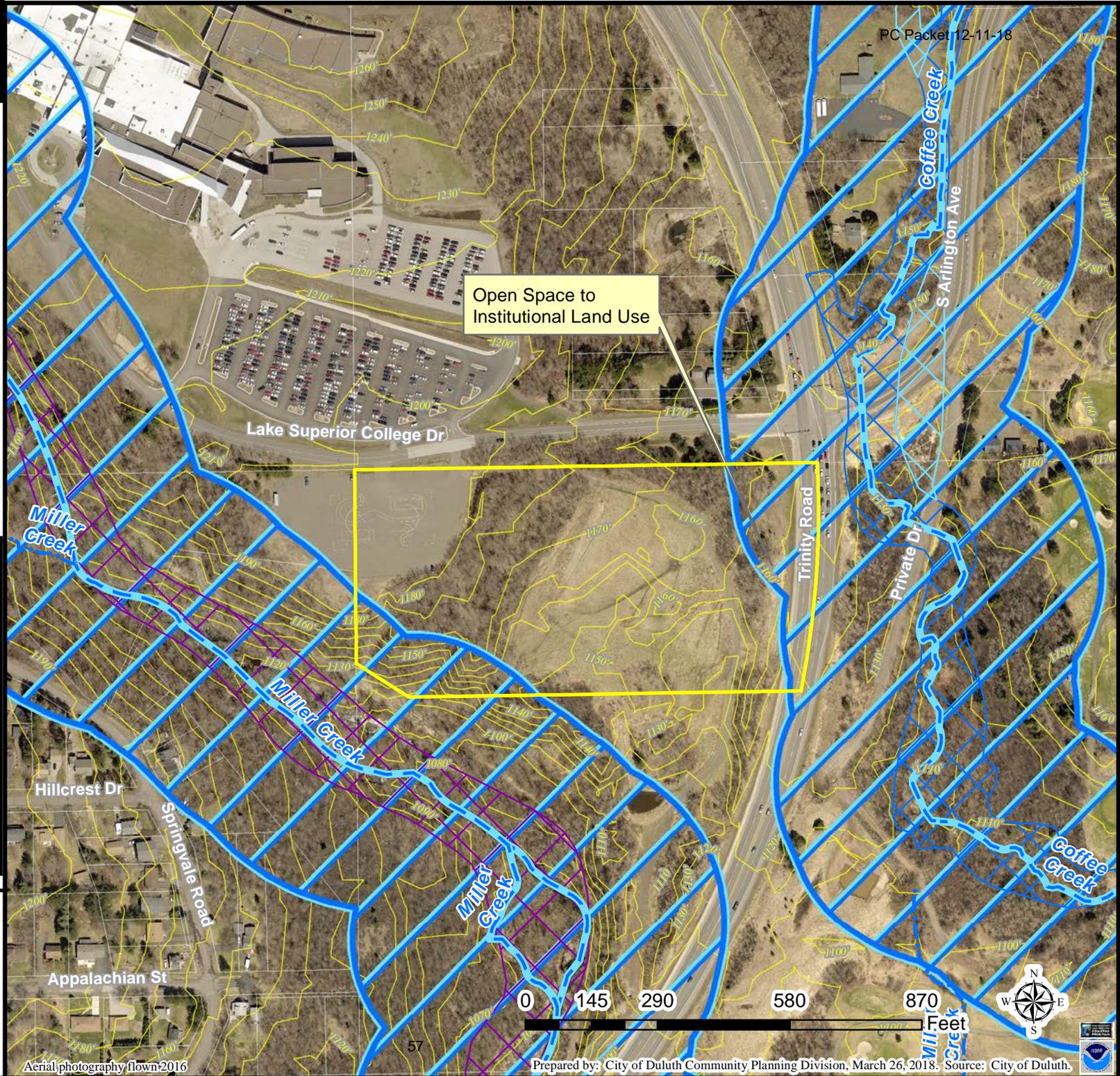
PC Packet 12-11-18

**Legend**

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional



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Open Space to  
Institutional Land Use

**Legend**

- 10' Contour (elev. change)
- Floodplain (UDC)**
  - General Flood Plain
  - Flood Way
  - Flood Fringe
- Shoreland (UDC)**
  - Cold Water
  - Natural Environment
  - General Development
  - Trout Stream (GPS)
  - Other Stream (GPS)
  - Wetlands (NRR1)

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**CITY OF DULUTH**  
Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197  
Phone: 218/730.5580 Fax: 218/723-3559

<b>File Number</b>	PL 18-153	<b>Contact</b>	John Kelley	
<b>Type</b>	UDC Map Amendment, Rezone R-1 to MU-I	<b>Planning Commission Date</b>	December 11, 2018	
<b>Deadline for Action</b>	<b>Application Date</b>	N/A, City Action	<b>60 Days</b>	N/A, City Action
	<b>Date Extension Letter Mailed</b>	N/A, City Action	<b>120 Days</b>	N/A, City Action
<b>Location of Subject</b>	Southwest corner of LSC Drive, Trinity Road and South Arlington Ave intersection			
<b>Applicant</b>	City of Duluth, Community Planning	<b>Contact</b>	John Kelley	
<b>Agent</b>	N/A	<b>Contact</b>		
<b>Legal Description</b>	See attached map			
<b>Site Visit Date</b>	November 26, 2018	<b>Sign Notice Date</b>	November 27, 2018	
<b>Neighbor Letter Date</b>	November, 28 2018	<b>Number of Letters Sent</b>	94	

**Proposal**

The City is proposing to rezone a City owned parcel of land located on the southwest corner of Lake Superior College Drive, Trinity Road and South Arlington Ave intersection from Residential-Traditional (R-1) to Mixed Use-Institutional (MU-I), in conformance with the Comprehensive Plan's Future Land Use map.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Open Space/Recreation	Open Space
<b>North</b>	MU-I	Lake Superior College	Institutional
<b>South</b>	R-1	Open Space/Recreation	Open Space
<b>East</b>	R-1	Open Space/Recreation	Open Space
<b>West</b>	R-1, MU-I	Open Space	Open Space/Institutional

**Summary of Code Requirements**

- UDC Sec. 50-37.3.B: Planning Commission shall review the application, conduct a public hearing ... with public notice ... and make a written recommendation to council.
- UDC Sec. 50-37.3.C: The Planning Commission shall review the application, and Council shall approve the application or approve it with modifications, if it determines that the application:
  1. Is consistent with the Comprehensive Land Use Plan; 2. Is reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use; 3. Is required by public necessity, convenience, or general welfare, or good zoning practice; 4. Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible.
- The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or else be considered arbitrary and capricious.

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

**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. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

**Institutional:** Applicable to university and college and public school campuses, large religious facilities or governmental campuses, cemeteries, etc. Applies primarily to existing facilities.

Governing principle #1 is to reuse previously developed lands, including those adjacent to existing Infrastructure.

Governing principle #11 is to include consideration for education systems in land use actions.

**Economic Development:**

Policy #1: S3 - Collaborate with K-12, higher education, business, and other partners to develop an improved understanding of career paths to maximize opportunities for young people in the city.

Policy #3: S2 - Coordinate with major institutions, including hospital and university campuses, to plan for their growth, minimize development impacts, and provide for stability and livability for the campuses, their employees, and surrounding neighborhoods.

**Recent History:**

FN 93-127 Special Use Permit for 68 units of student housing – Duluth Technical College

FN 97-001 Special Use Permit Amendment for 24 units of student housing – Lake Superior College

PL 17-154 Rezone from R-1 and RR-1 to MU-I.

**Review and Discussion Items**

Staff finds that:

- 1) The proposed area for rezoning is located south of the existing Lake Superior College campus and west of Trinity Road. The property is currently zoned R-1, and the City is proposing to rezone to MU-I to better conform to long-term priorities for the site and LSC campus.
- 2) The Minnesota Planning Act provides that zoning (an "official control") should implement the general objectives of the Comprehensive Plan, and appellate courts have issued decisions that zoning must comply with the Comprehensive Plan or be considered arbitrary and capricious. Good zoning practice requires that zone districts be consistent with the future land use category identified for the area.
- 3) The Imagine Duluth 2035 Comprehensive Land Use Plan supports the need for college campuses to plan for future growth of their facilities and to provide student-housing opportunities while minimizing development impacts to the surrounding area. The proposed land use change will lay the groundwork for a rezoning of the land area to Mixed Use-Institutional.
- 4) The R-1 district is established to accommodate traditional neighborhoods of single-family detached residences, duplexes and townhouses on moderately sized lots. This district is intended to be used primarily in established neighborhoods. Many of the dimensional standards in this district require development and redevelopment to be consistent with development patterns, building scale, and building location of nearby areas.
- 5) The MU-I district is established to provide for the unique development needs and impacts of major medical, educational and research institutional development. The intent is to give institutional landowners the flexibility to plan and develop their facilities while ensuring that surrounding neighborhoods are protected from adverse impacts, such as traffic, overshadowing buildings, noise and unexpected expansion of institutional uses into residential areas.

6) A proposed rezoning from any residential district to any mixed-use district has a higher standard for Council approval than other rezoning. In this instance, the city acted to initiate the rezoning, acting as the current property owner of the site. A super majority vote by the City Council is required to approve the rezoning, based on the following:

- The rezoning application was initiated without a petition with the written consent of 2/3 of the property owners within 100 feet of the property to be rezoned
- The planning commission completed a study of an area containing at least 40 acres of land surrounding the applicant's property and the proposed rezoning is a result of that study.
- A finding is made that it would be impractical to obtain the required written consent.

This differs from the typical requirement for a simple majority vote.

7) Impacts from developing property in MU-I zone district would be mitigated by implementing UDC development standards such as buffering, landscaping, and lighting controls, as well as storm water treatment and detention. In addition, access management controls (reducing conflict points on roads) would help to reduce additional vehicle traffic.

8) Based on the policies and objectives of the Imagine Duluth 2035 Comprehensive Land Use Plan future land use, character and past development history of this parcel and the purpose statements of the MU-I zone district, rezoning as proposed on the attached map, is appropriate for this neighborhood.

9) The city, as of the date this report was written, has not received any formal written comments about this proposal from citizens and has received two emails from MnDOT and a few phone calls with residents of the area.

### **Staff Recommendation**

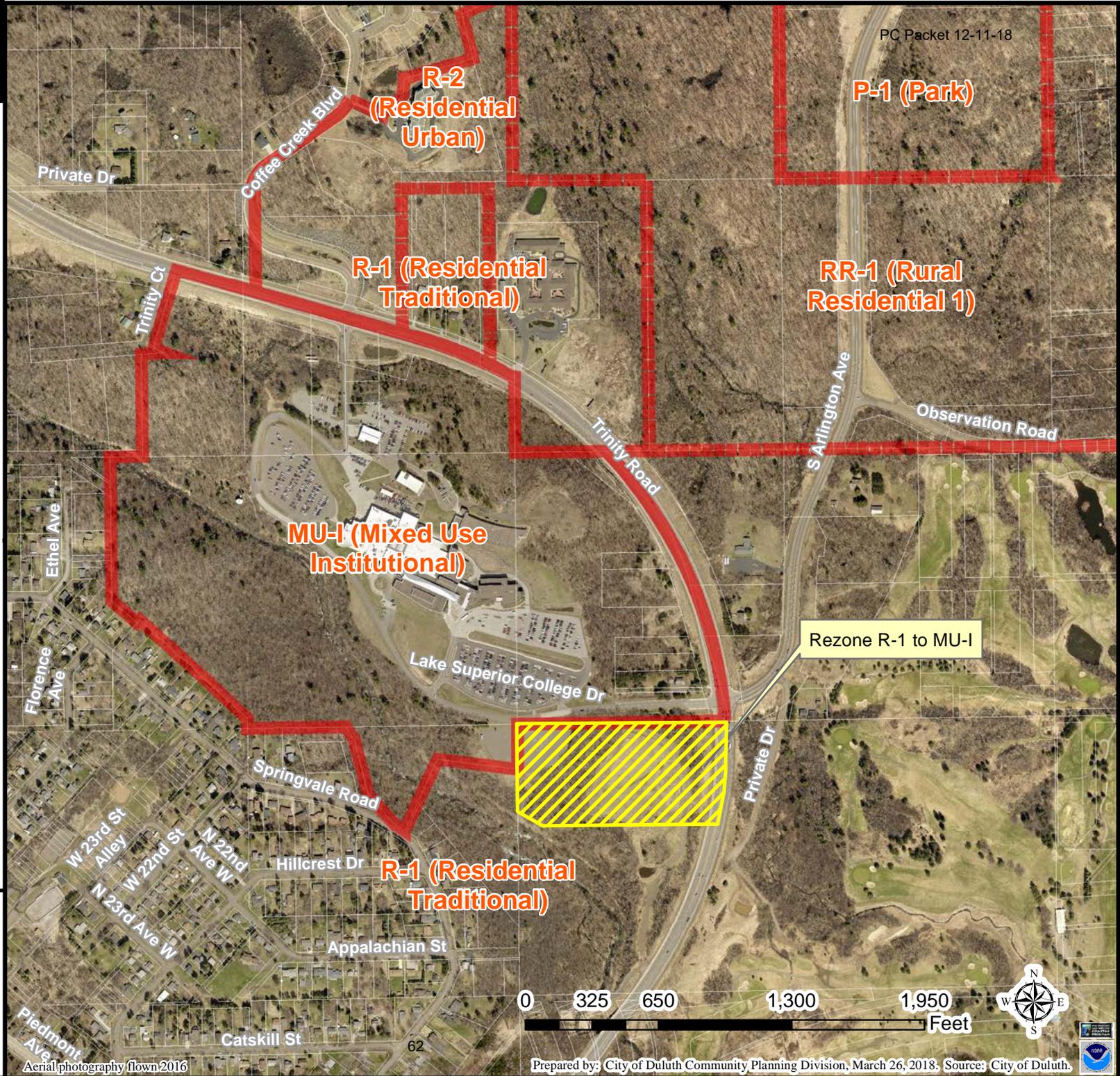
Based on the above findings, staff recommends that the Planning Commission recommend approval to the City Council of the rezoning as shown on the map titled Rezoning Map.

- 1) The rezoning is consistent with the Imagine Duluth 2035 Future Land Use Map.
- 2) The proposed zone district is most reasonably able to implement the objectives of the Imagine Duluth 2035 Plan related to the proposed land use for this area.
- 3) Material adverse impacts on nearby properties are not anticipated.



PL 18-153  
Rezoning  
R-1 to MU-I

PC Packet 12-11-18



**Legend**  
 Zoning Boundaries

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Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, March 26, 2018. Source: City of Duluth.





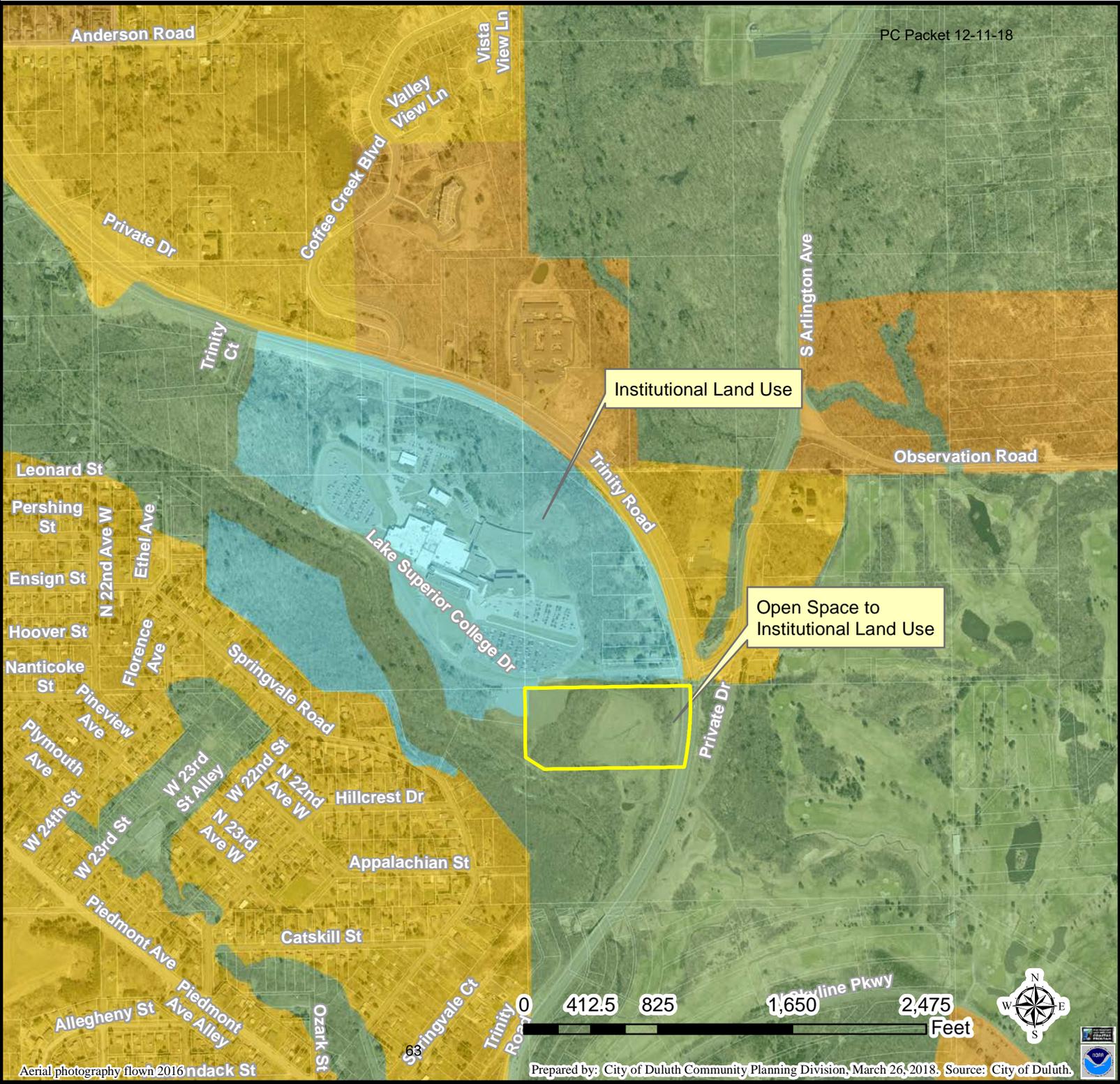
PL 18-152

# Future Land Use Map Change Open Space to Institutional

PC Packet 12-11-18

**Legend**

- Open Space
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Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, March 26, 2018. Source: City of Duluth.

**From:** Miles, James (DOT) <[james.miles@state.mn.us](mailto:james.miles@state.mn.us)>  
**Sent:** Thursday, November 29, 2018 7:29 AM  
**To:** Chris Lee <[clee@DuluthMN.gov](mailto:clee@DuluthMN.gov)>  
**Subject:** RE: Pending Items for 12/11 Duluth Planning Commission

Chris,

Thank you for the opportunity to review these locations.

I wanted to mention that MnDOT would require any access to the mixed-used institutional parcel at the corner of Trinity and Lake Superior College Drive to be located off of Lake Superior College Drive.

Please feel free to contact me if you have questions.

Thanks,  
Jim

## John Kelley

---

**From:** Gears, Timothy (DOT) <timothy.gears@state.mn.us>  
**Sent:** Friday, November 30, 2018 8:50 AM  
**To:** John Kelley  
**Subject:** PL 18-153 Rezoning for LSC Expansion

ALCON,  
At this time MnDOT takes no issue with the proposed zoning changes.

As always, MnDOT wants to remind parties that professional surveys and title research should be conducted to ensure that any development does not encroach onto MnDOT Right of Way.

Furthermore, I would like to point out for informational purposes, that records indicate that: there is a Park Easement and MnDOT owns Access Control along the adjacent stretch of TH 53 (Eastern boundary of the proposed rezoning area).

V/R  
Gears, Timothy (PE)  
Assistant Right of Way Engineer  
District 1, MN DOT  
218-725-2835



# CITY OF DULUTH

PLANNING & CONSTRUCTION SERVICES DEPARTMENT  
 Community Planning Division  
 411 West First Street – Room 208 - Duluth, Minnesota 55802-1197  
 218-730-5580 – An Equal Opportunity Employer

**DATE:** November 30, 2018  
**TO:** President Schraepfer and Planning Commissioners  
**FROM:** Adam Fulton, Community Planning Manager  
**RE:** Conformance of Development District for 333 E. Superior St. to Comprehensive Plan

## **Background:**

A developer has proposed construction of a 15-story building at 319, 323 and 333 East Superior Street. The proposed 237,000 square foot building will include 204 market-rate housing units and approximately 20,000 square feet of commercial space along Superior Street and 4<sup>th</sup> Avenue East (the “Project”). The site is zoned F-8, and its future land use is Central Business Primary.

To facilitate the redevelopment the site, the City must modify existing Development District No. 17 and create Tax Increment Financing District No. 31. The role of the Planning Commission is to make sure the proposed development and its uses are consistent with the Comprehensive Plan and Unified Development Code (UDC). Tax Increment Financing (TIF) is a financing tool that uses the increase in property taxes generated from site improvements to pay for a portion of those improvements.

## **UDC Conformity:**

Consistent with the parameters of the F-8 zoning district, the Project will consist of a 15-story building constructed to the form standards for the F-8 district, including activation of street frontage along Superior Street and 4<sup>th</sup> Avenue East. The building’s 204 market-rate housing units, three townhomes, and commercial space along Superior Street and 4<sup>th</sup> Avenue East will be consistent with the intent of the UDC for this type of downtown site. The site currently hosts the Voyageur Lakewalk Inn, a motel, a vacant restaurant building (formerly Hacienda del Sol), and a vacant retail building (formerly First Oriental Grocery).

## **Comprehensive Plan Conformity:**

The future land-use designation of the redevelopment site is Central Business Primary. According to the Imagine Duluth 2035 Comprehensive Plan, it is “an area adjacent to and supporting the primary central business area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities”. The area is zoned F-8, Downtown Mix; according to the Unified Development Chapter, the district provides slightly more flexibility in building form than does F-7, as it permits both Main Street Building III and Corridor Building III for office and residential uses”.

This project implements the following Comprehensive Plan Principles:

**Principle #1 – Reuse previously developed lands** – *Reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and is preferred to a dispersed development pattern with attendant alteration of natural landscapes and extensions of public services. Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets, utilities, and transit, fire and police services.*

**Principle #4 – Support economic growth sectors.** - *Emerging and growing economic sectors add economic, cultural, and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services. Encourage and foster locally owned and entrepreneurial ventures to enhance economic base.*

**Principle #8 – Encourage mix of activities, uses and densities** – *Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.*

Staff has determined that the proposed development conforms to and implements principles of the Comprehensive Plan.

**Recommendation:**

Staff recommends adoption of a Resolution finding that the Project conform to the general plans for the development and redevelopment of the City.

The complete Resolution, attachments describing the Project, and zoning and future land use maps are incorporated herein by reference and attached to this report for review.

**PLANNING COMMISSION  
CITY OF DULUTH, MINNESOTA**

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF DULUTH PLANNING COMMISSION  
FINDING THAT A MODIFICATION TO THE DEVELOPMENT PROGRAM  
FOR DEVELOPMENT DISTRICT NO. 17 AND A TAX INCREMENT  
FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 31  
(VOYAGEUR LAKEWALK INN) CONFORM TO THE GENERAL PLANS FOR  
THE DEVELOPMENT AND REDEVELOPMENT OF THE CITY.**

WHEREAS, the Duluth Economic Development Authority (the "DEDA") and the City of Duluth (the "City") have proposed to adopt a Modification to the Development Program for Development District No. 17 (the "Development Program Modification") and a Tax Increment Financing Plan for Tax Increment Financing District No. 31 (Voyageur Lakewalk Inn) (the "TIF Plan") therefor (the Development Program Modification and the TIF Plan are referred to collectively herein as the "Program and Plan") and have submitted the Program and Plan to the City Planning Commission (the "Commission") pursuant to Minnesota Statutes, Section 469.175, Subd. 3, and

WHEREAS, the Commission has reviewed the Program and Plan to determine their conformity with the general plans for the development and redevelopment of the City as described in the comprehensive plan for the City.

NOW, THEREFORE, BE IT RESOLVED by the Commission that the Program and Plan conform to the general plans for the development and redevelopment of the City as a whole.

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary



**PRELIMINARY BUILDING MASSING DIAGRAM – PROJECT CONCEPT**

