



PLANNING & ECONOMIC DEVELOPMENT

Planning & Development Division
City Hall – 411 W 1st Street – Room 110
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Planning Commission Agenda

City Council Chambers, 3rd Floor Duluth City Hall
Tuesday, April 9, 2019 – 5:00 PM

Call to Order and Roll Call

Approval of Planning Commission Minutes (March 12, March 19, and March 26, 2019)

Unfinished Items

1. PL 19-026 Recommendation for Adoption Imagine Duluth 2035 Implementation Actions Matrix for 2018
2. PL 19-014 UDC Text Amendment Exempt Vacation Dwelling Units in Form Districts from the Maximum Cap of 60 Units by the City of Duluth

Public Hearings

3. PL 19-011 UDC Map Amendment to Rezone 5300 Bristol Street and 202/210 North Central Avenue from Mixed Use-Neighborhood (MU-N) and Form District Mid Rise Community Mix (F-4) to Mixed Use-Commercial (MU-C) by Miners Inc
4. PL 19-013 Upper Central and East Hillside Future Land Use Study
5. PL 19-002 Special Use Permit for a Residential Care Facility (More than 7 Individuals) at 4425 Norwood Street by American Indian Community Housing Organization, Withdrawn from the February 12, 2019, Planning Commission Agenda
6. PL 19-017 Mixed Use Commercial (MU-C) Planning Review for a New 82 Room Hotel at 1506 Maple Grove Road by Brutger Equities

Communications

Manager's Report

Reports of Officers and Committees

-Heritage Preservation Commission Representative

Upcoming Special Meetings

-US Steel and Mud Lake Workshop, Wednesday, May 1, 5:30 PM, Morgan Park Good Fellows Club, Joint Meeting of Planning Commission, Parks and Recreation Commission, and Heritage Preservation Commission

Adjournment

City of Duluth
 Planning Commission
 March 12, 2019 Meeting Minutes
 Council Chambers - Duluth City Hall

Call to Order

President Michael Schraepfer called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, March 12, 2019, in city hall council chambers.

Roll Call

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

Absent: N/A

Staff Present: Keith Hamre, Robert Asleson, Steven Robertson, Chris Lee, and Cindy Stafford

EAW Public Hearing (Estimated 30-45 Minutes)

1. Public Comments on the Vision Northland Environmental Assessment Worksheet (EAW) for a New Institutional Structure Near the Corner of East 2nd Street and North 4th Avenue East by Essentia Health – Director Keith Hamre gives an overview. This is an optional public hearing. They welcome public comments. There are written comments which were distributed. Comments tonight will be added and reviewed. Responses will be supplied at the next meeting. Meg Pierce-Welsh of BARR engineering addresses the commission. The EAW lays out the basic facts of a project. It also assesses environmental impacts. The EAW includes 20 questions/factors related to the environment and project. Tonight is the voluntary public comment period. She shares the overview map and a rendering of the proposed Vision Northland building. The view scapes were shared. She notes the record of decision will be made at the March 26th, 2019, planning commission special meeting. Steven Robertson goes through a list of people who have submitted public comments.

Public: Scott Vesterstein of Fitgers addresses the commission. He urges them to use environmentally friendly lower Kelvin lighting. Fitgers uses 2700 Kelvin. They don't want to effect nocturnal species, and encourages Essentia to keep them in the loop in regards to the lighting program. Laura Erickson who has been a Duluth resident for 38 years addresses the commission. She notes two factors why she favors Duluth. (Birds and State of the Art Hospital facilities.) She is concerned with birds injuring themselves on glass, especially during the migration period. The birds are terribly disoriented during fog and drizzle. Lighted windows kill thousands of birds. She wants to see her children and her children's children enjoy a healthy bird population and Essentia. Randy Larson addresses the commission. He would like no light pollution. Artificial lights at night impact ecological health. New technologies can eliminate the adverse effects. Lance Reasor, 130 E. 9th St., addresses the commission. He appreciates seeing the stars at night. He encourages low kelvin lighting projected downward.

Approval of Planning Commission Minutes – February 12, 2019

MOTION/Second: Kennedy/Wisdorf approve the minutes with one small change.

VOTE: (9-0)

Consent Agenda

2. PL 19-008 Vacation of Unimproved Right of Way of Sundby Street (Approximately 400 Feet, South of Page Street) at 1410 West Page Street by Michael and Jennifer Hudyma

3. PL 19-009 Vacation of Unimproved Right of Way of N 61st Avenue West (Approximately 400 Feet, North of the Intersection of 61st Ave West and West 8th Street) at 12 S 61st Avenue West by David Polson

Staff: Steven Robertson gives an overview of the consent agenda items and notes there are people signed up to speak. Chris Lee shares the exhibits for both vacations.

Applicant: N/A

Public: Ron DeGrio, 1415 W. Page St., addresses the commission and speaks on 19-008. He is in support of the vacation. Jeanne Severin addresses the commission. She has vacant land in west Duluth. She notes the shortage of housing in Duluth. She is not in support of this vacation (PL 19-009). How will it benefit the city? She doesn't want to eliminate her access. Mike Hudyma addresses the commission. They own the land surrounding the area. He notes future development will have access along another point.

Commissioners: N/A

MOTION/Second: Sydow/Kennedy remove 19-009 from consent agenda.

VOTE: (9-0)

MOTION/Second: Sydow/Kennedy table.

VOTE: (9-0)

MOTION/Second: Nelson/Wisdorf recommend approval on consent agenda item (PL 19-008) as per staff's recommendations.

VOTE: (9-0)

Public Hearings

4. PL 19-003 Minor Subdivision to Split Existing Lot (Tract A of RLS 93) into Two Parcels at 2906 West 15th Street by Gregg Anderson

Staff: Chris Lee introduces the applicant's proposal for a minor subdivision to divide one platted lot into two lots. The current parcel is 57,342 square feet, and the division will create a 15,658 square foot parcel (A) and a 41,713 square foot parcel (B). Staff recommends approval with the conditions listed in the staff report.

Applicant: Gregg Anderson addresses the commission.

Public: Steve Filipovich, 2924 W. 15th Street addresses the commission. He doesn't agree this is a minor subdivision. Houses in the area were built 25 years ago. He doesn't think the smaller lot sizes make sense for the neighborhood. It's not consistent with the neighboring properties. He is opposed to the subdivision. Tom Muehlberger, 2907 W. 15th Street, addresses the commission. He found a lot with a view and was told the lot in front of them was unbuildable. He doesn't think there is enough room for a house on a 75-foot lot. He urges the commission to reject this proposal. The adjacent property owners will be adversely effected. Gary Eckenberg asks about a house already there. Muehlberger notes there was a house built on the outlot property to the 2902 W. 15th St. which was built without notice to the neighbors. Muehlberger notes none of the neighbors received a mailed notice. Per Robertson, a mail notice is not required for a minor subdivision. The speaker was made aware by a sign posted on the property. Brian Mart, property owner adjacent, 2916 W. 15th Street, addresses the commission. He thinks the lot size is way too small of what is consistent in the neighborhood. He is

worried about his property investment. He is opposed. Wisdorf notes the subdivision neighborhood and asks about their covenant. Wisdorf confirms there is no deed restrictions. Zwiebel asks staff to clarify 4 lot, versus 5 lot confusion. RLS was approved in 2010. Robertson explains there are 2 lots divided into 2. Marty Soukup, 2911 W. 15th St., addresses the commission. He is opposed to the subdivision, because it doesn't fit the neighborhood, and seems a bit off.

Commissioners: Gregg Anderson bought this property about 15 years ago. He thinks there is a lot of room in the area. He would like a nice house in this nice neighborhood. Eckenberg asks if this house is for sale. Anderson said it was in the past, and it will go back up for sale. Meyer asks staff about the development code. Was there consistency given to lot size in a sub-division? Robertson states in 2010 lot frontage wasn't considered. The standard was given to R-1 across the board. This meets the minimum standards. Zwiebel doesn't feel this is going against anything in the zoning code. Eckenberg will support. The proposed division is not out of line.

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

VOTE: (8-1, Nelson Opposed)

5. PL 19-007 Minor Subdivision to Split Existing Lot (Tract C of RLS 93) into Two Parcels at 2906 West 15th Street by Gregg Anderson

Staff: Chris Lee introduces the applicant's proposal for a minor subdivision to divide one platted lot into two lots. The current parcel is 37,401 square feet, and the division will create a 18,227 square foot parcel (A) and a 19,201 square foot parcel (B). Staff recommends approval with the conditions listed in the staff report.

Applicant: Gregg Anderson addresses the commission. These are lots above Skyline. He would like to split in half and divide with his neighbors. There is no proposal to build.

Public: Steve Filipovich, 2924 W. 15th St., addresses the commission. He notes the zoning at the time he bought was much more restrictive. He is opposed to the subdivision.

Commissioners: Eckenberg asks staff about the infrastructure on the parcels. Are there bike trails near the parcels? Lee there are easements for roads, but no bike trail easements. Sydow asks if it was developed, where would the front yard setback start? Director Hamre notes it would be from the right of way noted by the black dots.

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

VOTE: (9-0)

(Commissioner Crawford recused himself from the following agenda item.)

6. PL 19-012 UDC Map Amendment to Rezone 3802 Trinity Road (NE Corner of Anderson Road and Trinity Road) from Mixed Use Neighborhood (MU-N) to Mixed Use-Business (MU-B) by Republic Bank

Staff: Steven Robertson introduces the applicant's proposal to rezone the subject property from the current zoning districts of Mixed Use Neighborhood (MU-N) to Mixed Use Business Park (MU-B). Staff recommends denial because the proposal is not consistent with the comprehensive plan. It is not reasonably related to the overall needs of the community. It is not required by public necessity, and it can be expected to create material adverse impacts on nearby properties. Eckenberg notes this was a Phillips 66 store. Was it MU-N then? Robertson notes it was R-1-B, and most recently C-

2. Per Robertson this was not on the list to rezone. Robertson states Central Entrance is a more appropriate location. Eckenberg clarifies it will not be a bank, but will be for car sales. Nelson asks why they didn't support MU-C with a special use permit. Robertson feels it would be inappropriate. He doesn't feel it would benefit the neighbors.

Applicant: Republic Bank, William Burns, attorney, addresses the commission for proposed purchaser. The bank foreclosed on property. What happens here? The facility is there. If a use isn't found, then what? It will go unused. Will an eyesore develop? He refers to his letter. John Geisler of DSGW architects addresses the commission. The building is sound, and is almost 10,000 square feet. The run-off was working fine at the time of their site visit in November. There will be no changes to the building or to impervious surfaces. He notes this is an existing building and is not new. He encourages new life to the building and urges the planning commission to approve. Eckenberg asks what the intention is of the property. Burns states selling of used cars. Meyer if agreed to rezone, would the applicant be in support of making concessions to the neighbors. Burns proposed some conditions to confine to same footprint. Meyer is concerned it would turn into a blighted property. He has an easier time supporting it if there are conditions making it more palatable to neighbors. Zwiebel is in support of Nelson's suggestion of MU-C with a special use permit. Robertson, urges planning commission to think of future development and commercial uses that would want to pop up next door.

Public: Greg Toon, 1601 Anderson Rd., addresses the commission. He's lived in his house for almost 20 years. He mentions the extra lighting that would be needed for a car lot. It never should have been built in the first place. He is strongly opposed.

Commissioners: Nelson asked about the staff's recommendation to deny. Can they add conditions? Per Director Hamre, conditions could be added for a special use permit. This item is to rezone. The pc could ask staff to go back and consider the use table and if a special use permit table. Wisdorf can they table? Director Hamre states certainly. Chair Schraepfer notes this is foreclosed property. Wisdorf isn't opposed to the proposed use, but would like to see a special use permit be allowed, so they can make conditions to appease the neighbor. Zwiebel thinks Toon's comments are valid. She agrees with staff's recommendations. There are other options.

MOTION/Second: Eckenberg/Zwiebel recommend denial as per staff's recommendations.

VOTE: (6-2, Meyer and Wisdorf opposed - Crawford abstained)

7. PL 19-014 UDC Text Amendment Exempt Vacation Dwelling Units in Form Districts from the Maximum Cap of 60 Units by the city of Duluth

Staff: Steven Robertson introduces the city's proposal for a UDC text amendment to provide flexibility for vacation dwelling units in form districts.

Applicant: Kennedy is concerned about density. She doesn't want single-family housing turned into vacation dwellings. Per Robertson there aren't a lot of areas labeled Form Districts. Chair Schraepfer feels it is excessive to have no limit. Meyer asks if there was a specific example that lead to this change. Robertson supports form districts, and how to make them more attractive. It gives potential buyers another tool. Eckenberg asks how this relates to Lincoln park specifically. There are fewer parking restrictions in a form district. Robertson clarifies, a form district, a lot more uses are allowed. The planning commission rarely sees items in a form district. In form districts there is usually abundant parking, and parking rules don't apply. Sydow is concerned about the area by the campus where there are parking concerns. Initial conversation didn't include

parking. Kennedy confirms there would be no limit in form districts? Robertson affirms. Kennedy feels it's like the wild west. Chair Schraepfer likes the idea, but notes there are a lot of form districts. Can it apply it to all form districts? Wisdorf confirms they could apply, but not necessarily obtain without commission approval. Meyer asks if the concept has been run by city council yet. He feels the city council had more interest in putting a cap limit. Director Hamre has had discussion with five of the city councilors. They are in support of the general concept, and want to preserve single-family housing.

Public: No speakers.

Commissioners: Nelson thinks it would be appropriate in some form districts. Sydow agrees. Kennedy notes the community doesn't feel there is enough housing. She wants to make sure it is appropriate.

MOTION/Second: Kenney/Zwiebel table

VOTE: (9-0)

Communications

Manager's Report – Director Hamre highlights the -US Steel and Mud Lake Workshop, Wednesday, May 1, 5:30 PM, Morgan Park Good Fellowship Club, Joint Meeting of planning commission, parks and recreation commission and heritage preservation commission. They hope to have the 106 process substantially completed.

City council received comments regarding the golf courses. If there is development:

8 city councilors must approve, but 7 out of 9 planning commissioners have to approve first.

-Annual Meeting, Tuesday, March 19, 6:00 PM, Discuss: Election of Officers, Zenith City Awards, Imagine Duluth 2035 – Greysolon Ballroom

Reports of Officers and Committees

- Heritage Preservation Commission – Zwiebel notes the revitalization of Lincoln Park, which is being proposed.

Adjournment

Meeting adjourned at 7:40 p.m.

Respectfully,

Adam Fulton - Manager
Planning and Development Division

City of Duluth
Planning Commission
March 19, 2019 Meeting Minutes
Annual Meeting

Call to Order

President Michael Schraepfer called to order the meeting of the city planning commission at 6:08 p.m. on Tuesday, March 19 2019, in the Quarters Room of the Greysolon Ballroom, 231 East Superior Street

Roll Call

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

Absent: None

Staff Present: Keith Hamre, Adam Fulton, Ben VanTassel, Steven Robertson, Jennifer Moses, Suzanne Kelly, Kyle Deming, Chris Lee, Emilie Voight, and Mollie Hinderaker

Zenith City Awards

Director Keith Hamre and Planner Jenn Moses recommended several projects for consideration of the 2019 Zenith City Awards: Redstone Lofts, Crawford Building, Caribou Coffee, Capstone Apartments, District Flats, Grand Avenue Estates, and 4th Street Bike Lanes.

MOTION/Second: Nelson/Crawford motion to select Redstone and Caribou Coffee as the 2019 Zenith City Award Winners.

VOTE: (9-0)

Election of 2019 Officers

MOTION/Second: Zwiebel/Eckenberg motion to nominate Janet Kennedy to a one-year term as the President of the Planning Commission

VOTE: (9-0)

MOTION/Second: Zwiebel/Wisdorf motion to nominate Margie Nelson to a one-year term as the Vice President of the Planning Commission

VOTE: (9-0)

Information and Presentations

Director Keith Hamre and Planning Technician Mollie Hinderaker presented the draft Image Duluth 2035 Metrics and Measurements Report. The item was tabled for further consideration at an upcoming Planning Commission meeting.

Adjournment

Meeting adjourned at 7:49 p.m.

Respectfully,

Adam Fulton – Deputy Director, Planning and Economic Development

City of Duluth
 Planning Commission
 March 26, 2019 Meeting Minutes
 Special Meeting - Duluth City Hall

Call to Order

President Janet Kennedy called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, March 26, 2019, in city hall council chambers.

Roll Call

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

Absent: None

Staff Present: Keith Hamre, Robert Asleson, Steven Robertson, and Chris Lee

EAW/EIS Decision

Director Keith Hamre reviewed the project proposal before the Planning Commission. Planner Steven Robertson briefly reviewed the comments received from citizen and neighborhood groups, and local and state agencies. He added that the most common issues raised related to light pollution, bird safety, and environmental concerns related to demolition, stormwater, and similar items. Robertson stated that staff believe that the concerns addressed can be mitigated or controlled by permitting and review processes in place.

President Kennedy stated that she thought most of the issues raised could be addressed through the review process, but is still concerned about housing and equity. Commissioner Meyer stated that he agrees that an EIS may not be necessary, but is never the less concerned about lighting and screening. Director Hamre reminded the Planning Commission that because this project is in a Mixed Use Institutional zone, the project must come back before the commission for a planning review at a public hearing, and the commissioners will have a chance to ensure that the project proposer is actively addressing the concerns. Commissioner Zwiebel asked about the record of decision and wanted to make sure it would incorporate the issues raised by citizens and how the city and project proposer plans to address them. Robertson showed the commissioners the example of the Kayak Bay EAW and Record of Decision from 2018, which listed out the permits and processes needed to be achieved by the project proposer in order for the project to move forward.

MOTION/Second: Sydow/Zwiebel determine that an Environmental Impact Statement is not required, and that the environmental issues and other concerns identified in the Environmental Assessment Worksheet can be addressed by regulatory or permitting processes and standards.

VOTE: (9-0)

Unfinished BusinessPL 19-009 Vacation of Unimproved Right of Way of N 61st Avenue West (Approximately 400 Feet, North of the Intersection of 61st Ave West and West 8th Street) at 12 S 61st Avenue West by David Polson

Planner Chris Lee presented information related to the staff report, stating that staff recommended approval of the vacation as it meets the standards in the UDC. He added that vacation of the right of way will not land locked any adjacent parcel and will not limit future development of any other properties in the neighborhood. Commissioner Sydow asked if there is sufficient water utilities available nearby so as to allow other property owners to easily develop. Director Hamre reminded the commissioners that prior to bringing this to them for review, they brought it to engineering, and they had no concerns with it. Lee showed the commissioners a map of the sewer and water utilities in the area, and confirmed that there is availability for public water service to the north of this area, and it would not be impacted by this proposed vacation.

MOTION/Second: Nelson/Sydow recommend the City Council approve the vacation as shown in the staff report exhibit.

VOTE: (9-0)

PL 19-014 UDC Text Amendment Exempt Vacation Dwelling Units in Form Districts from the Maximum Cap of 60 Units by the city of Duluth

Planner Steven Robertson briefly reviewed the proposed ordinance change related to vacation rental properties in form districts, adding that most of the current standard were written from the point of view of these developments being located in residential districts. Director Hamre stated that this proposed change is designed to make it easier to develop in form districts, which are an important part of our downtown area and some core investment areas.

President Kennedy expressed concern with the potential to remove additional single-family housing out of the market. Commissioner Sydow stated that he was concerned about parking, especially in form districts on 4th Avenue East. Commissioner Eckenberg asked for clarification on the general purpose of form districts. Vice President Nelson reminded the commissioners that regardless of the proposed rule change under consideration, every new interim use permit comes before the commission and they can add additional conditions as necessary. Commission Schraepfer stated that the market for structures in form districts is different from other areas of the city, and added that he generally supports this change. Commissioner Sydow stated the still has concerns with ensuring there is enough parking, as this is a common concern heard at previous public hearings.

MOTION/Second: Sydow/Wisdorf table discussion for more information.

VOTE: (9-0)

Discussion on Imagine Duluth 2035 Metrics and Measurements Report 2018 and Draft Implementation Actions Matrix 2018

Commission Wisdorf stated that she appreciated the change to some of the graphics, as they are much easier to read now. Commissioner Zwiebel stated that she would like some additional time to review the documents.

MOTION/Second: Zwiebel/Meyer table to allow more time to review the documents.

VOTE: (8-1) Nelson Opposed

Director Hamre stated that the Planning Commission only needs to pass a recommendation to the City Council on the Implementation Actions Matrix, not the Identified Indicators Report as it is more of an annual report for the Planning Commissioners' review and information.

Communications

Director Hamre stated that there would be many incoming zoning applications related to the Essentia Health Vision Northland Project. However, as the zoning applications need additional information, there will not be a need for a special planning commission meeting on April 30th. With that being said, it may be prudent to schedule a brown bag session in the future when sufficient information is received so that the zoning applications are considered complete.

Adjournment

Meeting adjourned at 6:04 p.m.

Respectfully,

Keith Hamre
Director of Planning and Economic Development



PLANNING & ECONOMIC DEVELOPMENT

Community Planning Division
 City Hall – 411 W 1st Street – Room 110
 Duluth, Minnesota 55802
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MEMORANDUM

DATE: April 2, 2019
TO: Planning Commission
FROM: Steven Robertson, Senior Planner
SUBJECT: UDC Text Amendment – Vacation Dwelling Units in Form Districts

Staff has prepared a draft text amendments to the Unified Development Chapter related to providing flexibility for vacation dwelling units in form districts. At the previous two Planning Commission meetings (March 12 and March 26), the members of the Planning Commission have asked for additional information related to the character and composition of land uses in the form districts. That information is attached at the end of this memo.

Unlike traditional zone districts, form districts allow a wide variety of permitted land uses without the requirement of a planning review at a public hearing. The tradeoff for the property owner is that the city has additional development standards not found in traditional zone districts, such as a minimum amount of widow transparency, the requirement to build new structures closer to the sidewalk or the front lot line, and limitations on the location of parking areas on development sites. Most of the areas that are now form districts were rezoned in 2011. The rezoning process started with the West Duluth/Spirit Valley area, although a portion of that area (shopping center) was rezoned to MU-C 2014 at the request of the property owner due to perceived concerns with debt refinancing.

The vacation rental ordinance is written assuming that these uses will be in R-1 zones, which is true for most of the existing permits. As such, the existing code has standards to reduce conflicts with adjoining residential properties, such as by requiring additional off-street parking and regulating minimum stays. Staff do not think those two specific items will cause conflict between properties in the form districts, and so in addition to exemption vacation rentals in form districts, the proposed ordinance relaxes standards related to off-street parking and minimum stays.

Proposed Text Amendment:

50-37-10.E Criteria for interim use permits.

In addition to the criteria in subsection C above, the council shall only approve an interim use permit, or approve it with conditions, if it determines that the public health, safety and welfare from potential longer term impacts of the requested use in that location or to allow the city time to develop a regulation addressing the potential longer term impacts of the requested use in that location;

2. The applicant agrees to sign a development agreement with the city confirming that (a) approval of the permit will not result in increased costs to the city if the property is later acquired by the city through eminent domain; (b) the use will be terminated at the applicant's expense on the date(s) stated in the permit, (c) the termination of the interim use as stated in the permit will create no rights to a nonconforming use and no rights to compensation for termination of the use or for the value of any structures or improvements related to the use, and (d) the applicant agrees to all conditions imposed by the city. No interim use permit shall be issued until a development agreement confirming these points is executed.

3. No more than 60 permits may be issued for either vacation dwelling units or accessory vacation dwelling units. **Permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted toward said maximum number of permits.**

4. **The minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in any form district.**

Existing Definitions and Standards:

Vacation dwelling unit. A dwelling unit, as defined by this Chapter, offered for trade or sale, whether for money or exchange of goods or services, for periods of 2 to 29 days.

50-20.3U. Vacation dwelling unit.

1. The minimum rental period shall not less than two consecutive nights.
2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two;
3. Off street parking shall be provided at the following rate:
 - (a) Vacation dwelling units licensed on May 15, 2016, shall provide the following minimum number of off street parking spaces:
 1. 1-2 bedroom unit, one space
 2. 3-4 bedroom unit, two spaces
 3. 5+ bedroom unit, three spaces.
 - (b) Vacation dwelling units licensed after May 15, 2016, shall provide the following minimum number of off street parking spaces:
 1. 1-2 bedroom unit, one space
 2. 3 bedroom unit, two spaces
 3. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - (c) Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street;
5. The property owner must obtain all licenses and permits from the city of Duluth and state of Minnesota required for guest occupancy on the property for two to 29 days;
6. The property owner must provide required documents and adhere to additional requirements listed in the city of Duluth's UDC application manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures;
7. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbecue grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties.
8. Any vacation dwelling unit that will be located in a multi-family structure that has nine or more dwelling units shall:
 - (a) Make available 24-hour staffing at a front desk that is accessible to all tenants;
 - (b) If determined applicable by the Land Use Supervisor, provide a letter from a duly established Home Owner's Association stating the support of the Home Owner's Association Board of Directors for the vacation dwelling unit, and enumerating any Home Owner's Association rules to be incorporated into the interim use permit;
9. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first.
10. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

Accessory vacation dwelling unit. An accessory dwelling unit as defined by this Chapter that is used as a vacation dwelling unit as defined by this Chapter for periods of occupancy from 2 to 29 days.

50-20.5.M Accessory Vacation Dwelling

An accessory vacation dwelling unit may be created within, or detached from, any one-family dwelling or vacation dwelling unit in those districts shown where allowed by Table 50-19.8, provided these standards are met:

1. Only one accessory vacation dwelling unit may be created per lot;
 2. No variances shall be granted for an accessory vacation dwelling unit;
 3. An accessory vacation dwelling unit shall contain no more than 800 square feet of floor area and shall be consistent in character and design with the primary dwelling;
 4. If a separate outside entrance is necessary for an accessory vacation dwelling unit located within the primary building, that entrance must be located either on the rear or side of the building;
 5. The minimum rental period shall be not less than two consecutive nights;
 6. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two;
 7. Off-street parking shall be provided at the following rate:
 - (a) Accessory vacation dwelling units licensed on or before May 15, 2016, shall provide the following minimum number of off street parking spaces:
 - 1-2 bedroom unit, one space;
 - 3-4 bedroom unit, two spaces;
 - 5+ bedroom unit, three spaces;
 - (b) Accessory vacation dwelling units licensed after May 15, 2016, shall provide the following minimum number of off-street parking spaces:
 - 1-2 bedroom unit, one space;
 - 3 bedroom unit, two spaces;
 - 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
- Accessory vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for accessory vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
8. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street;
 9. The property owner must obtain all licenses and permits from the city of Duluth and State of Minnesota required for guest occupancy on the property for two to 29 days;
 10. The property owner must provide required documents and adhere to additional requirements listed in the city of Duluth's UDC application manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures;
 11. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties;
 12. Any accessory vacation dwelling unit that will be located in a multi-family structure that has nine or more dwelling units shall:
 - (a) Make available 24-hour staffing at a front desk that is accessible to all tenants;
 - (b) If determined applicable by the Land Use Supervisor, provide a letter from a duly established Home Owner's Association stating the support of the Home Owner's Association Board of Directors for the accessory vacation dwelling unit, and enumerating any Home Owner's Association rules to be incorporated into the interim use permit.
 13. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first.
 14. An owner of an accessory vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

Form District 1 (F-1) low-rise neighborhood shopping.

The F-1 District consists of only one building type, Main Street Building I. This district is meant to be mapped within the East Superior Street study area (Lakeside/Lester Park) along the commercial nodes that take the form of traditional mixed use development. Main Street Building I has a build-to zone of between 0 and 15 feet, that allows the building to either be built adjacent to the sidewalk or set back further on the lot to match its surrounding residential context. This building type also requires a high amount of transparency on the ground floor.

Form District 2 (F-2) low-rise neighborhood mix.

The F-2 District permits Main Street Building I, Corridor Building I, Cottage Commercial Building I and the Iconic Building. This district was designed for both the East Superior Street (Lakeside/ Lester Park) and London Road (12th to 21st avenues East) study areas, and is meant to serve as a mixed use, neighborhood-scale commercial district. Corridor Building I is better suited for office or residential (apartment) uses. Due to its residential character, Cottage Commercial I is well suited to commercial uses that may occur adjacent to a residential area.

Form District 3 (F-3) mid-rise community shopping.

Several pockets within the West Duluth (Grand Avenue and Central Avenue) and Canal Park study areas contain older mixed use buildings, with retail or office uses on the ground floor and office or residential uses on the upper floors. F-3: Main Street Building II was created to preserve this style of development and provide standards for future infill development to emulate the style as well. Main Street Building II has a small build-to zone, requiring the building to be constructed fairly close to the front property line.

Form District 4 (F-4) mid-rise community mix.

Portions of the London Road and West Duluth (Grand Avenue and Central Avenue) study areas either contain auto-oriented development or a mixture of different building types. The F-4 District was created for those areas that are not strictly comprised of mixed use buildings. These areas are often transitional in nature, as the study area switches from commercial to residential. The integration of Corridor Building II and Cottage Commercial II will assist in stepping down the intensity as the district approaches residential neighborhoods.

Form District 5 (F-5) mid-rise community shopping and office.

The F-5 District is applied to both the West Superior Street study area (Lincoln Park) and the transitional areas surrounding Downtown, including Canal Park and Central Hillside (Second Street from Sixth Avenue West to Third Avenue East). These areas consist of a combination of traditional mixed use buildings and office buildings, which conform to the style of Main Street Building II and Corridor Building II.

Form District 6 (F-6) mid-rise neighborhood shopping.

This district was created to respond to the commercial nodes present in the Central Hillside neighborhood (14th Street from Mesaba Avenue to Third Avenue East). These nodes are separated by residential developments, which were not included in the study area. Main Street Building II, Corridor Building II, and Cottage Commercial Building I provide flexibility in the style of commercial building, with the Cottage Commercial building type especially applicable when it's located adjacent to residential development.

Form District 7 (F-7) downtown shopping.

To preserve the historic mixed use core of Downtown, F-7 was created to be applied in specific areas along Superior Street. This district permits only Main Street Building III, which seeks to codify the existing urban structure of the heart of Downtown. The building type requires a storefront on the ground floor and that the building be located adjacent to the sidewalk. The F-7 and F-8 districts also permit the highest intensity development, with a maximum height along Superior Street of 15 stories.

Form District 8 (F-8) downtown mix.

F-8 applies to other Downtown areas not included in the F-7 district. 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.

Form District 9 (F-9) Canal Park lakefront.

F-9 applies specifically to the east side of Canal Park Drive, addressing the parcels currently occupied by hotels. This district is unique in that the parcels are deep and front both Lake Superior and Canal Park Drive. The Lakefront Corridor Building was developed specifically for these locations, requiring frontage on both sides with enough depth to nestle parking in between the buildings. Views through these parcels to the lake are also addressed with view corridors.



Form Districts

Unified Development Chapter of the City of Duluth Legislative Code (UDC)

What are Form Districts?

- Form-based districts focus on the **form** of development
- Regulations support **pedestrian-friendly** commercial centers
- Visual Preference Surveys were used to indicate **types of buildings** people like
- Located in traditional **shopping areas** of the city
- Buildings to be designed to fit into **existing context**
- Districts will allow for a **mix of residential and commercial uses**

Where will Duluth have Form Districts?



- Grand Ave & Central Ave in West Duluth
- West Superior St in Lincoln Park
- Downtown/Canal Park/Central Hillside
- London Rd (12th to 21st Ave East)
- East Superior St in Lakeside/ Lester Park

There are **9** Form Districts in Duluth

- Districts are named F1 through F9.

		Building Types									Areas	
		Main Street Building I	Main Street Building II	Main Street Building III	Corridor Building I	Corridor Building II	Lakefront Corridor Building	Corridor Building III	Cottage Commercial I	Cottage Commercial II		Iconic Building
Districts	F1: Low-Rise Neighborhood Shopping	●										East Superior
	F2: Low-Rise Neighborhood Mix	●			●				●			East Superior, London Road
	F3: Mid-Rise Community Shopping		●									West Duluth, Canal Park
	F4: Mid-Rise Community Mix		●			●			●	●		West Duluth, London Road
	F5: Mid-Rise Community Shopping/Office		●			●						West Superior, Canal Park
	F6: Mid-Rise Neighborhood Shopping		●						●		●	Central Hillside
	F7: Downtown Shopping			●								Downtown
	F8: Downtown Mix			●					●		●	Downtown
	F9: Canal Park						●					Canal Park

● Building Type permitted

Each District has a Mix of **Building Types**

- Main Street Buildings - *Allows for service, retail, and office uses on the ground floor, and office or residential above.*
- Corridor Buildings - *Can house a single category of uses, such as office or residential, or a mix of uses.*
- Cottage Commercial Buildings - *Residential in character but commercial in use. Meant to blend in with a surrounding residential neighborhood.*
- Iconic Buildings - *Meant to house community, cultural, civic, educational, or governmental uses.*

For example: The F4: Mid-Rise Community Mix District allows four Building Types: Main Street Building II, Corridor Building II, Cottage Commercial Building II, and Iconic Building.



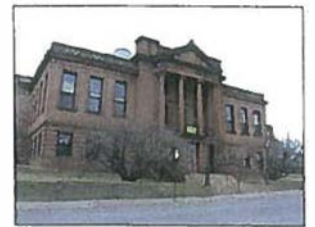
Main Street Building II



Corridor Building II



Cottage Commercial II

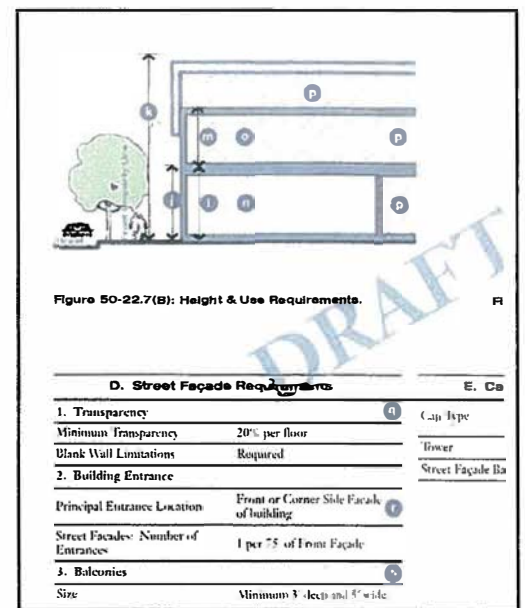


Iconic Building

Each Building Type has a Set of **Standards**

Standards focus on:

- Building Siting – *A Built-To Zone (BTZ) requires buildings be built close to the street, which is different than conventional zoning which specifies setbacks.*
- Height – *Ground stories are allowed to be taller than upper stories to accommodate retail/commercial business uses*
- Uses – *A mix of residential and commercial uses allowed.*
- Street Façade Requirements – *Minimum transparency percentages encourage windows provides visual interest for pedestrians*
- Cap & Base Type Requirements – *Design guidelines ensure appropriate, aesthetically pleasing buildings*



City of Duluth:
A Guide to Mapping the Form Districts

Draft September 9, 2009

The form-based districts (F-1 through F-8), listed in the proposed zoning code, each contain a mix of building types and use regulations. This document provides guidelines to assist in the location of these districts on the City's zoning map.

General Guidelines

Form-Based Code Areas

The following mixed use commercial areas are those generally defined by the City to receive form-based districts:

- West Duluth
- West Superior
- Downtown and Canal Park
- Central Hillside
- London Road
- Lakeside/Lester Park (East Superior)

These areas were utilized as survey sites to develop the building types included in the code, although the building types may apply to other locations within the city. The form-based districts should be applied to pedestrian-oriented mixed use and commercial corridors or nodes within the city.

A sample map for each form-based code area is included for illustrative purposes, with the assumption that the City will map each area more specifically as they are remapping the entire city. The sample maps illustrate one possible application of the standards with a detailed description discussing how the standards were applied. Within these areas, appropriate mixed use and commercial locations will receive a form-based district, while residential properties within or adjacent to the areas should receive an appropriate [non-form-based] residential district.

Form-Based Districts

New districts were created for those areas within the City that are regulated by form-based coding. A brief description of each district follows; See **Section XX** for more information on Building Types. Table 1 lists the building types available in each district, as well as the study area surveyed

F-1: Main Street Building I

The F-1 District consists of only one building type, Main Street Building I. This district is meant to be mapped within the East Superior study area along the commercial nodes that take the form of traditional mixed-use development. Main Street Building I has a build-to zone of between 0' and 15', which allows the building to either be built adjacent to the sidewalk or set back further on the lot to match its surrounding residential context. This Building Type also requires a high amount of transparency on the ground floor.

F-2: Main Street Building I, Corridor Building I, Cottage Commercial Building I, Iconic Building

The F-2 District permits Main Street Building I, Corridor Building I, Cottage Commercial Building I, and the Iconic

Building. This district was designed for both the East Superior and London Road study areas, and is meant to serve as a mixed-use, neighborhood-scale commercial district. Corridor Building I is better suited for office or residential (apartment) uses. Due to its residential character, Cottage Commercial I is well suited to commercial uses that may occur adjacent to a residential area.

F-3: Main Street Building II

Several pockets within the West Duluth and Canal Park study areas contain older mixed-use buildings, with retail or office uses on the ground floor and office or residential uses on the upper floors. F-3: Main Street Building II was created to preserve this style of development and provide standards for future infill development to emulate the style as well. Main Street Building II has a small build-to zone, requiring the building to be constructed fairly close to the front property line.

F-4: Main Street Building II, Corridor Building II, Cottage Commercial Building II, Iconic Building

Portions of the West Duluth study area either contain auto-oriented development or a mixture of different Building Types. The F-4 District was created for those areas within West Duluth that are not strictly comprised of mixed-use buildings. These areas are often transitional in nature, as the study area switches from commercial to residential. The integration of Corridor Building II and Cottage Commercial II will assist in stepping down the intensity as the district approaches residential neighborhoods.

F-5: Main Street Building II, Corridor Building II, Iconic Building

The F-5 District is applied to both the West Superior area and the transitional areas surrounding Downtown, including Canal Park and 2nd Street from 6th Ave West to 3rd Ave East. These areas consist of a combination of traditional mixed-use buildings and office buildings, which conform to the style of Main Street Building II and Corridor Building II.

F-6: Main Street Building II, Cottage Commercial Building I

This district was created to respond to the commercial nodes present in the Central Hillside neighborhood. These nodes are separated by residential developments, which were not included in the study area. Main Street Building II and Cottage Commercial Building I provide flexibility in the style of commercial building, with the Cottage Commercial Building Type especially applicable when it's located adjacent to residential development.

F-7: Main Street Building III

To preserve the historic mixed-use core of Downtown Duluth, F-7 was created to be applied in specific areas along West Superior Street. This district permits only Main Street Building III, which seeks to codify the existing urban structure of the heart of Downtown. The Building Type requires a storefront on the ground floor and that the building be located adjacent to the sidewalk. The F-7 and F-8 districts also permit the highest intensity development, with a maximum height along West Superior Street of 15 stories.

F-8: Main Street Building III, Corridor Building III, Iconic Building
 F-8 applies to other Downtown areas not included in the F-7 district. 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.

Mapping the Districts

The sample maps on the following pages illustrate the Districts outlined in the previous section. These standards relate back to the Building Types and Uses sections, which outline the physical requirements for buildings, such as location of the building on a lot, height, use, and general facade requirements. The discussions associated with each map also outline the permitted uses (refer to Section 3. Permitted Uses).

When mapping the districts, there are a few general planning guidelines to follow:

1. *Face Similar Districts Across Streets.* Similar districts should typically be located across the street, so that front doors face the same type of development. Building types can be mixed as long as their uses are similar, or, at a minimum, compatible.
2. *Transition Districts at Rear Property Line.* When transitioning between higher and lower intensity districts, such as Main Street-type commercial to single-family residential, the ideal transition point is typically along the rear property line.
3. *Corner Lots may be more intense.* Corner lots may be more intensely developed than the interior of a block, particularly if the corner lot faces a primary street or a street with a higher volume of traffic.
4. *Mapping Nodes.* Most of the study areas are continuous commercial corridors, multiple blocks in length. Some, however, are more nodal in character. For example, in

Central Hillside along 4th Street, the commercial occurs mainly at intersections, less than one block long. These nodes serve the neighborhood well. In some cases, one corner may be occupied by a commercial building. In others, when a building one lot in is commercial, it is recommended that the node be mapped to the corner.

Multiple Building Options

Several of the districts contain multiple Building Type options, all of which have their own purpose and appropriate application. For the most part, Main Street Buildings are meant to embody the historic pattern of development in Duluth - storefronts on the ground floor containing retail, office, or service uses with office or residential uses in the upper stories.

The Corridor Building Type has less transparency required on the ground floor, and is therefore better suited to office or multifamily uses, but in more intensive shopping areas such as Canal Park, can include retail and services on the ground floor. The Cottage Commercial Building Type is meant to blend in with the form of existing surrounding residential single-family but utilize commercial and office uses. It can serve as a nice transition between Main Street buildings and single family residences.

Lastly, the Iconic Building Type is reserved for unique civic, institutional, or public buildings that may not fit the standards for the other Building Types.

Primary Streets

Each form-based code area sample map also locates primary streets. Primary street designation indicates its importance as a walkable commercial thoroughfare; buildings should front on the primary street, treating the side of the lot adjacent to the primary street as the front of the lot. Typically, building types call for the entrances to be located on the front of the lot and parking may be accessed off a secondary street.

Districts	Building Types								Areas	
	Main Street Building I	Main Street Building II	Main Street Building III	Corridor Building I	Corridor Building II	Corridor Building III	Cottage Commercial I	Cottage Commercial II		Iconic Building
F1: Low-Rise Neighborhood Shopping	●									East Superior
F2: Low-Rise Neighborhood Mix	●			●			●		●	East Superior, London Road
F3: Mid-Rise Community Shopping		●								West Duluth, Canal Park
F4: Mid-Rise Community Mix		●			●			●	●	West Duluth
F5: Mid-Rise Community Shopping/Office		●			●				●	West Superior, Canal Park, 2nd St Downtown
F6: Mid-Rise Neighborhood Shopping		●					●			Central Hillside
F7: Downtown Shopping			●							Downtown
F8: Downtown Mix			●			●			●	Downtown

Table 1: Building Types by Districts and Areas.

Duluth Form-Based Districts

West Duluth, West Superior, London Road, & East Superior Study Area Sample Maps

West Duluth

The West Duluth study area has relatively intact areas of historic main street-style development as well as newer development including strip malls and other auto-oriented building types. To respond to these two very different context areas, the West Duluth study area should contain 2 districts: F-3 and F-4. The F-3 District is mapped to preserve those areas that currently contain traditional mixed-use development (see Figure xx). It is also mapped to transition key areas, such as the intersection at Grand and Central, to create walkable connections to the intact portions of the study area. However, this will create multiple non-conformances in these locations and should be considered carefully during the mapping process performed by the City.

The F-4 District, which permits the Corridor II, Cottage Commercial II, and Iconic building types in addition to Main Street Building II, provides greater flexibility outside of the traditional mixed-use areas and should be utilized to transition away from the mixed use core. The existing large scale shopping center could be mapped as either F-3 or F-4, depending on the type of development desired in that area. Either district, however, will require that the buildings are built up to the street (Bristol, Ramsey, and/or a new street) to extend the pedestrian-orientation of West Duluth. Alternatively, the shopping center could be mapped as a more automobile oriented commercial district and remain as is.

West Superior

The West Superior study area consists primarily of older mixed-use buildings; however, many do not meet the transparency requirements of a storefront. Additionally, many of the uses along West Superior tend more towards office and service than retail. To preserve these buildings but allow lower levels of transparency to occur on the groundfloor, the F-5 district is recommended for this study area. Within F-5, Main Street Building II fits the characteristics of the majority of existing buildings in West Superior, and Corridor Building II is permitted in this area as well to provide some flexibility in building type.

Uses permitted in this area are similar to those permitted for other study areas. Main Street Building II is meant to house commercial or office uses on the ground floor and office or residential above, while Corridor Building II should have primarily office or residential uses. However, due to existing uses in the West Superior study area, there are also some light industrial and manufacturing uses permitted that could occur in either building type.

Finally, it might make more sense to confine the form-based districts to the areas between 22nd and 19th Streets, as this constitutes the most intact, walkable section. Remaining portions could be zoned with non-form districts to allow flexibility as the area transitions.

London Road

Recent planning efforts for the area of London Road have indicated a desire to return to a pedestrian-scaled environment, including a plan to narrow London Road to facilitate the ability of residents, visitors, and employees to cross the street freely and safely. To capitalize on this street improvement, it is recommended that development along London Road take the form of more pedestrian-friendly development. For this reason, the F-2 District is mapped for the London Road study area, as it provides a good amount of flexibility in building style and type, but also will further the walkability of the area.

The F-2 District permits a wide range of building types, including Main Street Building I, Corridor Building I, Cottage Commercial Building I, and the Iconic Building for use as the corridor completely transitions away from its existing form. It is important to note that this process will create multiple non-conformances. In this location, perhaps more so than any other, a plan should be in place to support this extensive change in character.

Lakeside/Lester Park (East Superior)

The East Superior corridor is a lengthy corridor extending through the Lakeside and Lester Park neighborhoods. The commercial areas along East Superior extend a couple of blocks, transition to residential, and then pick up again, making it nodal in character. The character of the area is less intensive, with smaller scale buildings and more cottage commercial than other locations.

There are two districts applied to the East Superior study area: F-1 and F-2. F-1 is mapped at the very western edge of the study area, while F-2 covers the majority of the rest of the area. There are also residential pockets in between the commercial areas, which should be given zoning classifications based on Chapter 2 of the Unified Development Code.

The F-1 district, mapped only in one very specific location in the East Superior area, requires Main Street Building I to match the existing mixed-use buildings in the area. The F-2 district, however, permits Corridor Building I, Cottage Commercial Building I, and the Iconic Building to provide more diversity in building style and the ability to blend in with single-family residential with the Cottage Commercial I building. Corridor Building I also provides an opportunity to incorporate more multifamily housing into the area, as the building type allows both office and residential uses.

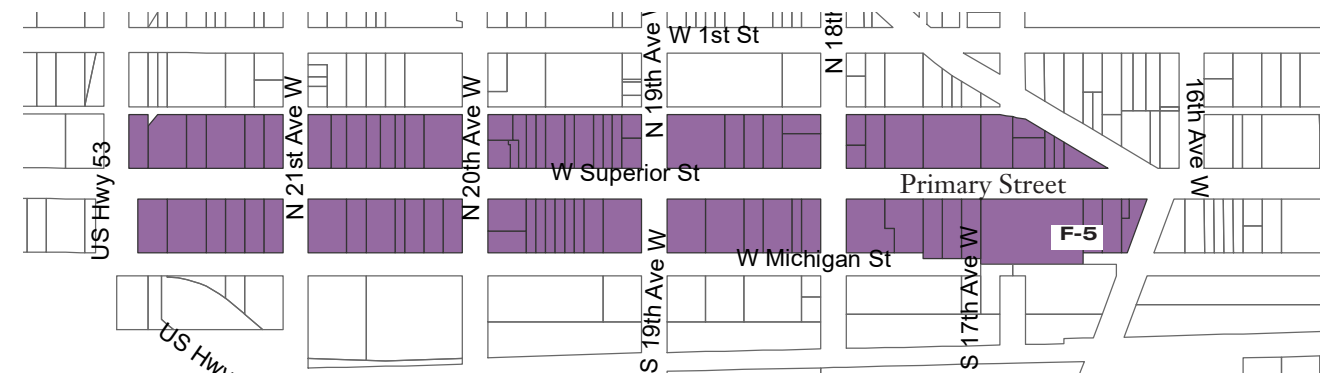


Figure XX: West Superior Sample Regulating Plan.

West Duluth, West Superior, London Road, & East Superior Study Area Sample Maps

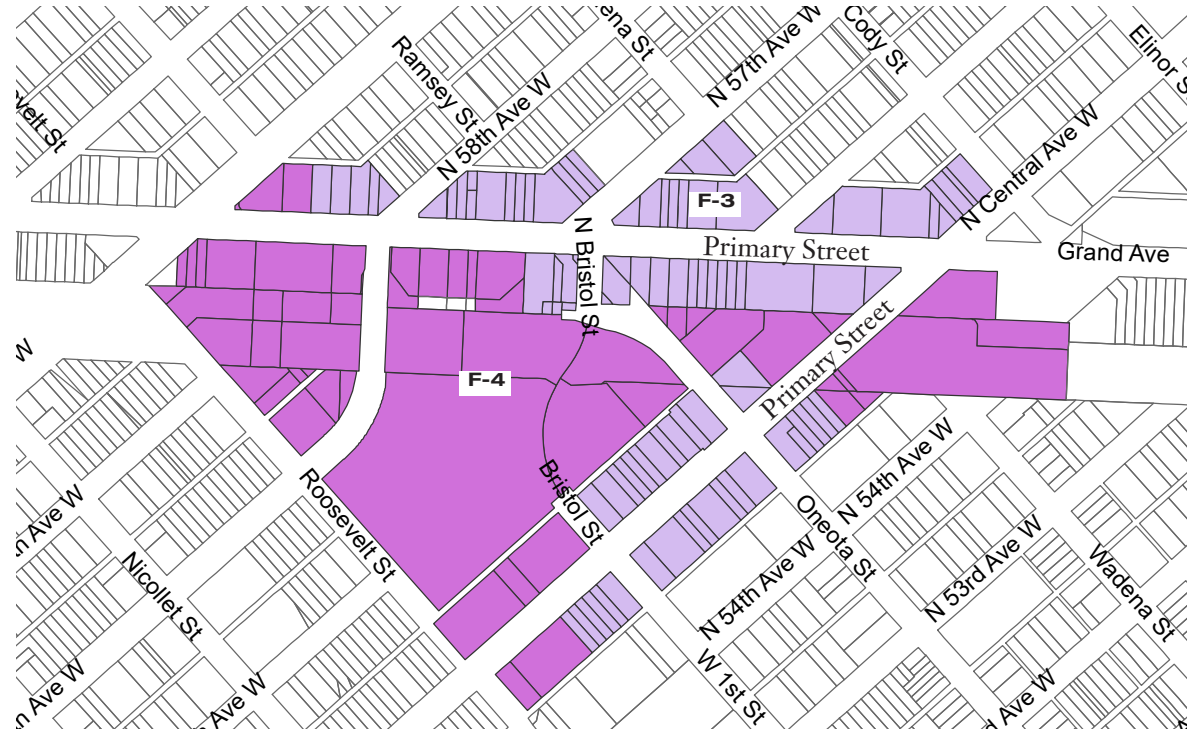
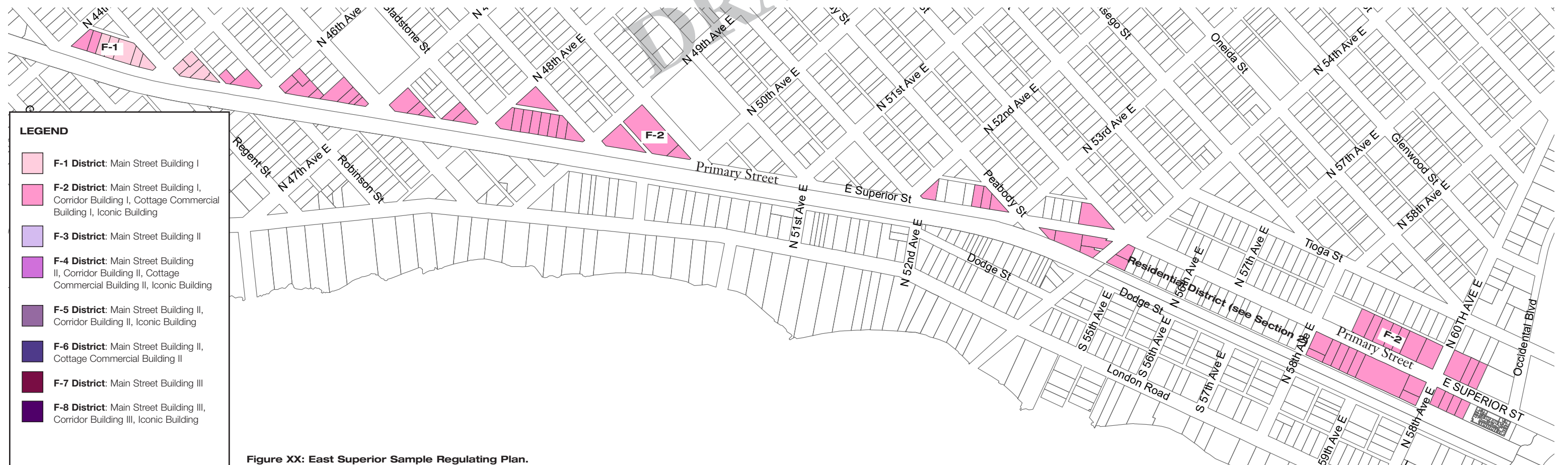


Figure XX: West Duluth Sample Regulating Plan.



Figure XX: London Road Sample Regulating Plan.



LEGEND

- F-1 District: Main Street Building I
- F-2 District: Main Street Building I, Corridor Building I, Cottage Commercial Building I, Iconic Building
- F-3 District: Main Street Building II
- F-4 District: Main Street Building II, Corridor Building II, Cottage Commercial Building II, Iconic Building
- F-5 District: Main Street Building II, Corridor Building II, Iconic Building
- F-6 District: Main Street Building II, Cottage Commercial Building II
- F-7 District: Main Street Building III
- F-8 District: Main Street Building III, Corridor Building III, Iconic Building

Figure XX: East Superior Sample Regulating Plan.

Duluth Form-Based Districts

Central Hillside, Downtown, & Canal Park Study Area Sample Maps

Central Hillside

The Central Hillside study area is characterized by nodes of neighborhood-scale commercial development interspersed with residential areas. The F-6 District is proposed to preserve and enhance the commercial nodes along West 4th Street, while the residential areas should be assigned a residential district per Chapter 2 of the Unified Development Code. The F-6 District includes Main Street Building III for typical mixed-use buildings and Cottage Commercial Building II, which will help to blend commercial areas with the adjacent residential. This district should be mapped primarily at the ends of blocks; If the district is required in the middle of a block, it should be extended to cover the whole block. In many cases, parking lots on corners are mapped as F-6 to encourage this extension to the corner.

Downtown Duluth

Downtown Duluth's map consists of three different districts: F-5, F-7, and F-8. These districts exist to preserve the retail core of Downtown in F-7, provide a flexible retail and supportive services area in F-8, and provide a transitional area between Downtown and the adjacent residential neighborhoods to the northeast in F-5. The F-7 District, mapped very sparingly along West Superior Street, permits only one building type, Main Street Building III. Most, if not all, of the existing building types in the F-7 area conform to the characteristics of Main Street Building III; this district is meant to preserve the historic storefront core of Downtown.

The F-8 District provides a little more flexibility than the F-7 district, permitting Main Street Building III as well but also Corridor Building III for supportive office and residential apartment uses. The Iconic Building is also permitted for civic and institutional uses. Finally, the F-5 district is mapped along West 2nd Street and permits essentially the same building types as F-8 but as different versions - Main Street Building II, Corridor Building II, and, again, the Iconic Building. Main Street Building II and Corridor Building II are less intensive building types than their counterparts in the F-7 and F-8 districts

(Main Street Building III and Corridor Building III), making them ideal to step down development from the Downtown core towards the residential neighborhoods.

There is also a variation of heights allowed in different parts of the Downtown study area. For example, Main Street Building III and Corridor Building III are permitted to reach up to 15 stories along West Superior Street; this number drops down to 9 stories on adjacent streets. Main Street Building II and Corridor Building II, being located in a transitional area, are permitted to reach up to 6 stories along 2nd Street. These heights were set based on existing buildings in the Downtown, but should be verified prior to mapping and implementation.

Primary street frontages have been defined for the study area; buildings should treat the side of the lot facing the primary street as the front of the lot. In instances where the lot is a through lot, as between West Superior Street and East Michigan Street, the lot should treat West Superior Street as the primary frontage.

Commercial, office, and limited residential uses are permitted throughout Downtown in order to provide flexibility to respond to market changes as well as to limit nonconforming uses. However, since the F-7 district represents the retail core of Downtown, effort should be made when possible to keep the district as retail-oriented as possible.

Canal Park

Canal Park has two permitted districts, F-3 and F-5. The F-3 district permits only Main Street Building II to preserve the mixed-use retail node along Canal Park Drive. While office and residential uses are permitted in the F-3 district, retail should be emphasized as the desired ground floor use in this area to promote a strong commercial node. The F-5 District permits Main Street Building II as well, and adds in Corridor Building II and the Iconic Building. Corridor Building II is meant for office and apartment uses as well as to accommodate hotel uses along Lake Superior. While it is recommended that the majority of

buildings in Canal Park front on the primary streets indicated on Figure xx, buildings along Lake Superior may front on the lake.



Figure XX: Central Hillside Sample Regulating Plan.

LEGEND	
	F-1 District: Main Street Building I
	F-2 District: Main Street Building I, Corridor Building I, Cottage Commercial Building I, Iconic Building
	F-3 District: Main Street Building II
	F-4 District: Main Street Building II, Corridor Building II, Cottage Commercial Building II, Iconic Building
	F-5 District: Main Street Building II, Corridor Building II, Iconic Building
	F-6 District: Main Street Building II, Cottage Commercial Building II
	F-7 District: Main Street Building III
	F-8 District: Main Street Building III, Corridor Building III, Iconic Building
	Study Area Boundary

Central Hillside, Downtown, & Canal Park Study Area Sample Maps

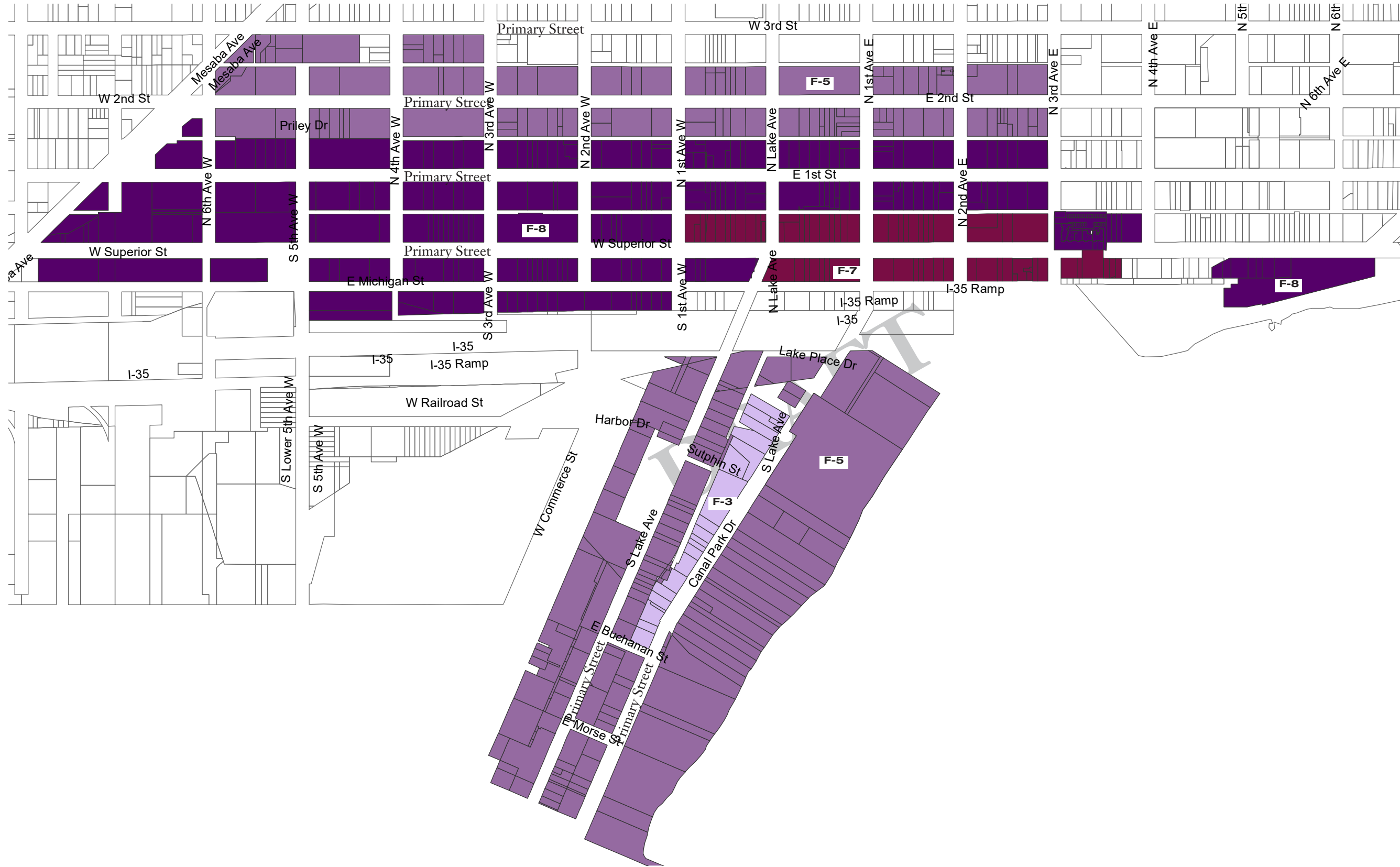
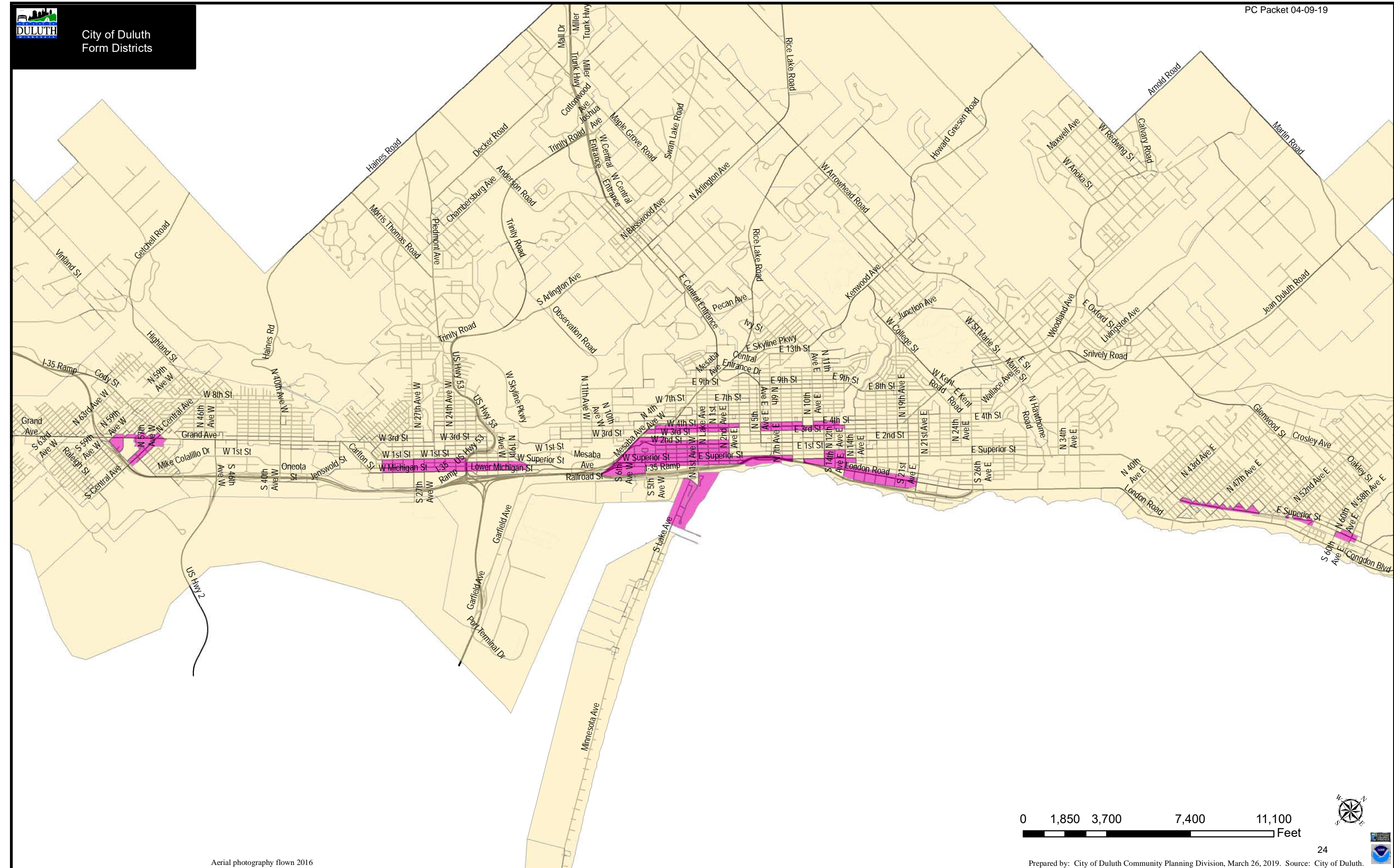


Figure XX: Downtown Sample Regulating Plan.





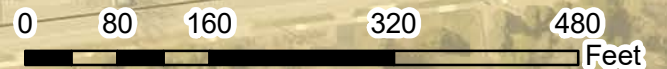
City of Duluth
Form Districts, F-1

N 43rd Ave E

E Superior St

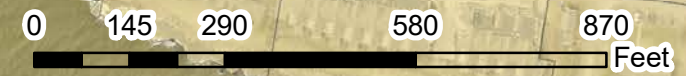
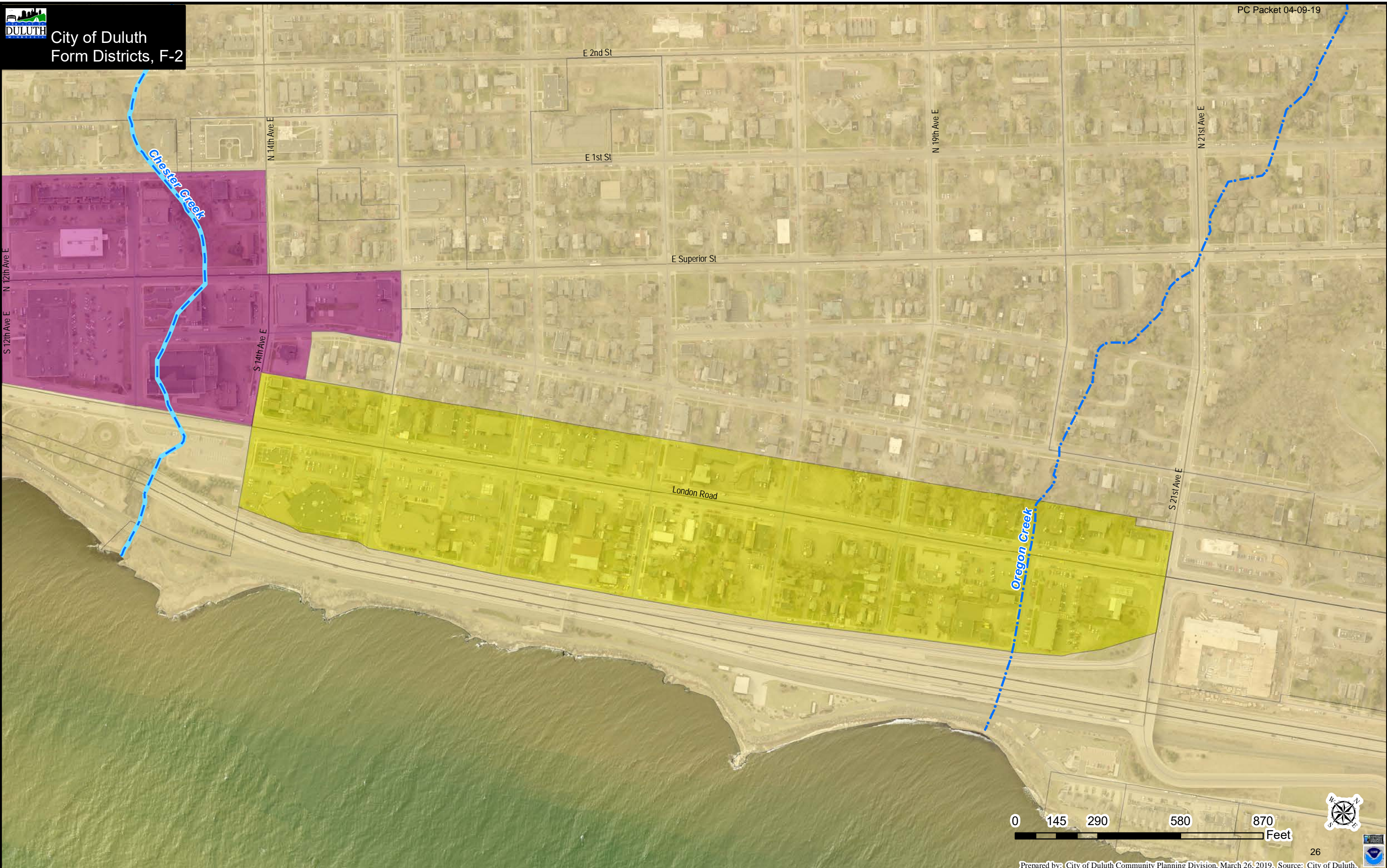
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London Road



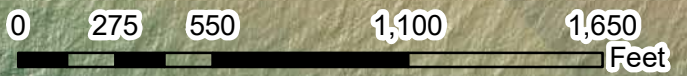


City of Duluth
Form Districts, F-2



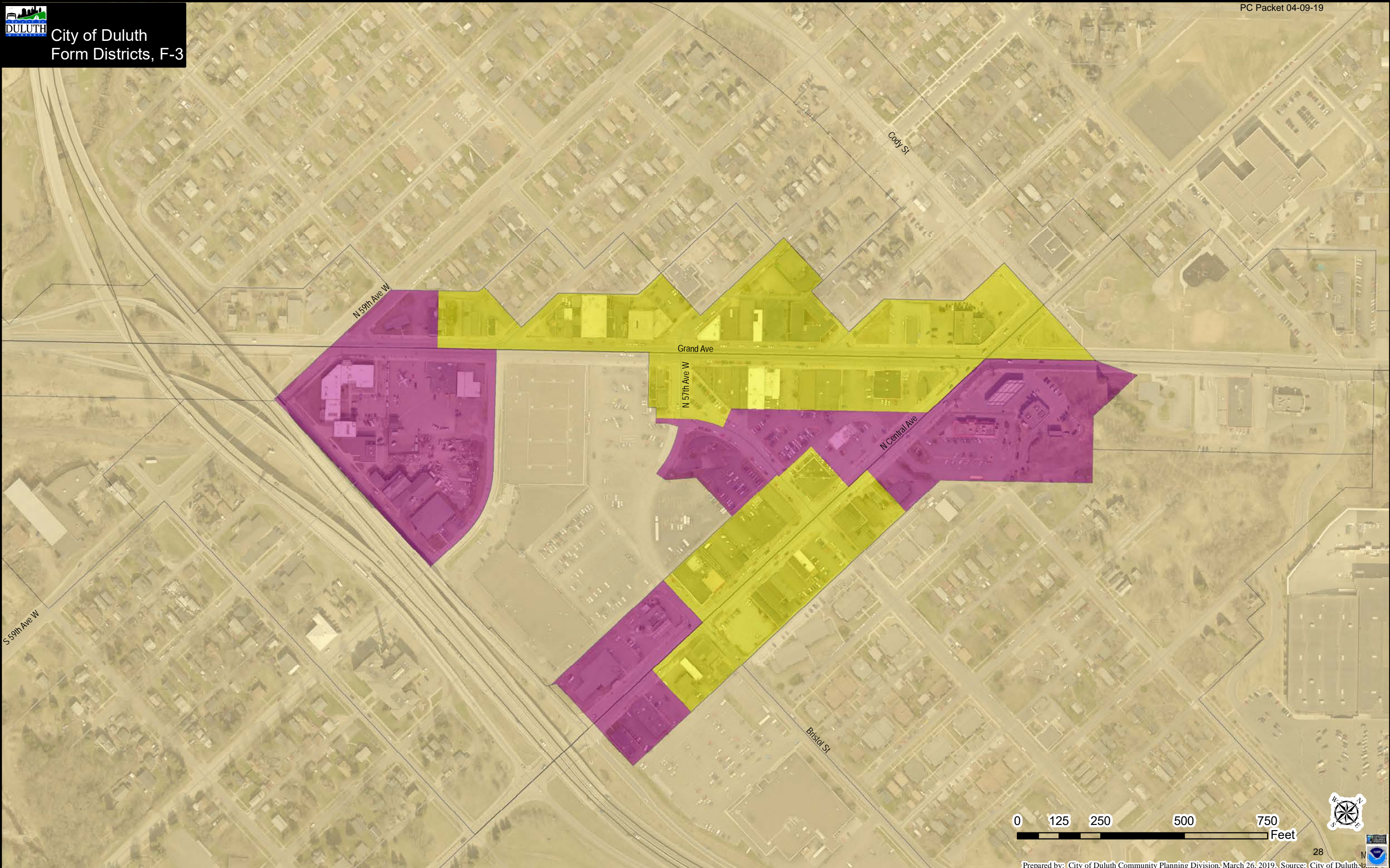


City of Duluth Form Districts, F-2





City of Duluth
Form Districts, F-3





City of Duluth
Form Districts, F-3

S 4th Ave W

S 3rd Ave W

S 2nd Ave W

S 1st Ave W

S 1st Ave E

E Michigan St

S 2nd Ave E

W Michigan St

I-35 Ramp

S Lake Ave

Railroad St

S 5th Ave W

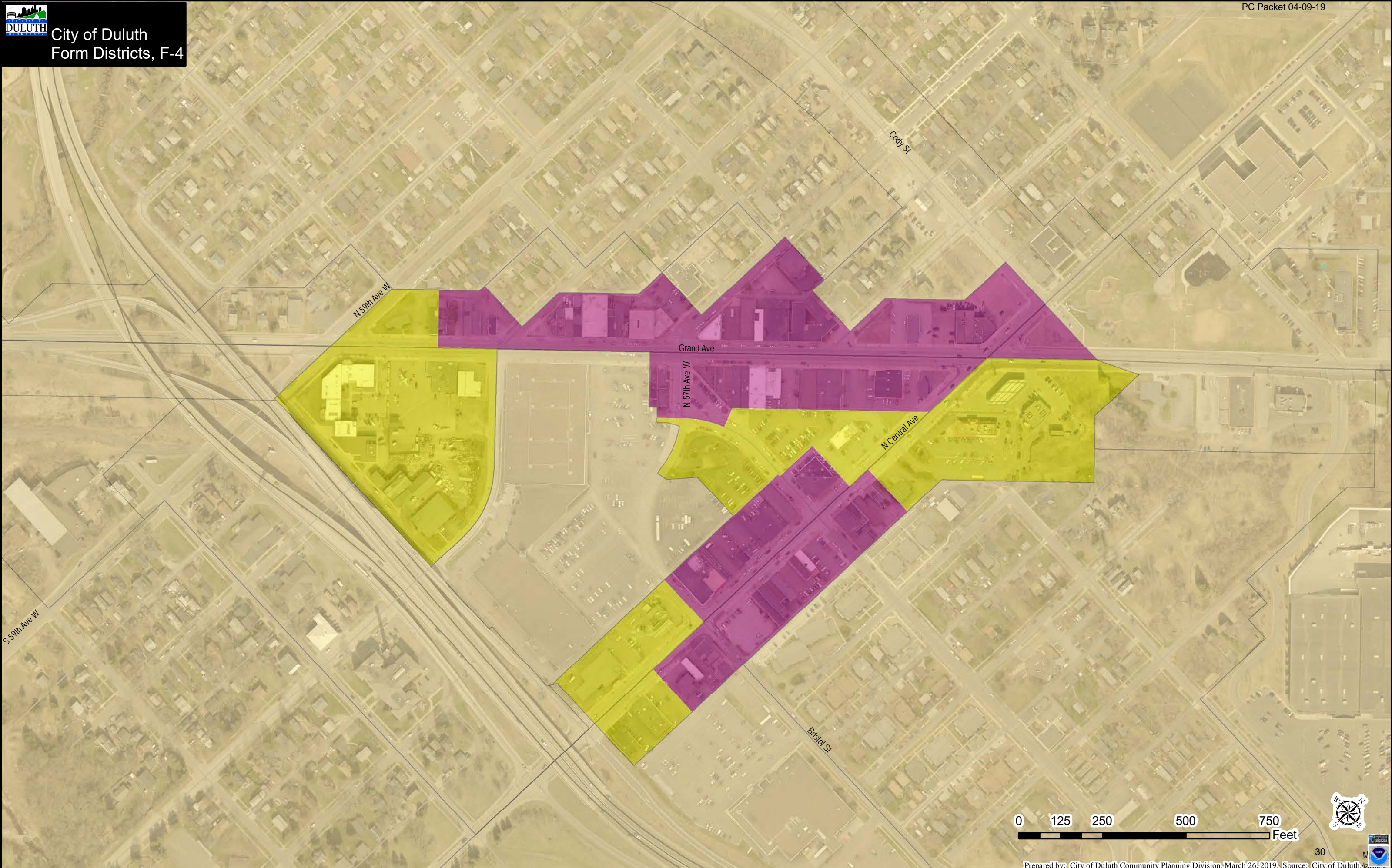
S 5th Ave W

S Lake Ave



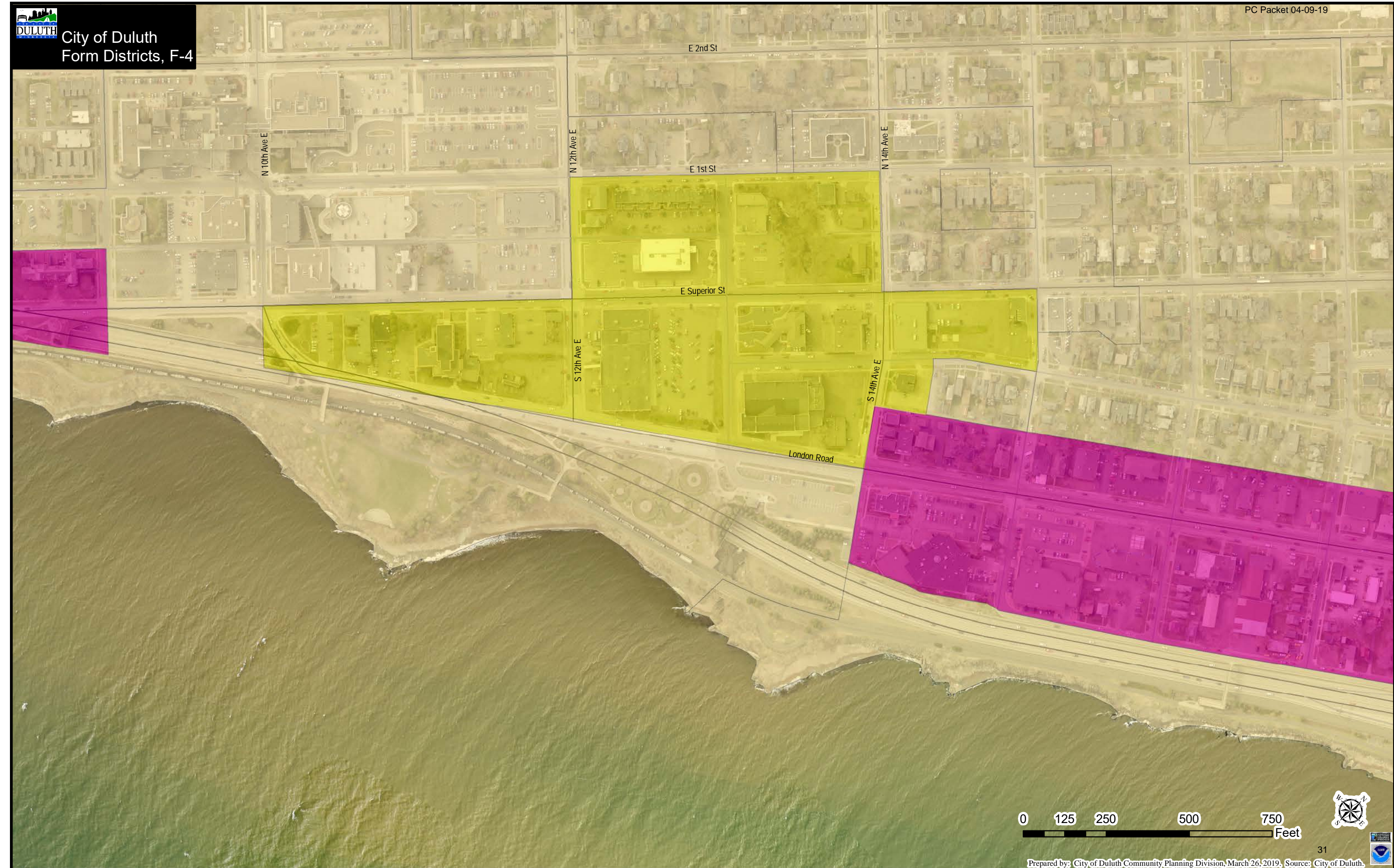


City of Duluth
Form Districts, F-4





City of Duluth
Form Districts, F-4



N 10th Ave E

N 12th Ave E

N 14th Ave E

E 2nd St

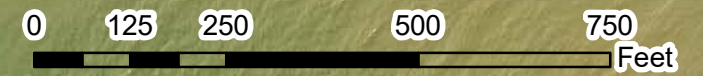
E 1st St

E Superior St

S 12th Ave E

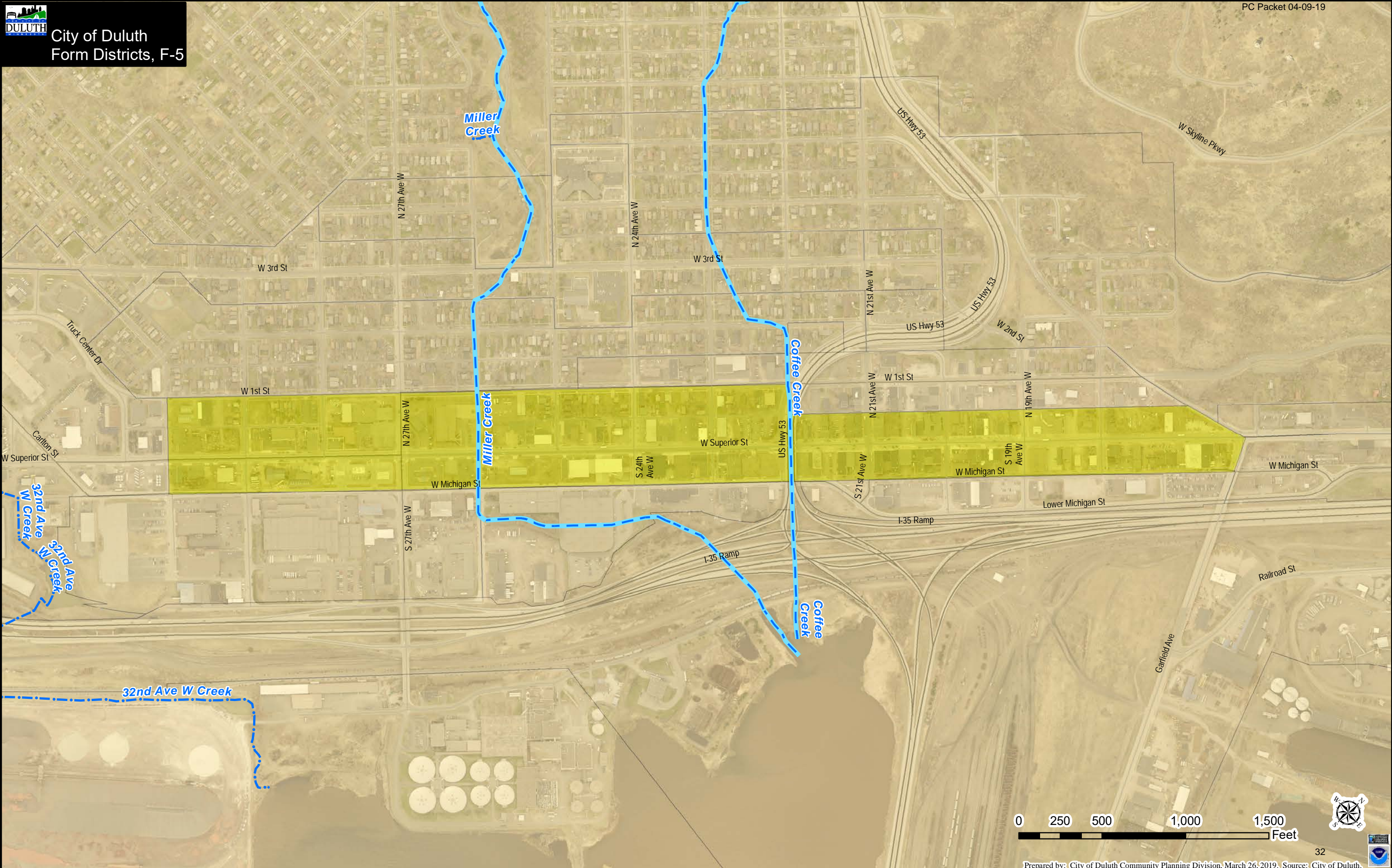
S 14th Ave E

London Road





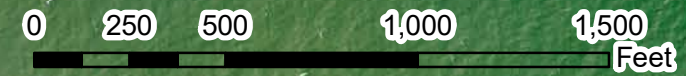
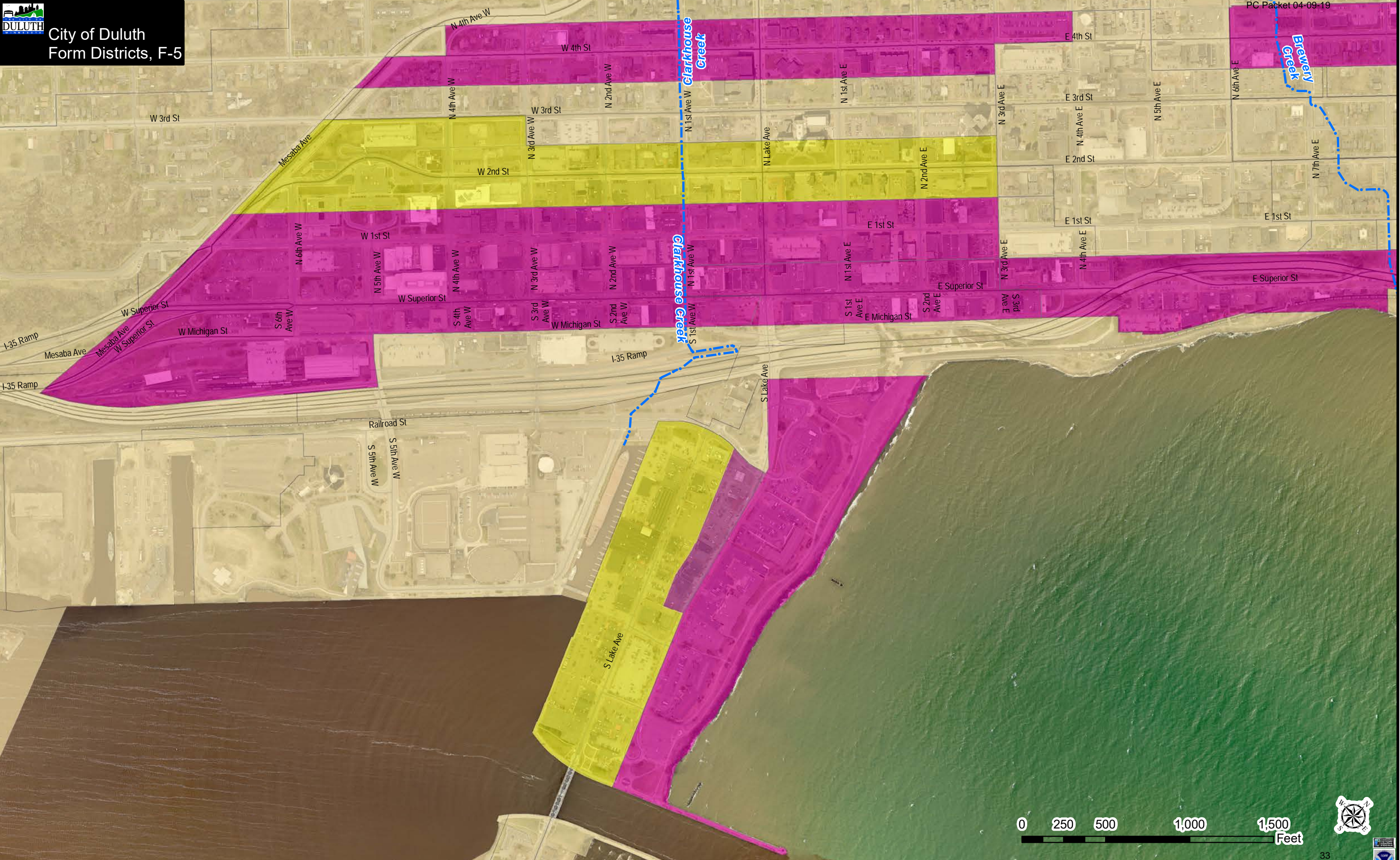
City of Duluth
Form Districts, F-5





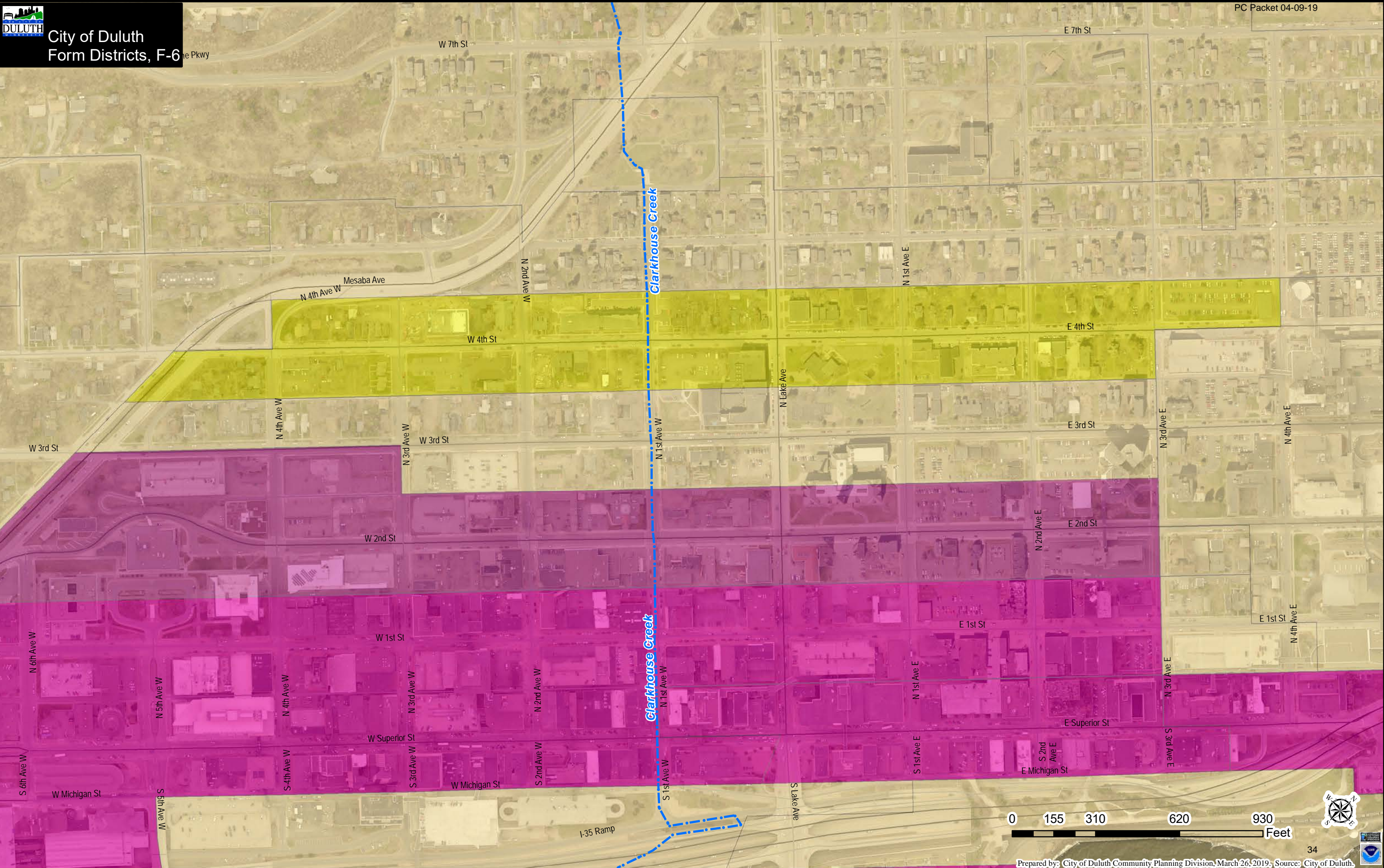
City of Duluth
Form Districts, F-5

PC Packet 04-09-19



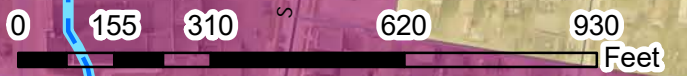
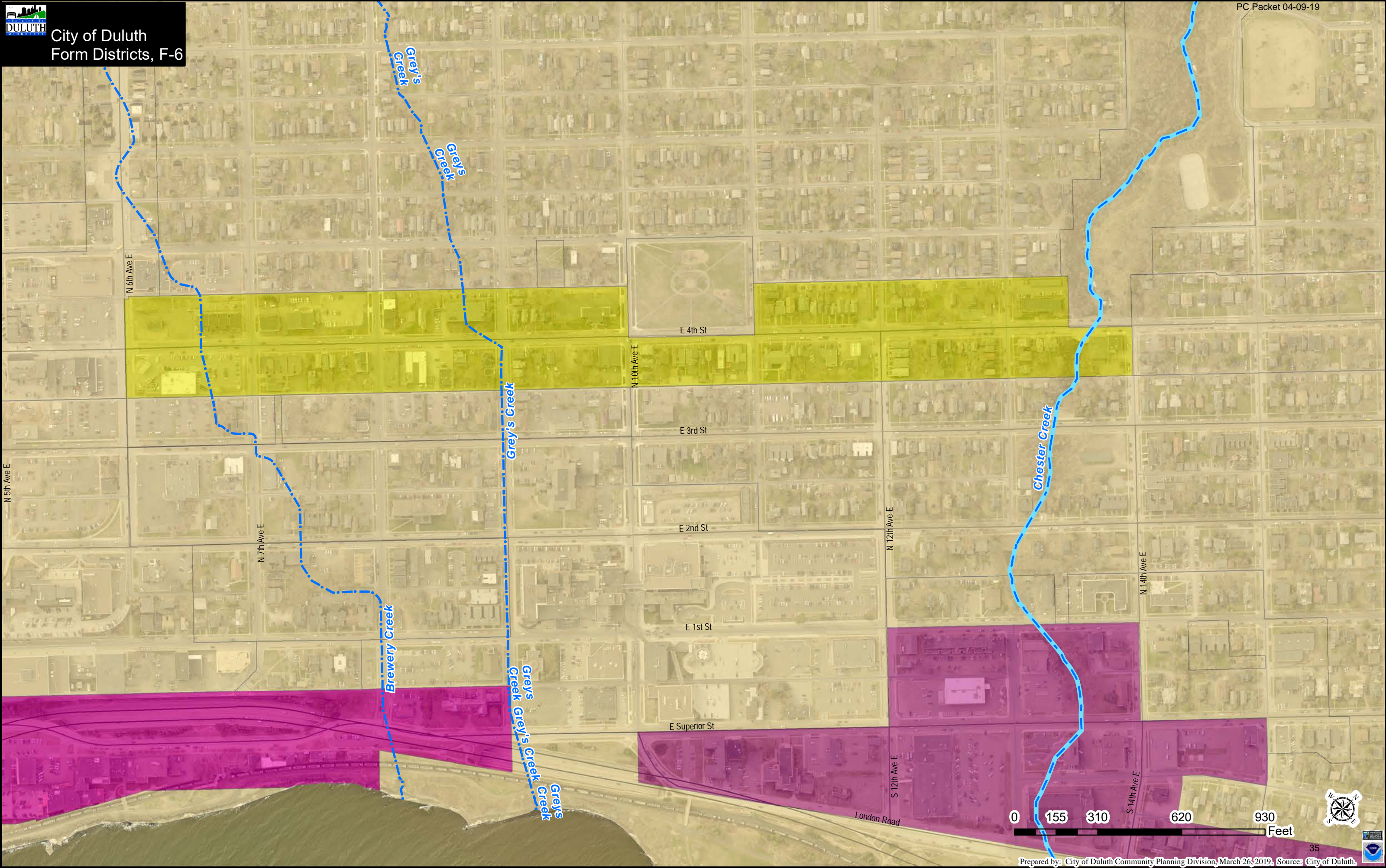


City of Duluth Form Districts, F-6





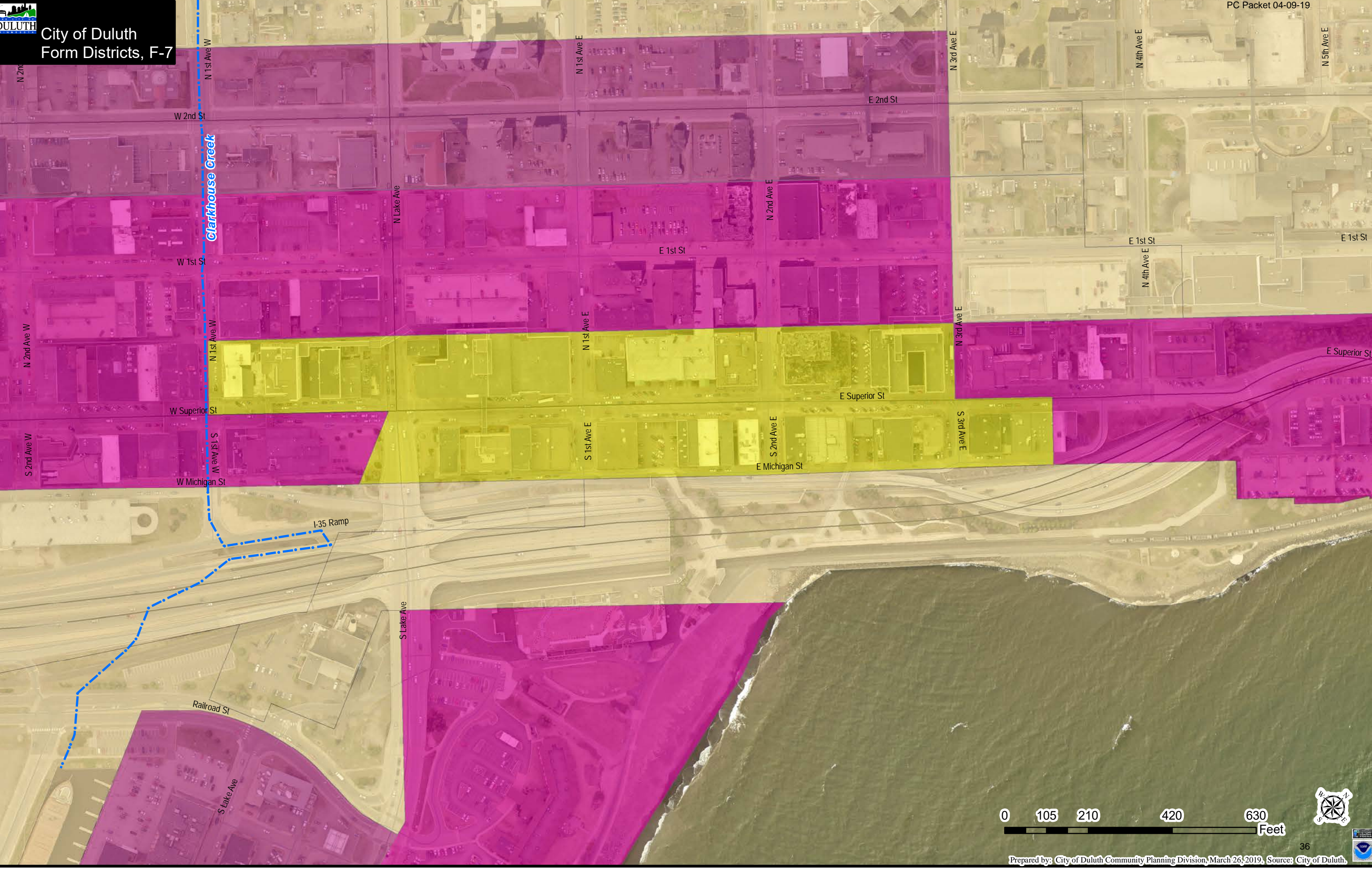
City of Duluth Form Districts, F-6





City of Duluth Form Districts, F-7

Clarkhouse Creek

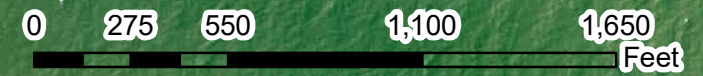
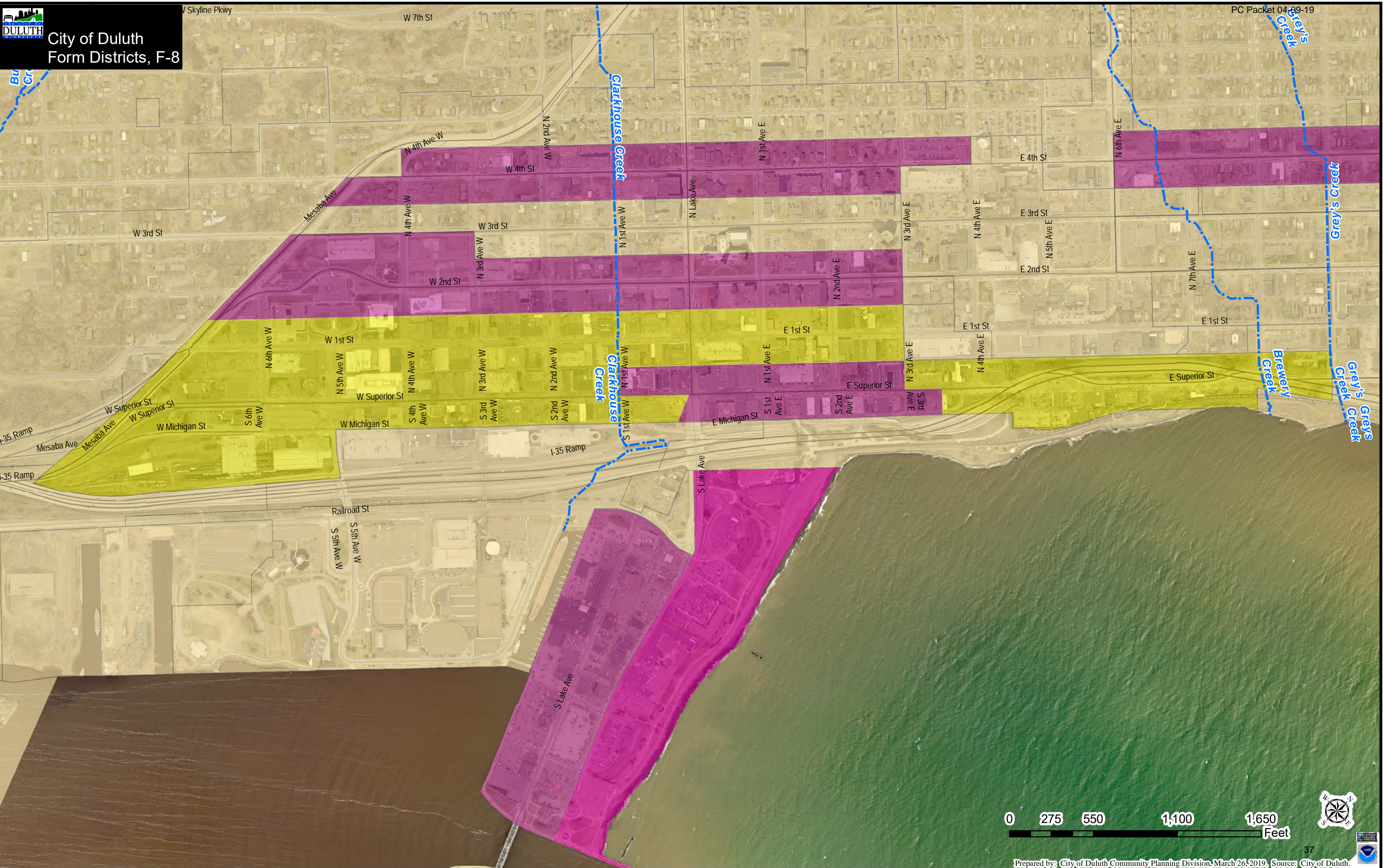




City of Duluth
Form Districts, F-8

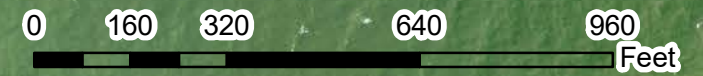
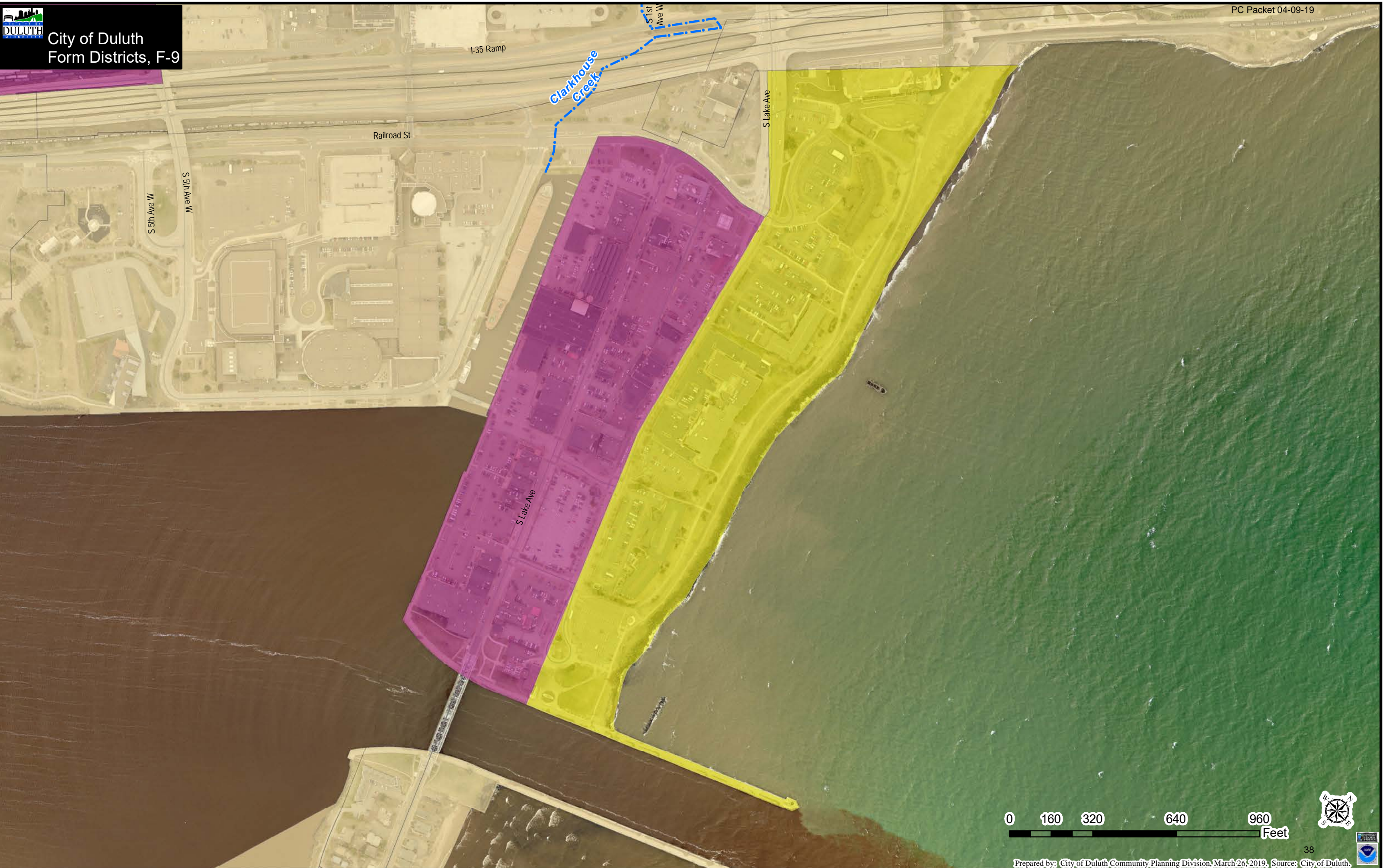
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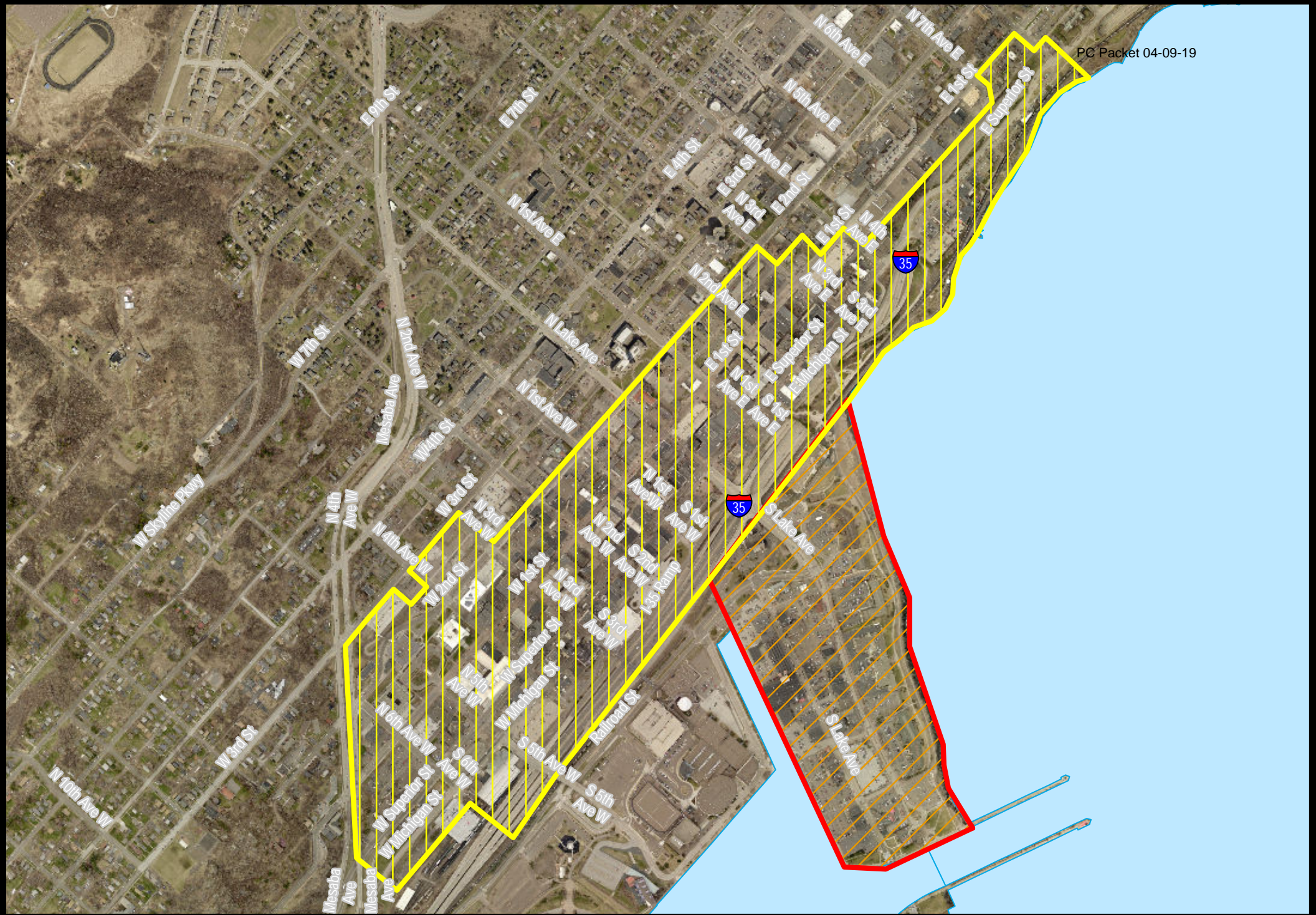
PC Packet 04-09-19







City of Duluth
Form Districts, F-9





Legend

-  Downtown - No Requirements
-  Canal Park - Special Requirements



Downtown & Canal Park Special Parking Areas

Exhibit 50-24.1-1





CITY OF DULUTH
Community Planning Division

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

File Number	PL 19-011	Contact	Kyle Deming	
Type	Rezone from MU-N and F-4 to MU-C	Planning Commission Date	April 9, 2019	
Deadline for Action	Application Date	February 6, 2019	60 Days	April 7, 2019
	Date Extension Letter Mailed	February 22, 2019	120 Days	June 6, 2019
Location of Subject	5300 Bristol St. (Spirit Valley)			
Applicant	Miner's Inc. and Super One Liquor, LLC	Contact	Bruce Anderson	
Agent	William Burns – Hanft Fride P.A.	Contact		
Legal Description	See Attached			
Site Visit Date	March 22, 2019	Sign Notice Date	March 25, 2019	
Neighbor Letter Date	March 22, 2019	Number of Letters Sent	35	

Proposal

The Applicant is proposing to rezone the subject property from the current zoning districts of Mixed Use Neighborhood (MU-N) and Form District 4, Mid-Rise Community Mix (F-4) to Mixed Use-Commercial (MU-C).
Staff is recommending approval of the proposed rezoning to MU-C.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N, F-4	Commercial	Central Business-Secondary
North	R-P	Rowhouses & detached res.	Urban Residential
South	I-G	I-35 & paper manufacturer	General Industrial
East	I-G	I-35 & paper manufacturer	General Industrial
West	F-4	Commercial	Central Business-Secondary

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):**Governing Principles:**

Principle #5 – Promote reinvestment in neighborhoods.

Principle #6 – Reinforce the place-specific.

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

Economic Development

Policy #2 – Foster growth of existing employers and strategically recruit new employers

Strategy #1 – Prioritize redevelopment efforts in the Core Investment Areas.

Policy #3 – Build on existing economic strengths and competitive advantages

Strategy #1 – Promote employer expansions that include job growth as well as new commercial and industrial development to support the level of activity in industry and commerce priority areas.

Strategy #7 – Analyze commercial market demand and best practices to determine options for expansion of neighborhood serving uses in nodes accessible by transit.

Site History:

In 1958 the bulk of the subject site was zoned R-2 (One- and Two-Family Residential) except the block facing Central Avenue which was zoned C-2 (Highway Commercial).

In the 1960's I-35 was extended through the area splitting the residential area.

In 1988 the R-2 zoned property was rezoned to C-2 as an implementation of the West Duluth Neighborhood Plan – Opportunities for Change.

In 1992 the 60,000 sq. ft. Super One Foods store was constructed and a 6,800 sq. ft. addition was constructed in 2002.

In 2011 Super One Liquors opened in the existing building at 210 N. Central Ave. The 6000 sq. ft. building was originally constructed in 1894.

202. N. Central Ave. was most recently Thrifty White Pharmacy in a 3,726 sq. ft. building constructed in 1964.

In 2006 the City Council adopted the Duluth Comprehensive Land Use Plan which included a Future Land Use Map that recommended Central Business-Secondary (CBS) for all of the subject property.

In 2010 the subject property was rezoned Mixed Use-Neighborhood (MU-N) with the adoption of the Unified Development Chapter (UDC) and corresponding new zone districts.

In 2011 the lots that front Central Avenue were rezoned Form District 4, Mid-Rise Community Mix (F-4) to further implement the comprehensive plan recommendation for the establishment of form districts in traditional business districts (File No. 11020).

Review and Discussion Items

Staff finds that:

- 1) The Applicant is proposing to rezone the subject property from Mixed Use Neighborhood (MU-N) and Form District 4, Mid-Rise Community Mix (F-4) to Mixed Use-Commercial (MU-C).
- 2) The majority of the rezoning area is currently zoned MU-N, which is “established to accommodate a mix of neighborhood-scale, neighborhood serving non-residential uses and a range of residential uses located in close proximity. This district accommodates both horizontal (uses located in separate structures) and vertical (uses located in the same building) types of mixed use. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood.”
- 3) The portion of the rezoning area along Central Ave. is zoned F-4, which was created for “portions of the London Road and West Duluth (Grand Avenue and Central Avenue) study areas either contain[ing] auto-oriented development or a mixture of different building types. The F-4 District was created for those areas that are not strictly comprised of mixed-use buildings. These areas are often transitional in nature, as the study area switches from commercial to residential. The integration of Corridor Building II and Cottage Commercial II will assist in stepping down the intensity as the district approaches residential neighborhoods.”
- 4) The purpose of the proposed MU-C district is “established to provide for community and regional commercial development along commercial corridors and nodal centers. Intended non-residential uses include retail, lodging, service, and recreational facilities needed to support the community and region, as shown in Table 50-19.8. Development should facilitate pedestrian connections between residential and non-residential uses.”
- 5) The entire area proposed for rezoning is designated Central Business Secondary (CBS) on the Comprehensive Plan’s Future Land Use Map. According to the comprehensive plan, CBS is “an area adjacent to and supporting the central business primary 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. Medium densities; multi-story and mixed-use buildings are encouraged, form-based guidelines, pedestrian-oriented design, limited off-street parking required, loading facilities required.”
- 6) 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.
- 7) The future land use category of Central Business Secondary (CBS) is most commonly reflected in the City’s zoning map as form districts. However, the area along I-35 from 23rd Ave. W. to Garfield Ave. is zoned MU-C while being in a larger area of CBS. There are also large areas of CBS future land use zoned MU-B.
- 8) In rezoning property, implementing the comprehensive plan is one criterion to consider. Other criteria include existing land use patterns, public necessity, convenience, or general welfare, or good zoning practice, which are explored in the findings below.
- 9) The proposed rezoning area is dominated by two retail operations that are scaled to serve more than just the immediate neighborhood. These uses are more in keeping with the purpose statement of the proposed MU-C zone than the neighborhood focus of MU-N. According to the UDC, MU-C zoning “is established to provide community and regional commercial development along commercial corridors and nodal centers.” Additionally, part of the description of Central Business Secondary future land use also “includes mixed regional and neighborhood retail.”
- 10) The existing land use pattern of that part of the rezoning area near Central Ave. is oriented to vehicular travel with the liquor store building’s entrance and parking on the side of the building facing a multi-lane driveway that leads from Central Ave. into the Super One store parking lot. The liquor store building, though abutting the Central Ave. sidewalk, has no building entrance there. Buildings across Central Ave. are also not pedestrian-oriented including a bank with drive-thru and a gas station. Rezoning this area MU-C would be consistent with the existing land use pattern. However, this area was zoned F-4 in 2011 to implement the comprehensive plan by leading the area into being a continuation of the pedestrian-oriented business district to the north. Rezoning to MU-C would be a decision to limit the Form district about 200 feet north of its planned extension to I-35.

11) The area proposed for rezoning is owned by two entities with a desire to orient their property to I-35 rather than the pedestrian-oriented business district. A decision to rezoning this area to MU-C is supported by comprehensive plan economic development strategies listed above that “foster the growth of existing employers” and “redevelopment efforts in the Core Investment Areas.” Spirit Valley is a Core Investment Area. Rezoning to MU-C could also facilitate the orderly redevelopment of the site utilizing appropriate traffic controls and screening, the details of such to be reviewed by the Planning Commission. This would benefit the public necessity, convenience, and general welfare of the community.

12) If rezoned to MU-C there exists the potential for a large commercial land use to locate across Bristol St. from a residential neighborhood with associated noise from large HVAC equipment, car and truck traffic as well as building and parking lights. These potential material adverse impacts on nearby properties can be mitigated through application of the UDC Development Standards and Planning Commission site plan review as required by the MU-C zone district.

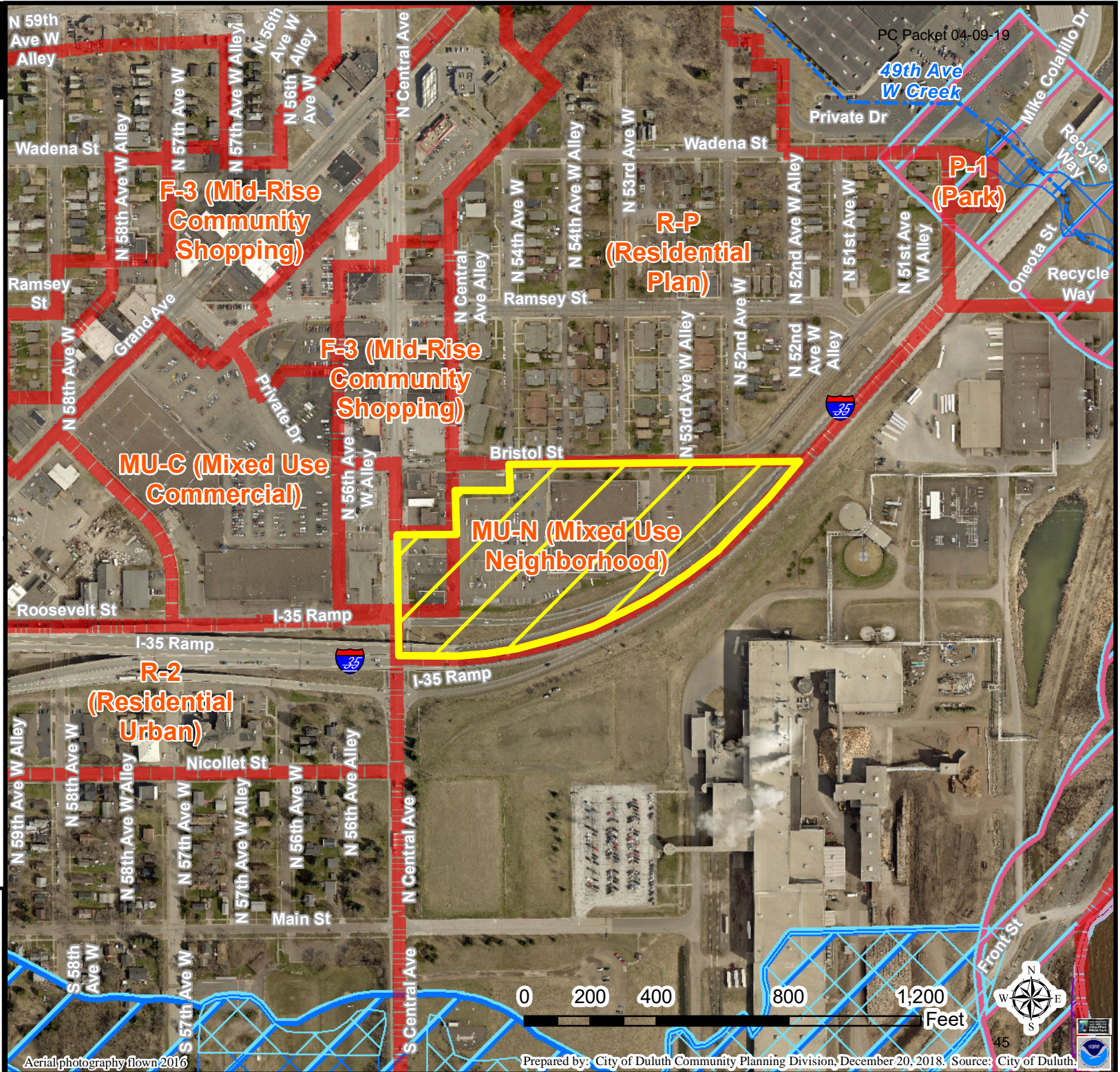
13) The existing Super One is classified in the UDC as “Grocery Store Large.” It is not a permitted use in MU-N and rezoning to MU-C would eliminate the legal nonconformity and permit its expansion. The liquor store is a permitted use in the current F-4 district and would be allowed to expand if the owners so desired.

14) No correspondence has been received as of writing.

Recommended Action: The findings above support recommending the rezoning to MU-C because doing so is consistent with the comprehensive plan; is reasonably related to the overall needs of the community and existing land use patterns; is required by public necessity, convenience and good zoning practice; and any material adverse impacts will be mitigated to the extent reasonably possible by application of UDC development standards and review of development plans by the Planning Commission.



Rezoning 5300 Bristol St.
from MU-N and F-4
to MU-C by Miners Inc.
and Super One Liquor



PC Packet 04-09-19

Legend

- Municipal Boundary
- Zoning Boundaries
- Floodplain (UDC)**
 - General Flood Plain
 - Flood Way
 - Flood Fringe
- Shoreland (UDC)**
 - Cold Water
 - Natural Environment
 - General Development
 - Trout Stream (GPS)
 - Other Stream (GPS)

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.

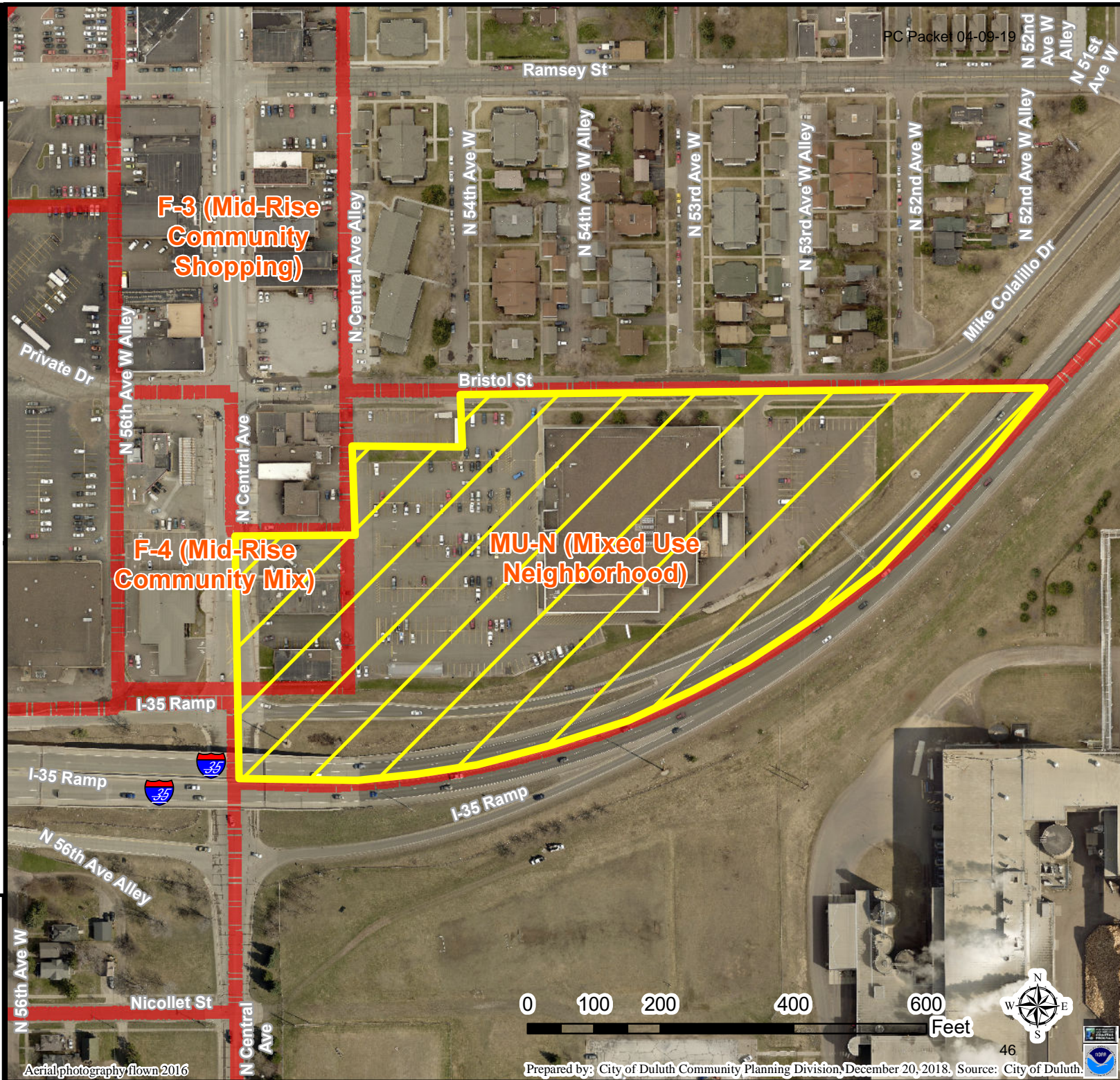
Aerial photography flown 2016





Rezoning 5300 Bristol St.
from MU-N and F-4
to MU-C by Miners Inc.
and Super One Liquor

PC Packet 04-09-19
N 52nd Ave W Alley
N 51st Ave W



Legend

- Municipal Boundary
- Zoning Boundaries
- Floodplain (UDC)**
 - General Flood Plain
 - Flood Way
 - Flood Fringe
- Shoreland (UDC)**
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Aerial photography flown 2016

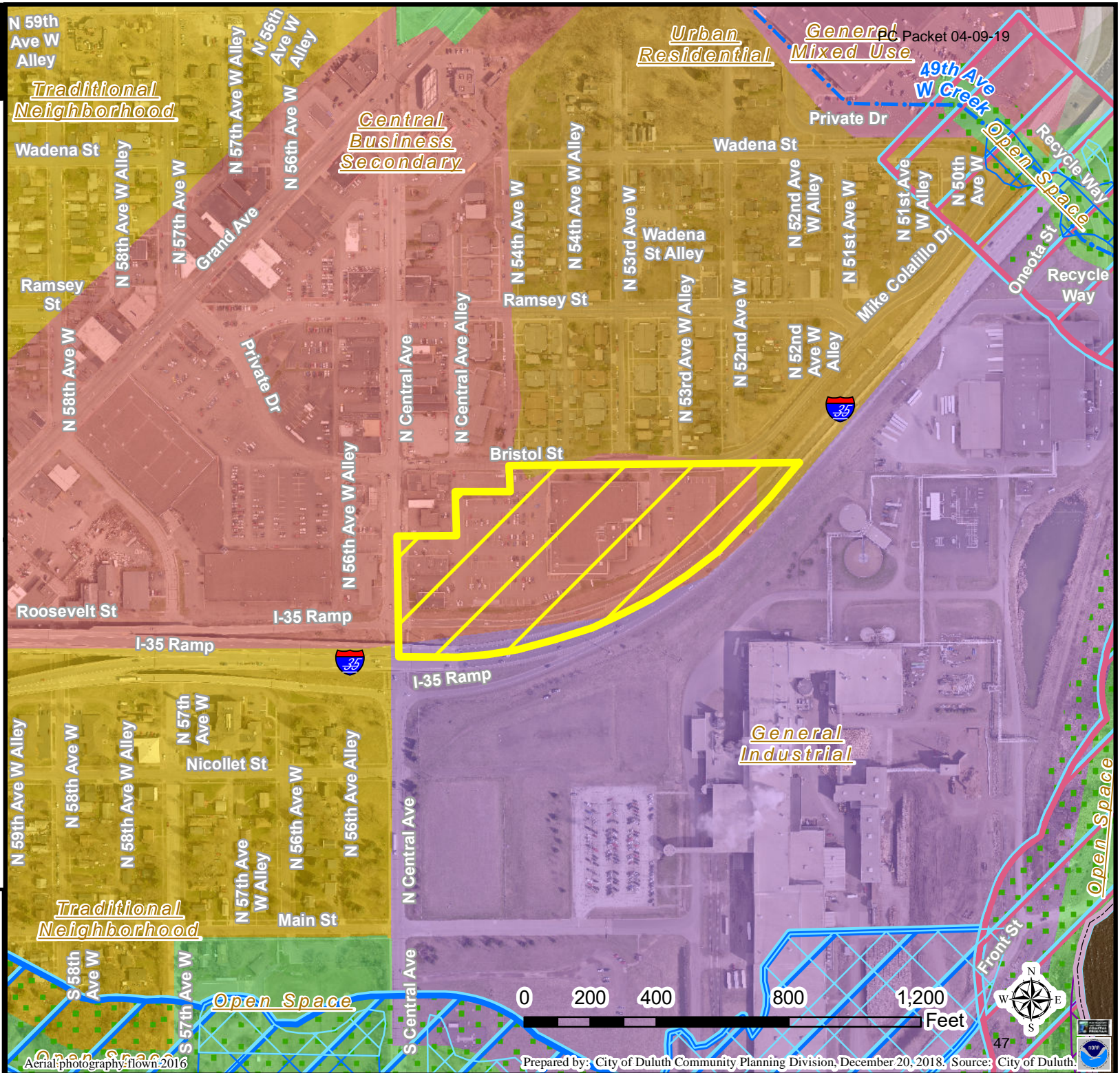
Prepared by: City of Duluth Community Planning Division, December 20, 2018. Source: City of Duluth.



Rezoning 5300 Bristol St.
from MU-N and F-4
to MU-C by Miners Inc.
and Super One Liquor

Legend

- 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)
- Future Land Use**
- Open Space
- 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
- Sensitive Lands Overlay



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CITY OF DULUTH ZONING MAP AMENDMENT PETITION

File No. _____

Date _____

Section I

We, the undersigned property owners, petition to reclassify from Form District – 4 (F-4) and Mixed Use – Neighborhood (MU-N) to Mixed Use – Commercial (MU-C) the property legally described in Exhibit A, attached hereto.

Section II

A map of the area is attached hereto as Exhibit B.

Section III

We believe that this rezoning will be in the public interest because it continues reasonable zoning regulation of the properties in question consistent with the use and opportunities relating to these properties. History is important here and the history shows that the Miner's Incorporated property, the Super One grocery store, was zoned commercial (MUC equivalent) until the Comprehensive Plan and related rezonings, which rezoned it to MUN. Miner's Incorporated did receive notice, but did not acquiesce. The property owners assert that this was in error since it put this major facility, the only full-service grocery in the neighborhood, into a grandfathered nonconforming status. This negatively impacts the value of the property and its flexibility, potentially subjects the property to unnecessary regulation and prohibits any expansion or significant remodeling. It is inappropriate and unfair that this property is so zoned. With respect to the property along Central Avenue, which has been acquired by Miner's Incorporated and Super One Liquor, LLC, that property was rezoned to a Form District due to the nature of the neighborhood to the north, which, one could argue, has logical reasons to be a Form District. The property in question, which is the subject of this petition, however, is not a walking or retail shopping area, it is a relatively high-speed area immediately off the freeway or an entry to the

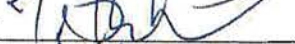
freeway and should not be subjected to F-4 or MUN restrictions and regulations. Specifically, the requirement of no setbacks in building to a front yard property line is inconsistent with the logical development of this property, given the circumstances.

Section IV

Petitioners: Owners of property requested to be rezoned (all property owners must sign)

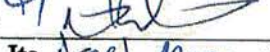
<u>NAME</u>	<u>ADDRESS</u>	<u>Phone#/Fax#/Email</u>
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MINER'S INCORPORATED	5065 Miller Trunk Highway Hermantown, MN 55811	P (218) 729-3330
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By 
Its Asset Manager

bruce.anderson@miners-inc.com

SUPER ONE LIQUOR, LLC	5065 Miller Trunk Highway Hermantown, MN 55811	P (218) 729-3330
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By 
Its Asset Manager

bruce.anderson@miners-inc.com

Section V

(Not Applicable – Not requesting a change from a Residential District).

Copy to:

William M. Burns
Hanft Fride,
A Professional Association

130 W. Superior St. #1000 P (218)722-4766
Duluth MN 55802 F (218) 529-2401
wmb@hanftlaw.com

**Exhibit A
(Legal Description)**

Those parts of vacated 54th Avenue West, vacated 54th Alley West, vacated 53rd Avenue West, vacated 53rd Alley West, and vacated 52nd Avenue West; Lots 3-14, Block 18, Lots 1-16, Block 17, and Lots 1-15, Block 16, WEST DULUTH FIRST DIVISION, and Lots 1-12, Block 200, and Lots 1-9, Block 201, ALTERED PLAT OF WEST DULUTH, THIRD DIVISION described as follows: Beginning at the intersection of the centerline of vacated 54th Avenue West and the extended South line of Lot 14, Block 18, West Duluth, First Division; thence running S'y along said centerline to a line commencing on the extended East line of said Block 18, distant 20 feet South of the SE corner of Lot 16 in Block 18, and terminating at the SW corner of Lot 16, Block 17, West Duluth, First Division; thence running NE'y along the aforesaid line to the SW corner of Lot 16, Block 17, West Duluth, First Division; thence running E'y along the South line of said Lot 16 for 60 feet; thence running NE'y to the SW corner of Lot 12, Block 200, Altered Plat of West Duluth Third Division; thence running N'y along the West line of said Lot 12 ten feet; thence running NE'y to a point on the East line of Lot 10, Block 200, Altered Plat of West Duluth, Third Division, distant 10 feet South of the NE corner of said Lot 10; thence running NE'y to a point on the East line of Lot 5, Block 201, Altered Plat of West Duluth, Third Division, distant 10 feet North of the SE corner of said Lot 5; thence running NE'y to the intersection of the centerline of vacated 52nd Avenue West and a line commencing on the East line of said Lot 5, distant 10 feet North of the SE corner of said Lot 5, and terminating at a point on the West line of Lot 1, Block 202, Altered Plat of West Duluth, Third Division, distant 38 feet South of the NW corner of said Lot 1; thence running N'y along the centerline of vacated 52nd Avenue West to the South right-of-way of Bristol Street; thence running W'y along the South right-of-way of Bristol Street to the centerline of vacated 54th Avenue West; thence running S'y along said centerline of vacated 54th Avenue West to the extended North line of Lot 3, Block 18, West Duluth, First Division; thence running W'y along the extended North line and North line of said Lot 3 to the NW corner of said Lot 3; thence running S'y along the West line of said Block 18 to the SW corner of Lot 14 in said Block 18; and thence running E'y along the South line and extended South line of said Lot 14 to the point of beginning.

Together with the vacated parts of the 16 foot wide alley between Central Avenue and 54th Avenue West accruing thereto pursuant to vacation Resolutions filed January 5, 2001, in the office of the St. Louis County Registrar of Titles as Document No. 894798 and October 20, 2016, in the office of the St. Louis County Registrar of Titles as Document No. 977544.

-AND TO-

Lots 15 and 16, Block 18, WEST DULUTH FIRST DIVISION, and Lots 15 and 16, Block 19, WEST DULUTH, FIRST DIVISION, together with vacated 54th Avenue West and vacated Roosevelt Street adjacent thereto.

Together with the vacated parts of the 16 foot wide alley between Central Avenue and 54th Avenue West accruing thereto pursuant to Vacation Resolution filed January 5, 2001, in the office of the St. Louis County Recorder as Document No. 1152301.

-AND TO-

Lots 8, 9, 10, 11, 12, 13 and 14, Block 19, WEST DULUTH FIRST DIVISION.

Together with the vacated parts of the 16 foot wide alley between Central Avenue and 54th Avenue West accruing thereto pursuant to vacation Resolutions filed January 5, 2001, in the office of the St. Louis County Registrar of Titles as Document No. 894798 and in the office of the St. Louis County Recorder as Document No. 1152301.



DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-723-3559 • www.duluthmn.gov

An Equal Opportunity Employer

TO: Planning Commission

FROM: John Kelley, Planner II

DATE: April 9, 2019

RE: **Upper Central-East Hillside Land Use Study, PL 19-013**

Background

There has been recent development/redevelopment interests in the North 6th Avenue East and Central Entrance Drive corridors; therefore, the Community Planning Division initiated a land use study to determine whether any recommendations to change the Comprehensive Plan were warranted.

The area was previously studied in the documents noted below:

- 2007 - East Hillside Community Neighborhood Revitalization Plan
- 2007 - Central Hillside Community Neighborhood Revitalization Plan
- 2010 - Sixth Avenue East Schematic Redesign Study
- 2011 - Health Impact Assessment – Builds on Sixth Avenue East Schematic Redesign Study
- 2012 - Hillside Neighborhood Revitalization Plan – Update on 2007 Plans

The Land Use Study builds on the previous planning efforts and will primarily be focused on future land use changes. The adoption of the Imagine Duluth 2035 Comprehensive Land Use Plan included some amendments to the Future Land Use Map in this area. Specifically 6th Avenue East below East 9th Street has historically had a mixed-neighborhood character. There are several vacant and unused properties along this corridor. The land use along this portion of 6th Avenue East below East 9th Street was changed from Traditional Neighborhood to Neighborhood Mixed Use to better allow for redevelopment of this corridor. The Comprehensive Land Use Plan had envisioned much of the area as Traditional Neighborhood, Urban Residential, and pockets of Open Space along Brewery Creek. These land use designations, however, do not necessarily reflect the character of existing development on the corridor. The existing land uses are a mixture of residential, some commercial including a gas station, taxi business, hotel and undeveloped properties in the western portion of the study area. The UDAC building is a legal nonconforming structure, which was used as a child care/office/personal service facility and is currently vacant. The current zoning for the UDAC site is residential and would not allow for commercial use. All of these questions and considerations led staff to initiate this land use study.

Process

Staff began doing research on the study area in December. A public meeting was held on March 4, 2019, with approximately 23 attendees. This was an open house where staff shared information and asked for input from attendees; 19 comment forms were received at the meeting. After a presentation with three land use scenarios, attendees were asked to submit feedback on potential land uses for the area. A summary of comments from these meetings is including in the Findings below.

Findings

Existing Land Use

As noted above, the existing land uses are a mixture of residential, commercial, and undeveloped and/or underutilized properties (see attached *Existing Land Use* map). Residential dwellings are located on typical sized City lots and have access via N. 6th Avenue East or adjacent side streets. Commercially developed properties are located on larger lots with some having access from N. 6th Avenue East. The surrounding area to the east, west and south consists of a traditional neighborhood development pattern. The former UDAC building and are now vacant. The site is 1.8 acres and consists of a 38,000 square foot building, parking lots and a community orchard.

Many of the existing residential uses do correlate with the future land use designations in the Comprehensive Plan such as residential. This can be seen in the attached *Comprehensive Plan* map. Commercial/office activity in the area are long-standing uses (such as the gas station, former UDAC building, hotel and taxi business). Some of the businesses are within their properly zoned districts. However, if the future land use is not changed and the zone districts are not changed to align with the Comprehensive Plan, uses such as the former UDAC building site would become nonconforming uses.

Transportation

The two main thoroughfares in the area are North 6th Avenue East/Central Entrance Drive and East 9th Street. Both of these routes are Minnesota State Aid roads that the City receives funds from the state for maintenance. North 6th Avenue East/Central Entrance Drive and East 9th Streets are classified as minor arterials. Traffic volumes along the North 6th Avenue East and Central Entrance Drive corridor range from 12,800 to 14,500 average daily trips, and East 9th Street has 6,100 average daily trips within the study area. These roads have a controlled intersection with a light. Other roads in the area are local city streets, mainly residential in nature. Duluth Transit does provide service in the area. Routes are along North 6th Avenue East and East 9th Street.

Pedestrian and bicycle safety has been an ongoing concern for the area. Previous studies completed for this area have identified the need to redesign the roadway to make it more user friendly for all modes of transportation and to apply traffic calming treatments to lower speeds and make it more neighborhood friendly. Drivers on both of these roads experience congestion at peak traffic times.

Natural Resources

Brewery Creek runs along the western portion of the study area from west to east. The majority of the Creek is piped underground through a culvert system with the exception of two locations where it is day lighted. The creek does run directly underneath the former UDAC building. Previous plans completed for this area have suggested that Brewery Creek be day lighted in the area of the UDAC site as an amenity for open space and park purposes.

Utilities

Existing water, gas, and sanitary sewer (including sanitary sewer basins) were mapped and are shown on the *Utilities* map. The City's utility data indicates that most of the area is served by utilities, and that those utilities could be expanded or upgraded as needed for any future development. The notable exception is the western portion of the study area, which has no utilities extended into the undeveloped property. The City has no plans to extend utilities in this area.

Community Input

Comments received at the public meeting generally demonstrate support for commercial development along the North 6th Avenue East. Attendees at the meeting commented on the need for neighborhood commercial businesses that provide goods and services for residents of the immediate area such as gas stations, apartments, coffee shops, hardware store and small restaurants. Comments also indicated commercial development should not be auto oriented due to traffic volumes and turning movements. This type commercial development is consistent with ideas expressed in previous planning documents for the Hillside area to make the 6th Avenue corridor more bike and pedestrian friendly.

Comments for residential development included the need for affordable single-family homes, duplexes, and a mix of smaller apartment buildings and larger apartment complexes with some commercial on the lower level such as the Bluestone and Kenwood Village sites. Some commenters indicated that no new residential development was necessary.

Open space/recreation comments include the need for more green space to provide walking trails, play area for family recreation, dog park, more landscaping (trees and shrubs) along 6th Avenue, and to improve the community orchid area into a park like setting. Additional comments regarding new development/redevelopment indicated that open space should be inclusive of a project site.

Land Use Scenarios

Based on internal staff discussions, Staff developed three land use scenarios to share at the public meeting (all three are attached). All three scenarios included a recommendation of Open Space land use in the western and south central portion of the study area. All three scenarios also supported Neighborhood Mixed Use and/or Urban Residential as a land use in sections of the study area.

- **Scenario 1:** This scenario considered the western portion of the area as being Open Space due to Brewery Creek meandering through this portion of the study area along steeper slopes and bedrock. The recommendation in this scenario does not envision residential or commercial development in this area. However there is the potential for pedestrian trails and to create a park like setting. The land use category of Neighborhood Mixed Use was also recommended in this scenario for consideration of additional mixed-use development such as residential and commercial.
- **Scenario 2:** This scenario also suggested the western section of the study area be classified as Open Space. The remainder of the study area was recommended to change land use categories from Traditional Neighborhood to Urban Residential. This would allow for residential and commercial uses for the area.
- **Scenario 3:** Open Space was the dominant land use category in this scenario mostly due to Brewery Creek meandering through the area. This scenario was also consistent with previous studies for the area to consider open space and trails, and to daylight Brewery Creek as an amenity for the surrounding neighborhoods.

Recommendations

After researching the area, looking at existing land uses, and taking into account the comments received throughout the study, Staff has developed several Land Use Recommendations. Recommendations for the area:

- Recognize and support the need for neighborhood commercial businesses that provide goods and services for residents of the immediate area.
- Protect the character of existing single-family neighborhoods by placing close attention to buffers and transitions between land uses.
- Support land uses that protect natural resources while still allowing reasonable development on privately owned property.

All of the below are recommendations to change the Comprehensive Plan – Future Land Use Map as shown in the attached map, *Recommendations*.

- A. Change the Future Land Use from Traditional Neighborhood to Open Space in the western portion of the study area above East 11th Street and below East Skyline Parkway.** This area has steep sloped areas with rock outcroppings and Brewer Creek running through the central portion of the area. There are no utilities within this area and not immediate plans to extend utilities to the site.
- B. Change the Future Land Use from Traditional Neighborhood and Urban Residential to Neighborhood Mixed Use.** This includes a change from a small section of Urban Residential along North 6th Avenue East and East 9th Street to Neighborhood Mixed Use. This land use category would support the need for neighborhood commercial businesses that provide goods and services for residents of the immediate area.

Next Steps

Planning staff is asking Planning Commission to recommend approval of these Comprehensive Plan Future Land Use Changes to City Council. It is anticipated that a resolution would appear on the City Council agenda for its regular meeting on April 22, 2019. Council must adopt Comprehensive Plan amendments with a two-thirds vote. Future steps prior to development in the area would be rezoning of these areas to implement the Comprehensive Plan.



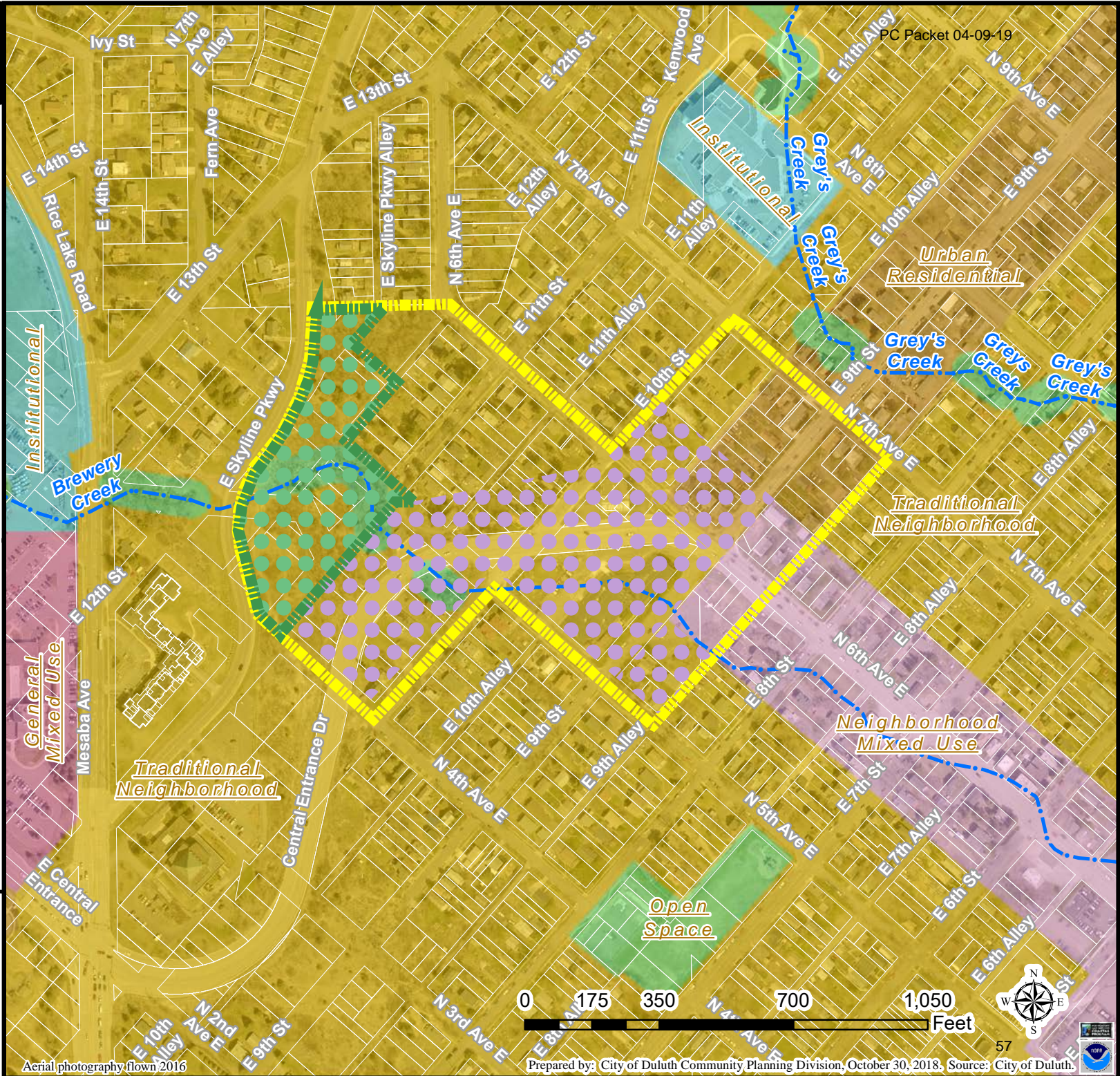
Traditional Neighborhood to Neighborhood Mixed Use

Traditional Neighborhood to Open Space

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Future Land Use**
- Open Space
- 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

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Upper Hillside Area

PC Packet 04-09-19



Traditional Neighborhood to Urban Residential

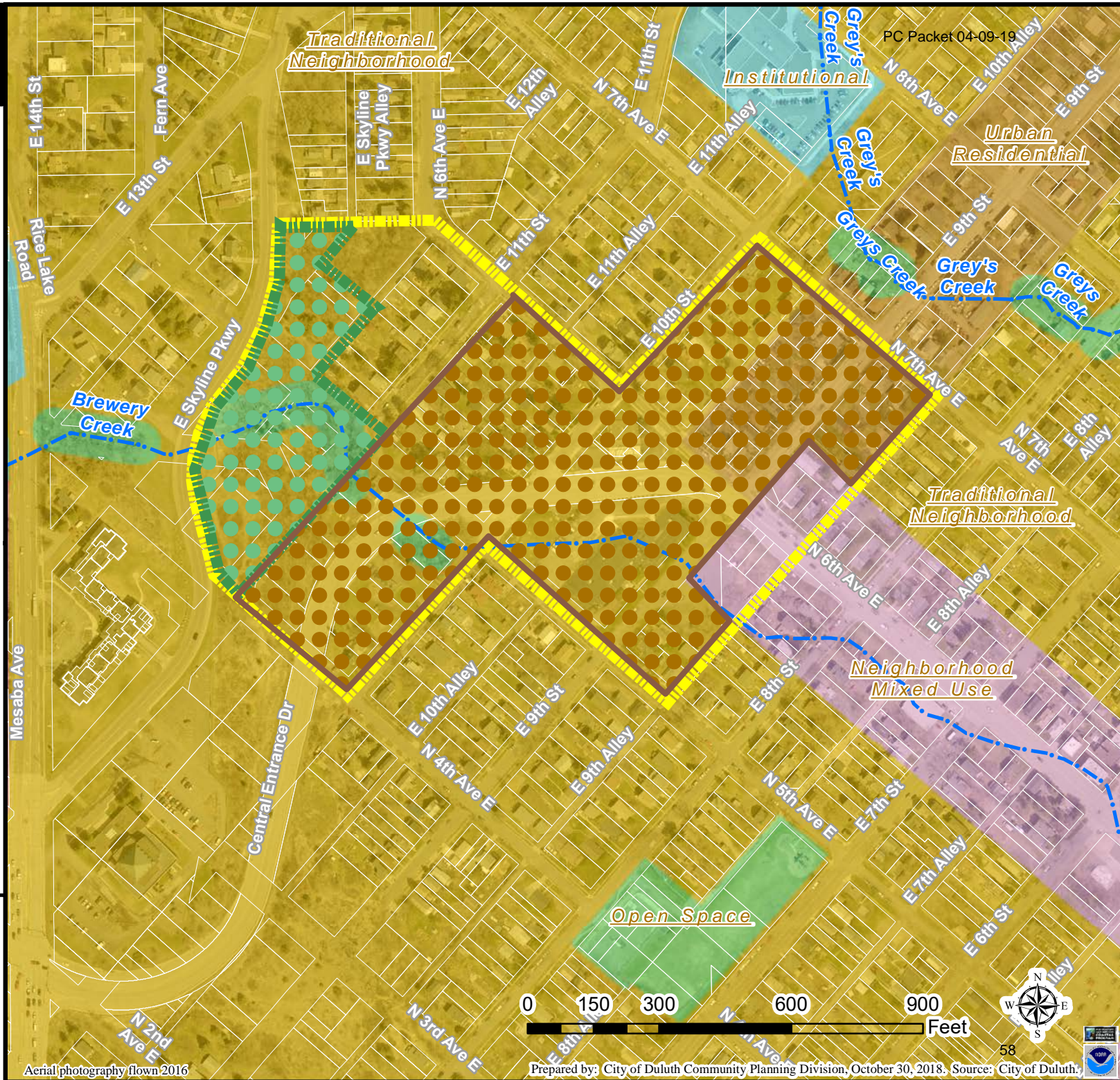


Traditional Neighborhood to Open Space

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Open Space
- 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
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Aerial photography flown 2016





Upper Hillside Area

PC Packet 04-09-19



Traditional Neighborhood to Open Space

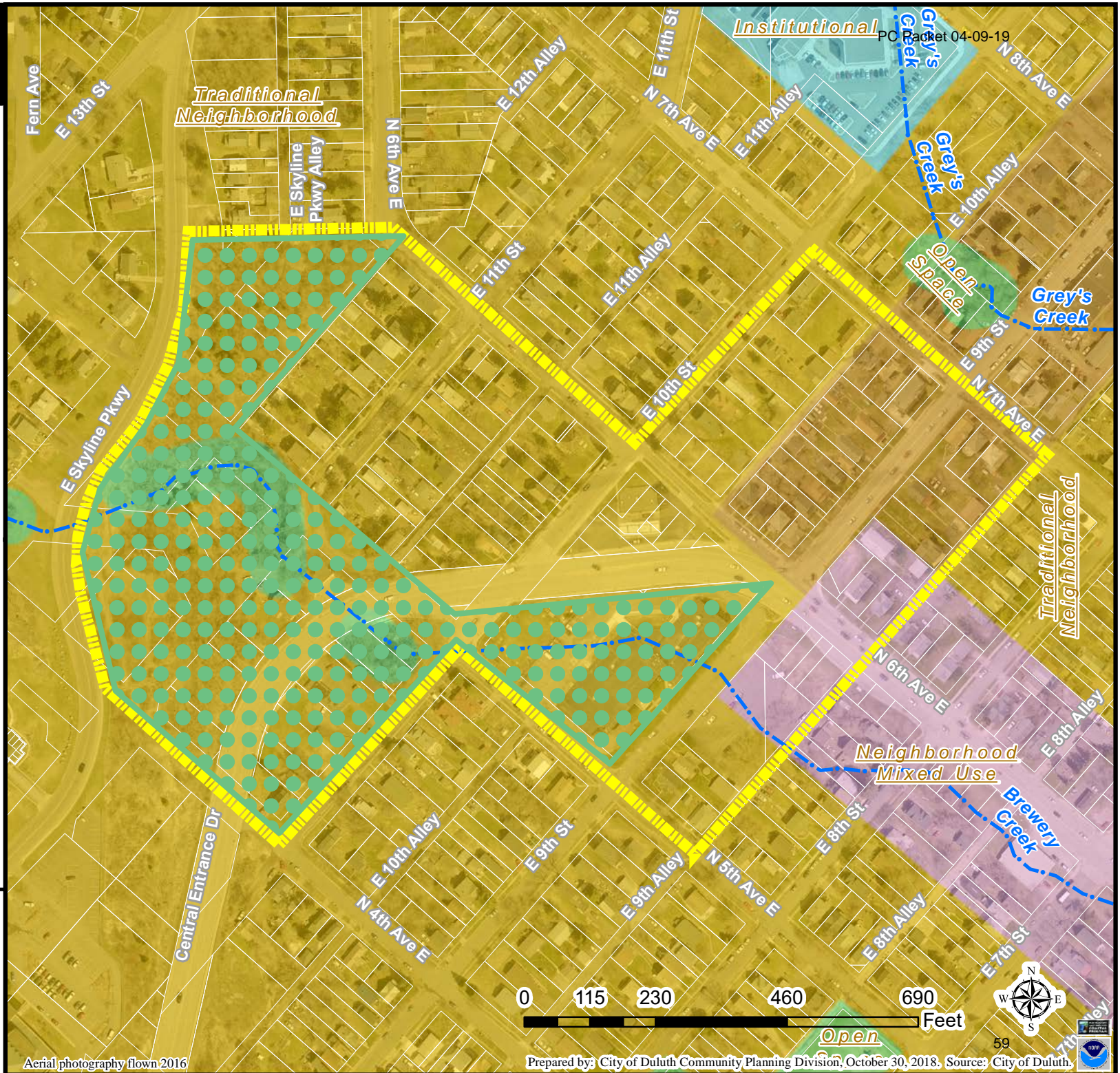
Legend

- Trout Stream (GPS)
- Other Stream (GPS)

Future Land Use

- Open Space
- 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
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Aerial photography flown 2016



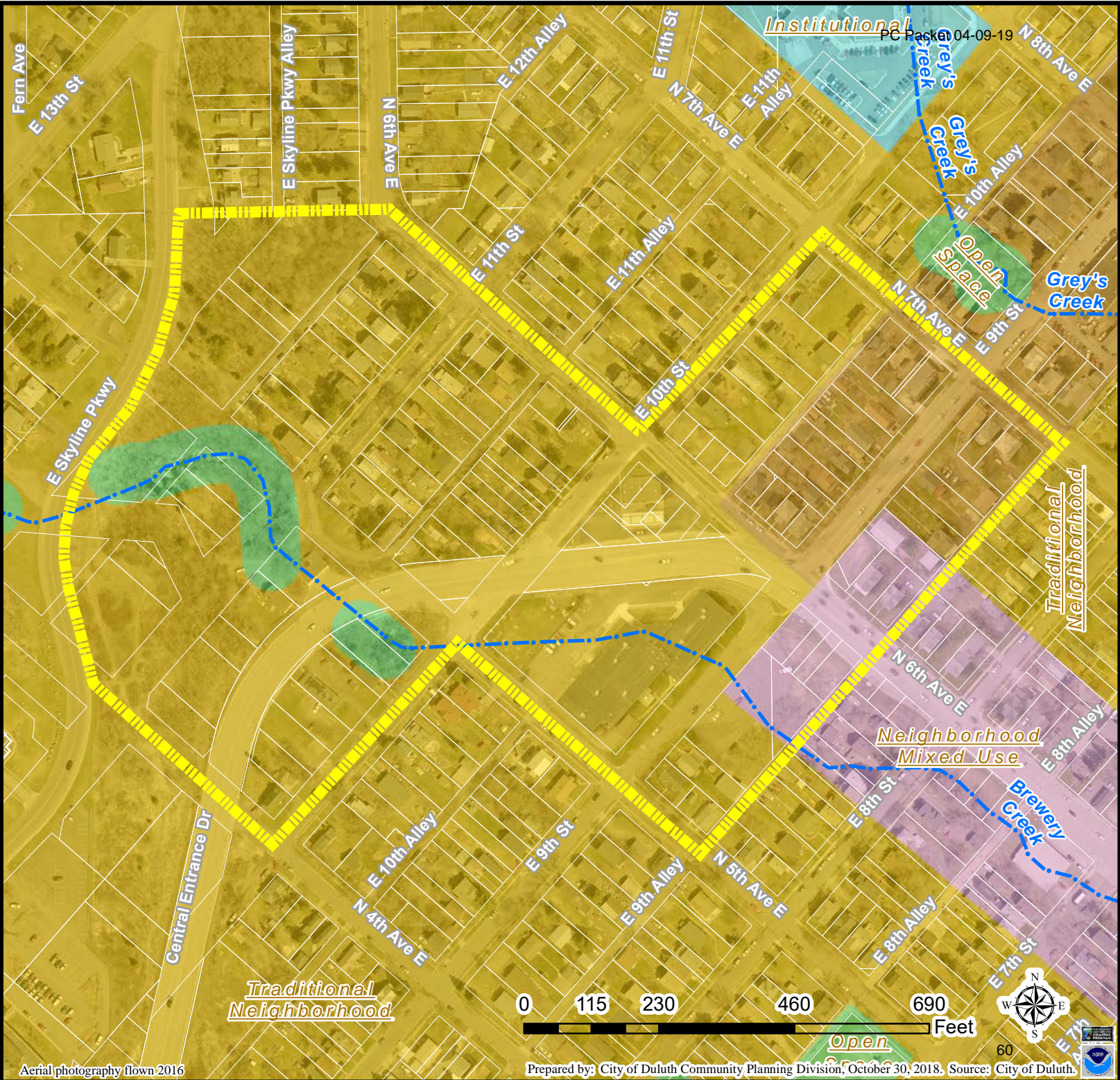


Study Area

Legend

- Trout Stream (GPS)
- Other Stream (GPS)
- Future Land Use**
- Open Space
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Neighborhood Mixed Use
- General Mixed Use
- Central Business Secondary
- Central Business Primary
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PC Packet 04-09-19

Land Use Study Process

Data Gathering and Public Input

WE'RE HERE!

Land Use Recommendation from Planning Staff with consideration of comments from the Public Meeting

Planning Commission Recommendation
(UDC Map Amendment)

City Council Approval
(UDC Map Amendment)

What is a Land Use Recommendation?

By Minnesota law, zoning must implement a City's Comprehensive Plan. The Future Land Use is part of this plan. A recommendation could change the Future Land Use, and any proposed rezoning should match the land use



Why are you doing this study here?

The upper central and east hillside area has the potential for expanded commercial or business, and residential development. Because this area is located close to Central Entrance and downtown Duluth, there could be opportunity for 6th Avenue East corridor and neighborhood development



Upper Central-East Hillside Land Use Study

Please Share Your Comments with Us!
Please write clearly

About You:

Why are you interested in the Upper Central-East Hillside area?

- Resident
- Landowner
- Business Owner
- Employee
- Visitor

Tell us what you think!

- What type of commercial businesses would you like to see in the area?

- What types of residential development would you like to see in the area?

- What types of Open Space – Recreation would you like to see in the area?

- Do you think the Comprehensive Plan Future Land Uses are appropriate? Why/Why not?

- What opportunities do you see for this area?

- Is there anything we should know about that these maps do not show?

Please provide additional comments on the back

What type of commercial businesses would you like to see in the area?

1. Small locally owned retail, restaurants, grocery stores. No gas stations.
3. Restaurant – groceries – gas station – Trader Joe's
4. Coffee shop
5. Gas stations, convenience stores
6. Food , gas station, car wash
7. Gas stations or grocery stores that can supply the surrounding area with quality food and household supplies.
8. Small retail/coffee shops only.
9. Grocery store, gas station, entertainment
- 10.No commercial, if any, small serving neighborhood
- 11.Food store – Trader Joe's
- 12.Minimal – would rather see small business
- 13.Day care center.
- 14.Neighborhood commercial businesses that provide needed goods and services for residents of the neighborhood, many who do not drive (i.e. groceries, hardware, drugstore, upcycle clothing).
- 15.Zones do not define development interest, irrelevant.
- 16.Trader Joe type stores, coffee shop retail area
- 17.No auto based commercial. No intensive commercial due difficult car traffic.
- 18.Restaurants, coffee shop, no more auto repair, no convenience stores

What types of residential development would you like to see in the area?

1. Small apartments. Buildings with retail space below.
2. Single-family
3. Apt building like Kenwood – Arrowhead
4. Lower area (UDAC) residential along the lines of Arrowhead/Kenwood with some commercial.
5. As is
6. None
7. I think the area has appropriate residential development.
8. No large apartment complexes. Four unit buildings single-family, duplex.
9. Apartments like Bluestone
- 10.TN
- 11.No new
- 12.High density, prevent encroaching on edges of green space (no new development at Chester Park edges).
- 13.Family with more parking
- 14.Affordable family homes, smaller apartments (accessible) that provide supports (rec room, community room, etc. for families and seniors).
16. Tiny apartments for college kids, residential apartments more efficient
17. (Not suburban style) urban apartments – take advantage of the transit – rich corridor of 5th Avenue East.
18. Condominium at UDAC site due to central location near Essentia, Duluth Whole Foods & #11, #23 down E 9th and 4 bus lines on 6th Avenue.
19. Any new development (if any) should be higher density.

What types of Open space – recreation would you like to see in the area?

1. Parks, more walking space. Currently area is not good or safe for walking.
2. Apartment buildings should have some green space of their own.
3. The Orchard is nice
4. Maintain and possibly improve open space (trails etc.)
5. As is
6. Community garden – park like setting/adjacent to development
7. I think the area is not in need of a recreational area at the expense of quality commercial development.
8. I would like more green space for walking trails opening up the creek in some places
9. Park, play area for family recreation
10. Trails, restrictions on development
11. Nothing new
13. Green area for dogs, kids, etc.
14. The orchard/urban gardening bicycle paths, clear sidewalks, historical marking – history walk celebrating the neighborhood’s cultural diversity.
15. Parks, use of Brewery Creek (open)
16. Dog park, creek access
17. Open up the creek – put a culvert/tunnel for overflow and bring the creek (natural flow) closer to the ground so we can hear running water.
18. A boulevard down 6th Avenue East placed in the center would allow pedestrians to cross safely. Place trees/shrubs in center island.
19. I would like for all existing green space to stay green space. I strongly support redevelopment of existing developed sites only.

Do you think the Comp Plan future Land Uses are appropriate? Why/why not?

1. Yes, There is a number of old Buildings and vacant lots and we should best determine future use for the good of the neighborhood.
3. Yes
4. Wondering why end of upper 11th St. Alley isn’t designated as open space in some versions.
5. No doesn’t need to change
6. Yes for community development
7. I think the neighborhood mixed use zoning would be most beneficial for the surrounding area.
8. It is important to keep updating plans but Duluth is known for it’s greenspace and we as residents would like more.
9. The area that is neighborhood mixed zone seems the most reasonable and successful idea.
10. The first scenario makes the most sense due to creeks, views and skyline blvd.
11. Yes
14. Yes. It is important to plan ahead to keep the neighborhood vibrant, keep those assets that contribute to healthy living, provide adequate housing and services, plus planned access to walking, biking, bus, driving.

15. No. Pedestrian safety priority #1, nothing mentioned.
16. Mix commercial/green space dog park, orchard area, UDAC area
17. Reduce parking requirements in zoning code since transit corridor is one of the best in Duluth.
19. I think the plan should protect existing green spaces.

What opportunities do you see for this area?

1. Improved streets, to include walking ways, parks.
3. Jobs for the area.
4. Redevelop UDAC for higher density – good access to transit, etc.
5. Peaceful residential living
6. Growth in the market – other future commercial growth.
7. I think some nice commercial updates and development could benefit this area drastically.
9. I see business opportunities for college students to be able to walk from their home and buy food, gas and textiles.
10. To cut back on traffic
11. Commercial growth
12. Condo & UDAC
14. More businesses that provide vital services. Improved/expanded housing. Develop green spaces and strategic placement of paths for walking/biking.
15. Apartments/upcoming Essentia staff increase
16. Get rid of condemned houses and improve the corridor area
17. Opportunities for dense housing for college students and hospital/ downtown workers.
18. Removal of blighted properties! Great location, but not pedestrian friendly. Great views of Lake Superior.
19. Re-development of old UDAC site. Also, abandoned gas station further down.

Is there anything we should know about that these maps do not show?

3. Hope not
4. Inadequate parking for current cab company location
7. I think the UDAC building land would be an excellent place for commercial development.
9. No
10. We are already dealing with yellow door taxi coming up in the neighborhood and taking up parking spaces on 11th and 5th Ave.
11. Good job!
12. Reduce 6th Avenue to 2 or 3 lanes – calm traffic – make it safer for bikes and pedestrians.
14. Historical aspect of this part of town could be integrated into the aesthetic of buildings, parks, homes/apartments.
15. Crosswalks/safety @ 6th Ave E to bus stops, redo intersection E 10th St. and North 6th Avenue East.
17. 6th Avenue East should be converted to 3 lanes. It only carries 12,000 ADT.

18. Transit lines. Vehicles travel at high rates of speed down 6th Ave. E and E 9th St. (traffic calming promotes safety & walkability in neighborhoods). A dedicated bicycle lane would be an added bonus (not just lines but a lane off the street).
19. I used to live at the corner of 5th Ave. E and 10th St. Some cars would zoom down central entrance at 40 mph then continue down the 5th ave e turnoff and keep us that speed! If UDAC site redevelopment is included in the plan, traffic calming on 5th Ave E must be included.



CITY OF DULUTH
Community Planning Division

411 W 1st St, Rm 110 * Duluth, Minnesota 55802-1197
Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL19-002	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Special Use Permit – Residential Care Facility	Planning Commission Date	February 12, 2019 and April 9, 2019	
Deadline for Action	Application Date	January 8, 2019	60 Days	March 9, 2019
	Date Extension Letter Mailed	January 22, 2019	120 Days	May 8, 2019
Location of Subject	4425 Norwood Street			
Applicant	American Indian Community Housing Organization (AICHO)	Contact	Michelle Lebeau	
Agent		Contact		
Legal Description	See attached site plan/survey			
Site Visit Date	February 1, 2019	Sign Notice Date	January 29, 2019	
Neighbor Letter Date	Jan 29, 2019 & Mar 26, 2019	Number of Letters Sent	18	

Proposal

Applicant requests a Special Use Permit to create housing for women and children for short-term stays in the home with 24-hour-a-day staff supervision by 2-3 staff. The home will be licensed for 18 beds.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single Family Residential	Traditional Residential
North	P-1	Park/Open Space	Open Space
South	R-1	Single Family Residential	Traditional Residential
East	R-1	Single Family Residential	Traditional Residential
West	R-1	Single Family Residential	Traditional Residential

Summary of Code Requirements

UDC Section 50-19.8. Special Use Permit required for assisted living/residential care facility (7 or more) in an R-1 district.

UDC Section 50-37.10. Special Use Permits. The Planning Commission shall approve the application or approve it with modifications if the commission determines that the application meets the following criteria:

- 1.) The application is consistent with the Comprehensive Land Use Plan;
- 2.) The application complies with all applicable provisions to this Chapter, including without limitation any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area;
- 3.) Without limiting the previous criteria, the commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

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

Future Land Use – Traditional Residential - 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. 4-8 units/acre, form standards and conservation development an option, mix of housing types (i.e. town homes and 4-plexes) at corners, limited commercial uses (i.e., 'corner store') serving neighborhood market

Comprehensive Plan: Housing -Policy #3 – Prioritize inclusive housing policies to reflect the city's social, cultural, economic and historic diversity and development patterns.

Review and Discussion Items

Staff finds that:

- 1) The proposed residential care facility will be located in an existing 3,300 square foot single-family dwelling located at 4425 Norwood Street.
- 2) The residential care facility will have the capacity for 18 beds to provide temporary housing for women and children. The site is on a large heavily wooded lot (1.3 acres) and is well screened by existing vegetation between the home and properties to the east and west. The home will be staffed 24 hours a day 7 days a week.
- 3) The home has an existing 3-car garage that can be used for staff parking and a 36' x 24' deep concrete parking pad in front of it to accommodate additional parking for visitors. There is an existing lower 19' x 22' deep parking pad. The site plan/survey shows that 6.3 feet of the pad encroaches onto the neighbor's property to the west. The applicant will be correcting the parking pad area dimensionally and improving it to park a van and one car.
- 4) There will be minimal additional traffic to the site and vehicle trips to and from the site are expected to be similar to that on a one-family dwelling. Single family dwelling units typically generate 8-10 vehicles trips per day. Most of the traffic will be in the morning and late afternoon when staff is coming in and leaving work. A van will be used to transport residents during the daytime and will be parked at the downtown AICHO location when not on site.
- 5) The applicant is proposing internal and external improvements to the home to meet life safety and construction codes.
- 6) The site plan shows an existing fence in the back yard. The applicant is not proposing any additional screening or landscaping to the site.
- 7) No additional UDC development standards or use specific standards apply to this type of special use permit.
- 8) The proposed residential care facility is consistent with the Comprehensive Plan goals and policies encouraging a mix of housing types within neighborhoods and allowing off-site institutional housing.
- 9) The City Fire Marshall has reviewed the proposal and has several comments/concerns that will need to be addressed prior to the issuance of a building permit (see attached).
- 10) One letter was received from a resident and is included as an attachment to this report.
- 11) UDC 50-37.1.N. states that an approved Special Use Permit will expire if the project or activity authorized by the permit has not begun within one-year.

Suggestion: I think we should ask them to screen or landscape parking area A, at least the area between the adjoining lot lines, so they neighbor would not be impacted by headlights shining at his/her home, as car's park at A.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the Special Use Permit, subject to the following conditions:

- 1) The project must be limited to, constructed, and maintained according to the Site Plan submitted with the special use permit application.
- 2) The project must comply with the City of Duluth Fire Marshall requirements.
- 3) The applicant must submit a revised survey showing the lower parking pad with dimensions and is not encroaching onto the neighboring property to the west.
- 4) 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; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

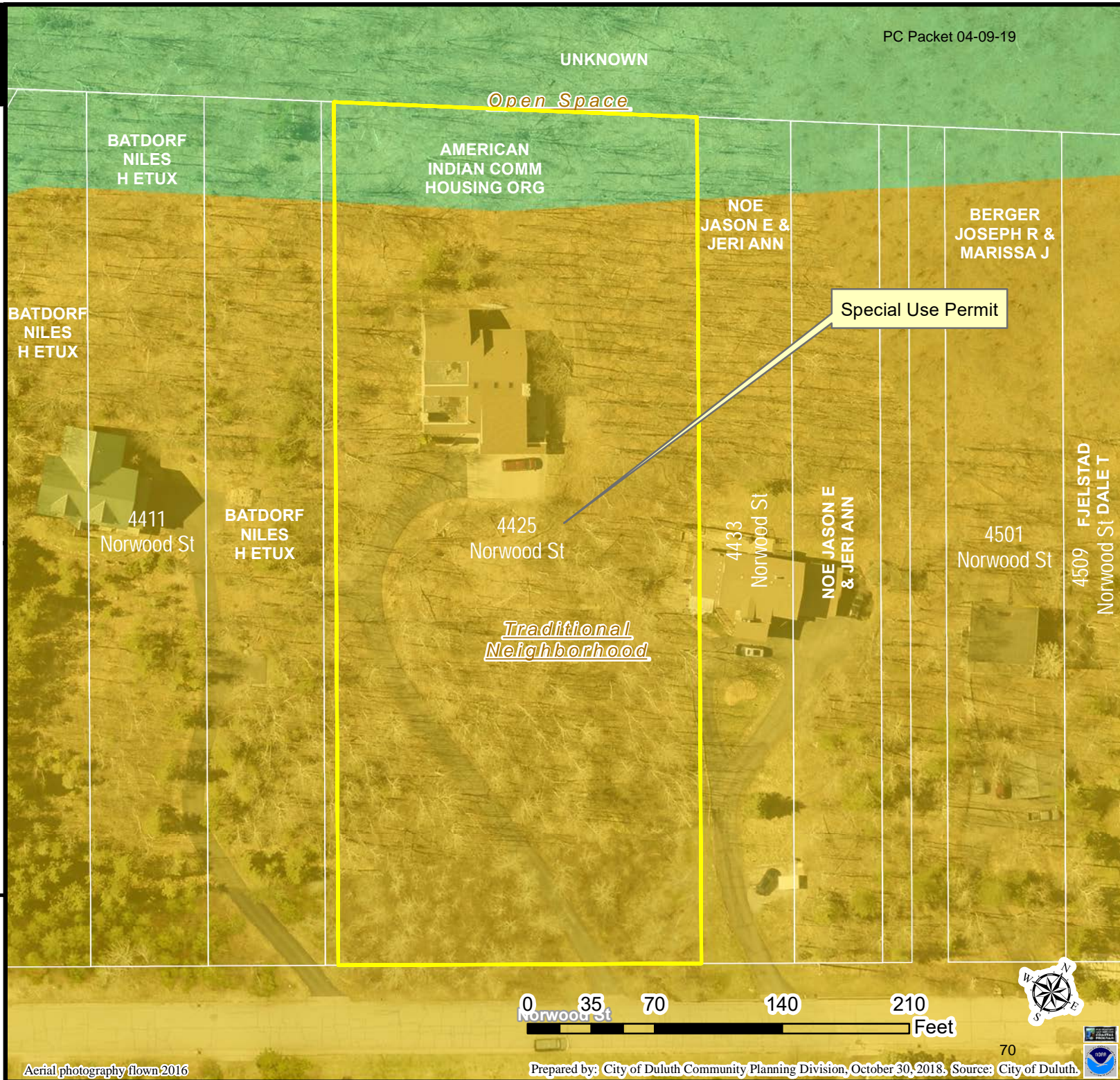


Legend

- Zoning Boundaries
- Trout Stream (GPS)
- Other Stream (GPS)

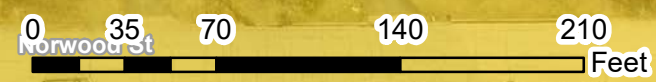
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- Legend**
- Future Land Use**
- Open Space
 - Rural Residential
 - Low-density Neighborhood
 - Traditional Neighborhood
 - Urban Residential
 - Neighborhood Commercial
 - Neighborhood Mixed Use
 - General Mixed Use
 - Central Business Secondary
 - Central Business Primary
 - Auto Oriented Commercial
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Special Use Compliance with Comprehensive Plan

The proposed special use of 4225 Norwood Street as a residential care facility is consistent with the comprehensive plan's twelve governing principles and the property's future land use designation, as outlined in this document.

Principle #1 - Reuse previously developed lands

Rather than building a new structure on undeveloped lands, the proposed special use would renovate an existing structure on previously developed lands.

Principle #2 - Declare the necessity and secure the future of undeveloped places

The undeveloped land surrounding the structure on the property will remain undeveloped, as this is a key feature making the property appropriate for the proposed use as a residential care facility. The contemplative setting, surrounded by nature, makes the site ideal for a sense of security and healing, and the undeveloped places on the property will remain so.

Principle #3 - Support traditional economic base

Although the proposed use does not relate directly to Duluth's traditional economic base, it does build upon AICHO's 25 years as a community non-profit, allowing us to expand our services and meet the needs of a greater number of community members.

Principle #4 - Support emerging economic growth sectors

AICHO's work is within the emerging economic growth sector, and this principle includes recognition of the value of cultural and social diversity. The proposed special use would meet a community need as well as individual needs for culturally-specific wellness practices.

Principle #5 - Strengthen neighborhoods

The proposed special use fits neatly within the existing traditional neighborhood, providing residential care in a home-like setting with minimal traffic and no change to infrastructure. The use would strengthen the neighborhood by individual and family residents accessing local businesses, parks, trails, schools, and other community gathering spaces.

Principle #6 - Reinforce the place-specific

The proposed special use is place-specific in that the work of the residential care facility will be aided by the natural features of this site itself, as well as its proximity to large parks and the lake. The property surrounding the residence, adjacent to parkland and neighboring residences, will remain in its current natural wooded state.

Principle #7 - Create and maintain connectivity

Few individuals and families who would access the residential care facility drive personal vehicles. The proposed use would take advantage of existing and new public transportation in the area, as well as the trail system, and would in no way interfere with existing roads, sidewalks, or trails.

Principle #8 - Encourage mix of activities, uses and densities

The proposed special use is a neighborhood-oriented commercial use that maintains the character of the traditional neighborhood. The property will remain low-density, with its single residence, yet will provide a mixed use in a non-disruptive way.

Principle #9 - Support private actions that contribute to the public realm

The private use, activities, and site design of the proposed special use of this property will have minimal impact on the immediate surroundings of parkland and private homes, as the building itself is somewhat secluded and the surrounding wooded areas on the property will be maintained for privacy and quiet recreational and cultural use.

Principle #10 - Take sustainable actions

Sustainability is at the core of AICHO's work, and this value will be reflected in the site design and building materials chosen for the proposed special use.

Principle #11 - Include consideration for education systems in land use actions

Although the proposed special use is not anticipated to have substantial direct impact on education systems, improvements to the property will likely result in increased property tax revenues to the benefit of the local schools.

Principle #12 - Create efficiencies in delivery of public services

By using an existing, already developed site with capacity to meet the needs of the proposed special use, the project creates no additional burden on public services. In fact, the proposed special use may increase access to underutilized public services in the neighborhood, such as public transit.

Finally, the future land use designation for the property is Traditional Residential with a sensitive lands overlay. The proposed special use introduces a greater diversity of use, in keeping with Principle #8, while maintaining the Traditional Residential character of the property and neighborhood. By preserving the property's natural wooded areas, the proposed special use takes into consideration the sensitive lands overlay and avoids disruption to the local ecosystem.

Additional Information:

Parking: currently the property has a 3- stall attached garage and 2 parking pads that can accommodate an additional 4 cars. AICHO will minimally expand the lower parking area to make it more comfortable for parking a van and one car. Most of the people staying in the home will not have a car and there will only be 2-3 staff at the property at any one time. We also have a 7-passenger van that will be used to transport residents during the daytime, this van will be parked at our downtown location until needed.

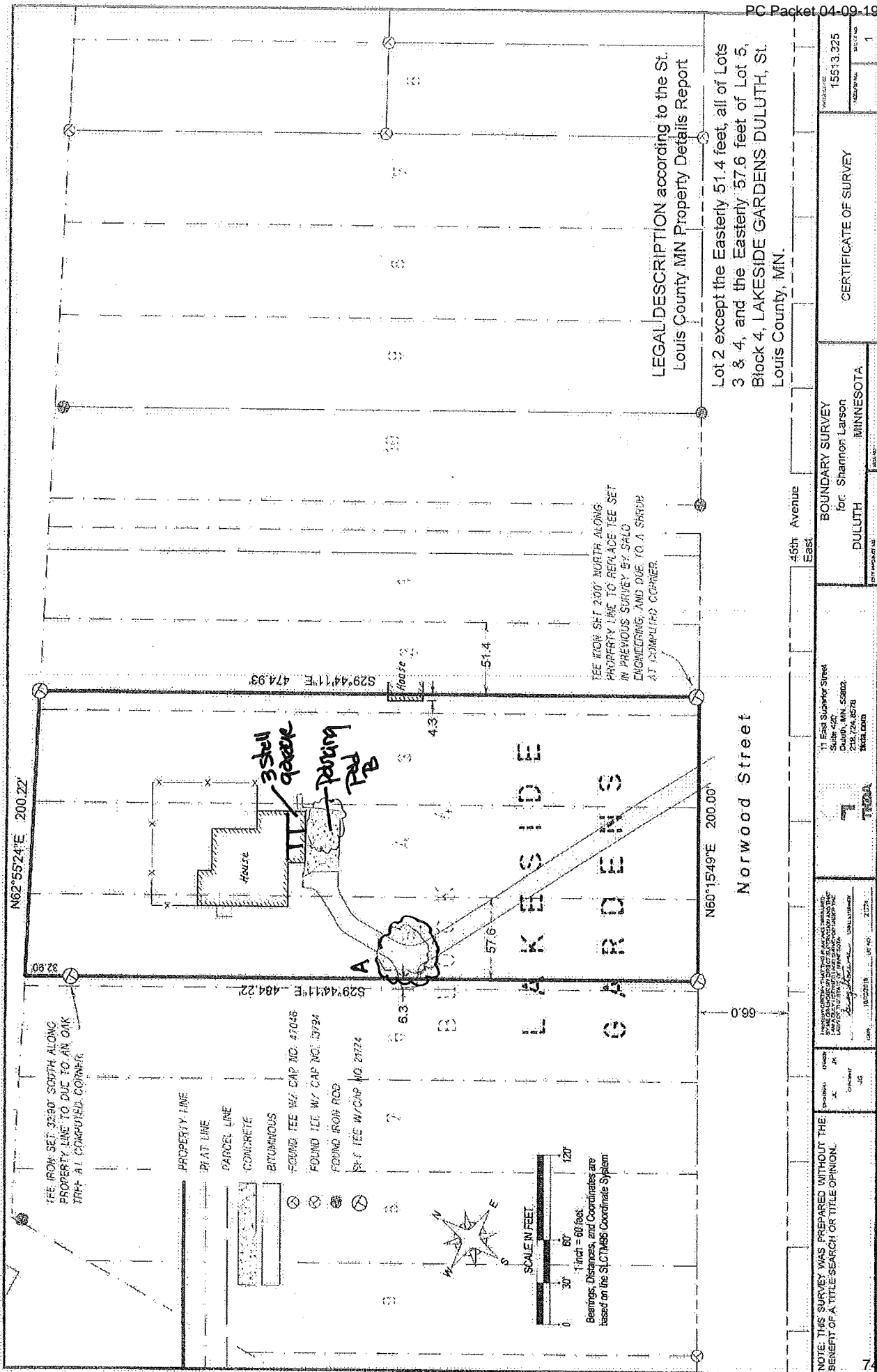
Emergency Vehicles: we do not anticipate a lot of traffic from emergency vehicles, our history in other locations has been very limited need for any emergency response teams.

Other traffic: most of the traffic will be in the morning and late afternoon when staff are coming in and leaving work. The van will come and go during the day to transport residents to appointments. Evening and weekend traffic will be minimal.

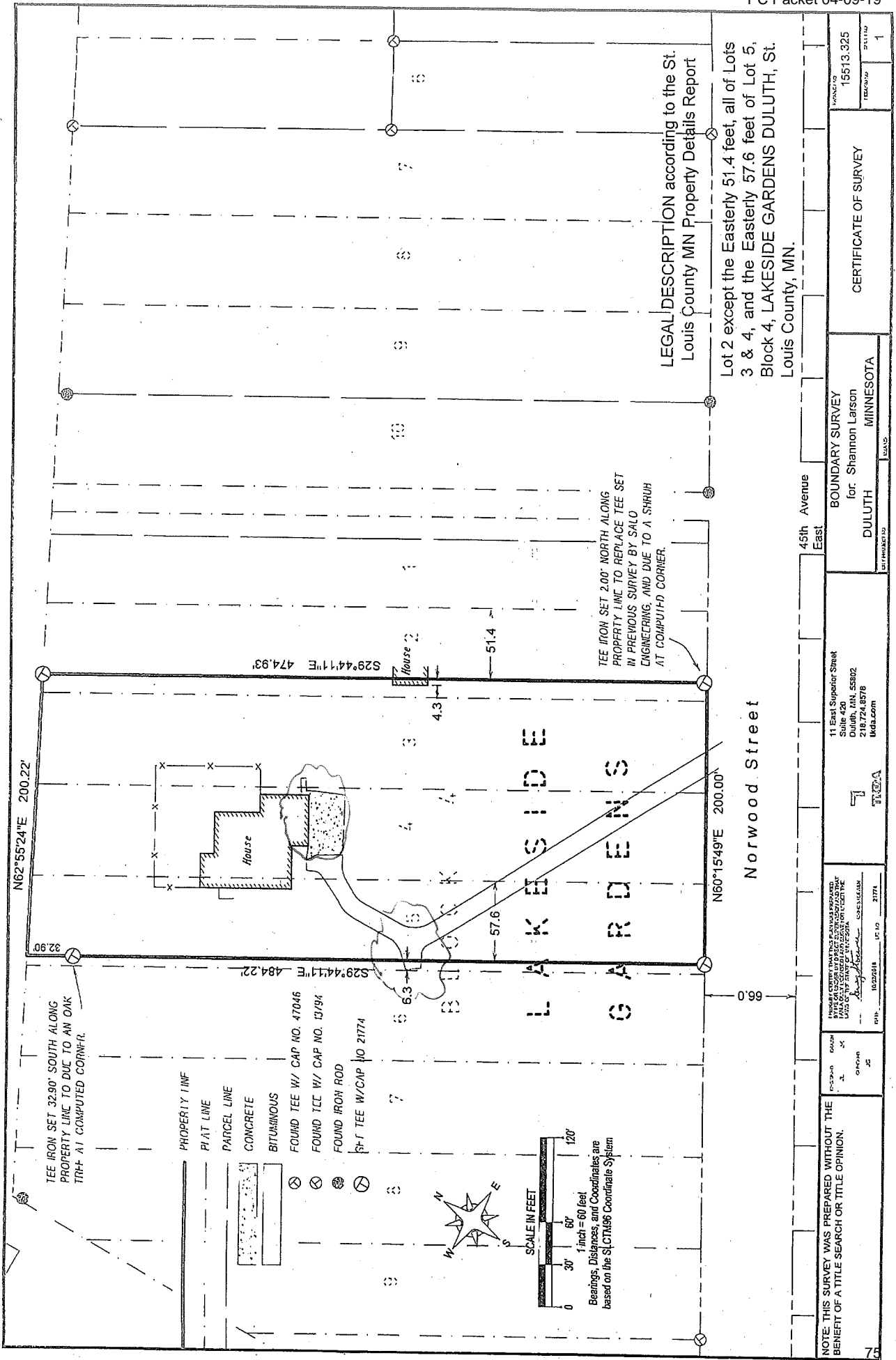
Landscaping: other than expanding the lower parking space there is no other plans for landscaping, the lot is heavily wooded which provides privacy and natural beauty, we do not intend to disrupt the natural landscaping.

Renovation:

1. Install a commercial grade refrigerator/freezer, gas range, range hood and dishwasher in the existing openings in the kitchen.
2. Add a window in the pantry.
3. Sprinkle the lower two "bedrooms" to make them legal for sleeping.
4. Install railings on 4 flat roof decks.
5. Remove 2 wood fireplace units and install gas fireplaces.



Parking 'A' is existing parking pad for 2 vehicles - we will expand to accommodate 3-4
 'B' currently can fit 2 vehicles outside of 3 stall garage



Lower Parking Pad is 19' w x 22' D
 Upper Parking is 36' wide x 24' D



CITY OF DULUTH
FIRE DEPARTMENT - LIFE SAFETY DIVISION
615 West First Street
Duluth, Minnesota 55802
218-730-4380

PC Packet 04-09-19

February 4, 2019

John Kelley
Planner II
Community Planning

I just found out about the home at 4425 Norwood Street will be used as an assisted living facility for 18 people. That is a single-family residence R-3 and what they would want to do is an R-4 residence. It would require a change in use.

1. It would require the entire building to have an automatic sprinkler.
2. The driveway is too narrow and steep
3. The minimum width is 20 feet with a maximum of a 10% grade
4. The driveway would require a turn around

These are just a few requirements without having the plans for the project. It would have been helpful if this were brought to my attention sooner.

Respectfully,

Marnie Grondahl
Fire Marshal

Robert M. Kaner, P.A.

PC Packet 04-09-19

Attorney at Law

508 Alworth Building
306 W. Superior Street
Duluth, Minnesota 55802-1872

Main Telephone: 218-727-1533

Fax Line: 218-727-7253

Cellular Telephone: 218-343-1345

E-mail: kanerpa@aol.com

February 4, 2019

HAND-DELIVERED ON 2/4/2019

Duluth Planning Commission
411 West First Street, Room 208
Duluth, MN 55802

Re: Residential Care Facility at 4425 Norwood Street, Duluth, MN 55804

To Whom It May Concern:

I am the homeowner at 4300 Norwood Street.

I received a written notice of a proposed Residential Care Facility at 4425 Norwood Street in Duluth, Minnesota.

Please consider this formal notice of my objection to the proposal.

First, I did not receive the attachment referenced in the notice.

I respectfully submit that the hearing is untimely. It prevents me as a homeowner to adequately prepare any evidence in opposition to the proposal and constitutes a denial of due process.

I drove by the proposed address at 4425 Norwood Street and was unable to locate any building at that address.

I need to know whether the plan involves a new construction at that address.

Please note that there are at least two government housing buildings on Norwood Street and another one on Oakley Street behind my house.

Obviously, the proposal for a Residential Care Facility on Norwood Street will greatly reduce the value of my home and create safety and traffic concerns if allowed to proceed.

In addition, if the project is allowed to proceed, please advise of whether your agency will be recommending to the St. Louis County Auditor a reduction in my real estate taxes.

Please advise.

Sincerely yours,

ROBERT M. KANER

RMK:jvl

Dear Mr. Kelley and Mr. Fulton-

Please consider this notice of objection to the proposed rehabilitation facility to be located at 4425 Norwood Street.

I have previously raised safety concerns as to fire and police personnel as well as danger to the patients and neighborhood family residents.

This is a challenge to the study done by the City as being inadequate and not addressing safety concerns.

The objection is based in part that the rehabilitation facility is inconsistent with the single family homes on Norwood Street. There are no commercial or medical facilities on Norwood Street. There are single family homes on the street.

The proposed location has an extremely dangerous, long, and hazardous driveway which visitors, patients, and personnel will face as they walk or drive on the driveway to the proposed facility. As a result of the hazardous condition and lack of parking for any visitors, there are legitimate issues as to insurance questions and City liability when injuries and/or deaths occur at the facility because of the hazardous conditions.

Also, please note that for winter months, vehicles coming down the driveway will be unable to stop when entering Norwood Street.

It is my best information that the next hearing is set for April 9, 2019, at 5:00 p.m.

I do not believe you have complied with proper notice procedures to residents of Norwood Street. The sign indicates a hearing set for February 12, 2019. This is clearly incorrect and misleading to the residents of Norwood Street.

I request that the hearing be postponed until such time as residents of Norwood Street receive proper notice of the hearing and are given an opportunity to either hire counsel or make whatever presentation they deem appropriate.

ROBERT M. KANER

CORRESPONDENCE FROM ROBERT M. KANER

Dear Mr. Kelley:

Please advise of the following:

1. The date, time, and location of the next hearing
2. The names of residents who were notified of the first hearing and their emails, so that I may correspond with them directly.
3. Please provide copies of any documents explaining the reason the application was removed from today.
4. Please provide the basis your agency has for possibly granting this zoning change. I understand that the zone has previously been designated for private family dwellings, and not commercial buildings. If I am wrong in this, please let me know.
5. Please attach any preliminary reports obtained from the fire department, police department, and any other city agency who conducted any inspection of the premises.
6. A full description of how many patients are expected to be treated there and any disqualifications there may be for them to be eligible to be treated there.
7. Any reports prepared by your office or any other person or persons as to the general public safety concerns in the establishment of this treatment center. In particular, there are extremely obvious hazards such as inability of police, fire, or other agencies to reach the facility in an emergency. The driveway to the premise is clearly a hazard.
8. Any reports regarding traffic safety, including the need for traffic signals, parking considerations, widening of streets and the driveway, sewage for the proposed facility, or any other investigations by your agency or other city agencies.
9. Other future plans by your agency to authorize the building of hospitals, jails, gas stations, or other such public facilities on Norwood Street.
10. Please attach any economic considerations as to reduced taxation on the properties on Norwood Street which are family residences.
11. Please attach any possible assessments against the family residences on Norwood Street if this project is started.
12. Please provide a statement as to the timing for the start of the project and a statement as to time limits to file appeals and commence legal action by family homeowners on Norwood Street.
13. As to legal action, please advise if your office has done a study as to the increased legal costs to the city for claims arising from the patients, firemen, and police, as well as family home owners who are injured by the inability of first responders to get to the facility.

Dear Mr. Kelley and Mr. Fulton –

I am a Norwood St resident concerned about the proposed plan for this home.

A residential care facility operating out of a 3,300 sq ft single family dwelling with capacity of 18 beds that will be staffed 24 hours a day 7 days a week doesn't appear adequate to operate such a facility, and also doesn't seem to fit in this small residential neighborhood. Are there other similar size homes in the Lakeside neighborhood that are being used for this purpose?

Norwood St itself is a narrow street without a shoulder that doesn't leave room for much parking and then vehicles to pass by, especially in the winter months when this homes driveway will pose some serious challenges for the care givers and I am assuming the families visiting the residents with 8-10 trips per day. This street has multiple families that have children and the road has a lot of pedestrian/dog walking traffic as well.

Also although I am not completely understanding this facilities main purpose for operation other than the stated housing for women and children, is there a safety concern that we as neighbors should be aware of, and will there be security as part of the staff?

Thanks for your time.

Peter Miner

Gentlemen:

I have been retained by an individual that believes he has a recognizable legal interest in the matter involving the

zoning application for the above-indicated property.

I understand there might be a scheduled hearing for April 9, 2019.

I am in possession of some written materials on the subject.

There is not sufficient time for me to prepare for said hearing.

Accordingly, I am requesting a continuance of this hearing for at least 60 days.

Our present belief is that this application should be denied.

Please advise.

Robert H. Magie III, attorney

501 Lake Ave So., Suite 400

Duluth, MN 55802

Dear Sir or Madam,

I applaud the mission of AICHO to provide housing for those most in need. I do find the location at 4425 Norwood Street an odd selection for this type of housing. It is a long cold walk to the nearest bus stop. It is also a long distance to the nearest big box stores (Target, Walmart, etc.) and the mall. There is very little parking. Most importantly It is a neighborhood of single family residences.

I wonder why an organization would purchase a property for over 400k without assurances they could use the property as they plan. Has a deal already been struck between AICHO and the City of Duluth?

We live at 4709 Norwood Street. We specifically chose this location for the dead end streets, low traffic, Hawk Ridge and the aesthetics of a friendly neighborhood of single family homes. I resent that the City of Duluth would even consider changing the nature of the our neighborhood for any organization. Our neighborhood made it clear to the developers that wanted to bring high density housing to our neighborhood at Rockridge School, we want to keep our single family home neighborhood. Lakeside is truly one of Americas great neighborhoods. It is clean. It is safe. It is beautiful. It is all of these because that is the nature of neighborhoods of single family homes. If I wanted to live near higher density populations I would have purchased a home in a different neighborhood.

I find it particularly cruel to the three residents that immediately surround the residence at 4425 Norwood Street. All three homes belong to successful individuals that built and maintain their beautiful homes and gardens. It worries me that the City of Duluth would even consider making the change suggested. It is so wrong for the City of Duluth to bull their way into our neighborhoods to make changes that would clearly negatively impact our neighborhood.

Mark us as residence of Norwood Street that strongly oppose issuing a Special Use Permit for a Residential Care Facility at 4425 Norwood Street.

Kevin and Kris Koth
4709 Norwood Street
Duluth MN 558084

The resident at 4433 Norwood St has received and reviewed the letter from Duluth's department of Planning and Economic Development notifying them of the application for a special use permit.

The resident at 4433 Norwood St declares their objection to the special use permit/land use/rezoning for 4425 Norwood St and bases their objection on the following:

- The intended use of the facility by the AICHO, coinciding with the types of residence facilities already operated by the AICHO as either; Domestic Violence Shelter, Halfway House, Supportive Housing, or a Homeless shelter are unsuited for this neighborhood. The presence of any such facility at 4425 Norwood St would alter the fundamental character of the neighborhood.

- Norwood St in the Lakeside area is a quiet dead-end street where families reside in relative safety and quiet. Residents bought homes in this neighborhood for very specific reasons. To have property in the neighborhood rezoned for special use to open a facility of the nature operated by AICHO would greatly, and irreparably, diminish the valuable attributes of Norwood and the neighborhood's enjoyment of those attributes.

- Domestic Violence Shelter, Halfway House, Supportive Housing, or a Homeless Shelters bring with them a revolving door of people in various states of personal difficulties. Since all residency is temporary there is no incentive to invest in the property or the neighborhood. Additionally such facilities are known by law enforcement to bring with them a greater potential for misdemeanor, felony, property damage, and drug use.

- o The presence of such facilities in neighborhoods can and does diminish property values.

- o While there are many studies from academia and social welfare programs that state halfway houses, domestic violence shelters, and homeless shelters do not show an increase in crime or diminish property values, all studies I found chose a broad 3 - 5 mile radius. Additionally the facilities used for these studies are located urban areas within in large metropolitan areas that already had higher than average crime rates and lower than average property values.

- o There are no studies of the effects on suburban neighborhoods and there are certainly no studies that have used anything like the truly unique data one finds on Norwood St.

- o I consulted with my father who was a Los Angeles police officer for 27 years, and asked if he recalled any instances of increased calls to places such as Domestic Violence Shelter, Halfway House, Supportive Housing, or a Homeless Shelters. He replied absolutely. He recalled calls of many varieties from petty theft and fights to murders. And he did say that those locations were well known to officers and generated a higher number of calls than the neighborhoods that they were placed in.

- I care for two developmentally disabled and vulnerable adults in my home and already they feel uneasy.

- o As someone who is responsible for the some of the fundamental requirement in their lives such as food, shelter, clothing, home, well-being, and safety: Am I going to have to move so that the vulnerable adults that depend on me can feel safe where they live?

o I specifically bought my house at 4433 Norwood St to accomplish their sense of safety in a quiet neighborhood.

Organizations such AICHO, Damiano Center, Union Mission, etc. are great and natural products of a compassionate community. They have the potential to change lives and I support them and their work. In fact my wife ran a kitchen for low income residents for several years. And we do our absolute best for the developmentally disabled adults in our care.

However, 4425 Norwood St is not the correct place for a Domestic Violence Shelter, Halfway House, Supportive Housing, or a Homeless shelter. It is not the right property, street, or neighborhood for such a facility.

While I am all for individuals being able to do with their property as they see fit, 4425 Norwood would not be a residence any longer due to this special permit/land use/rezoning. It is not owned by individuals but is run by an organization that may or may not have any interest in the property or the neighborhood. And so far the AICHO has not shown any interest in the neighborhood. They have made no effort to communicate to the neighborhood that they are attempting to fundamentally transform.

There are many other suitable properties and neighborhoods in Duluth that would be appropriate for a project such as this. However, 4425 Norwood St is not among them.

Regards,

Jason Noe

The Family at 4509 Norwood Street, is opposed to the permitting for a residential care facility at 4425 Norwood Street. This type of a facility will have a negative affect on OUR HOMES values. Lower values of OUR HOMES and property should result in lower taxes for city and county. What was the purchase price that AICHO paid for the property at 4425 Norwood Street, for tax base for neighboring properties? There are two HUD homes in the neighborhood with a total of 10 bedrooms, which has come with many a problems. What is the limit for integrative housing density in the city of Duluth? The lack of access for fire and ems vehicles, 47th ave is the only access to a dead end street. The additional traffic, of AICHO employees becomes a safety issue, with children playing in the streets riding bikes etc. This is OUR NEIGHBORHOOD and OUR HOMES, for AICHO it is just another facility.

Sincerely,

Dale Fjelstad



CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 110 * Duluth, Minnesota 55802-1197

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

File Number	PL 19-017	Contact	Chris Lee, clee@duluthmn.gov	
Type	Planning Review for MU-C	Planning Commission Date	April 9, 2019	
Deadline for Action	Application Date	March 6, 2019	60 Days	May 5, 2019
	Date Extension Letter Mailed	March 12, 2019	120 Days	July 4, 2019
Location of Subject	1506 Maple Grove Road			
Applicant	Brutger Equities Inc.	Contact	lbrutger@brutgerequities.com	
Agent	Architecture Advantage LLC	Contact	melissa@architectureadvantage.com	
Legal Description	010-2040-00010			
Site Visit Date	March 28, 2019	Sign Notice Date	March 26, 2019	
Neighbor Letter Date	March 28, 2019	Number of Letters Sent	12	

Proposal

The applicant is proposing to construct a new hotel structure on a vacant lot, which requires a Planning Review in the MU-C district. The proposed hotel will be four stories in height and contain 82 units.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Single-Family home (demo)	Large-scale Commercial
North	MU-C	Single-Family Residential	Large-scale Commercial
South	MU-C	Commercial/Hotel	Large-scale Commercial
East	MU-N	Commercial/Multifamily	Large-scale Commercial/Neighborhood MU
West	MU-C	Commercial	Large-scale Commercial

Summary of Code Requirements

- 50-15.3 MU-C District – Planning review by the Planning Commission is required for most development and redevelopment.
- 50-18.1.E Storm Water Management – Addresses water runoff quality and quantity pre- and post-construction.
- 50-20.3 Use Specific Standards for Commercial Uses – Delineates use specific standards.
- 50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.
- 50-24 Parking and Loading – Addresses required minimum and maximum parking spaces and loading docks, dimensional standards, snow storage, and pedestrian circulation.
- 50-25 Landscaping and Tree Preservation – Landscaping standards such as materials, plant size, location, and tree preservation.
- 50-26 Screening, Walls, and Fences – Screening of mechanical equipment, loading areas, and commercial containers, plus regulations regarding fences and retaining walls.
- 50-31 Exterior Lighting – Directs the minimum and maximum illumination values and lighting fixtures for a site.
- 50-37.11 Planning Review – Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of the Chapter.

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

Governing Principle #4 – Support economic growth sectors.

Governing Principle #5 – Promote reinvestment in neighborhoods.

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

Governing Principle #9 – Support private actions that contribute to the public realm.

Future Land Use – Large-scale Commercial. Mall, shopping center, and big box retail development, with associated surrounding retail and service uses, but only ancillary office uses and no residential uses. Oriented primarily to the motorist, with planned internal circulation patterns while still accommodating pedestrian movement. Requires access to regional transportation routes. May include regional green infrastructure for watershed protection.

Site History – A single-family residence (1,762 SF) built in 1961 is currently on the property. This house will be removed prior to hotel construction.

A Days Inn hotel was built in 1976 directly to the south of the proposed hotel and currently has 76 units. This hotel is currently undergoing a renovation.

Review and Discussion Items

Staff finds that:

- 1) 50-15.3 (MU-C District) – Site plan and building elevations show that the building will meet MU-C structure setbacks and dimensional standards. The structure will be 47 feet tall plus an additional 3.66 feet for screening mechanicals.
- 2) 50-18.1.E (Storm Water Management) – The proposed hotel will increase the site's impervious surface area and the site must meet storm water requirements as stipulated in the UDC.
- 3) 50-20.3 (Use Specific Standards) – Use specific standards do not apply to hotels.
- 4) 50-23 (Connectivity) – Site plans indicate the existing sidewalk along Cottonwood Avenue and Maple Grove Road for pedestrian connectivity. The current site plan does not indicate a connection to the front door. Staff will require that connection for approval.
- 5) 50-24 (Parking and Loading) – The standard off-street parking requirement for a hotel is 2 spaces per 3 guest rooms, plus 1 space per 200 sq. ft. of gross floor area in all accessory uses including restaurants and meeting rooms. The 82 guest rooms would require 55 off-street parking space. The site plan indicates that there will be 82 spaces, which is 150% of the allowed maximum. There is no conference and restaurant spaces in the proposed hotel.
- 6) 50-25 (Landscaping and Tree Preservation) – Street frontage and interior parking lot landscaping will be provided and meet UDC requirements. The site plan indicates 21 trees (3 will provide canopy) and 22 shrubs on the site along both Cottonwood Avenue and Maple Grove Road. The landscaping plan provided meets the UDC's 30% parking lot shading requirement.
- 7) 50-26 (Screening, Walls, and Fences) – Screening around dumpster/commercial containers must be provided and meet UDC regulations. The applicant will need to submit information showing adequate dumpster screening in compliance with UDC and that the materials match the materials of the structure. All rooftop mechanical equipment will need to be screened from view by parapets as part of the exterior.
- 8) 50-31 (Exterior Lighting) – The site plan indicates new lighting in the parking lot and on the building. All lighting must be downcast with full cutoff fixtures. Staff is recommending a light temperature of 2700K but would require that temperature stay under 3000K for all lights on the site.
- 9) To date, no City, public, or agency comments have been received.
- 10) Per UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized is not begun within one year, which can be extended for one additional year at the discretion of the Land Use Supervisor.

Staff Recommendation

Based on the above findings, staff recommends approval of the Planning Review, subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to the site plans, landscaping plans, and exterior elevations provided with this application and dated March 25, 2019;
- 2) The applicant must provide a photometric plan for all new and updated exterior lighting (indicating 3000K maximum color temperature) at the time of application for a building permit and comply with UDC lighting criteria in 50-31;
- 3) The applicant must submit a plan proposing adequate dumpster screening at the time of application for a building permit and comply with UDC screening criteria in 50-26;
- 4) The final site plans will indicate a connection from the sidewalk to the front door;
- 5) Any alterations to the approved plans that do not alter major elements of the plans may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.



PL 19-017
 MU-C Plan Review
 1506 Maple Grove Rd

Legend

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

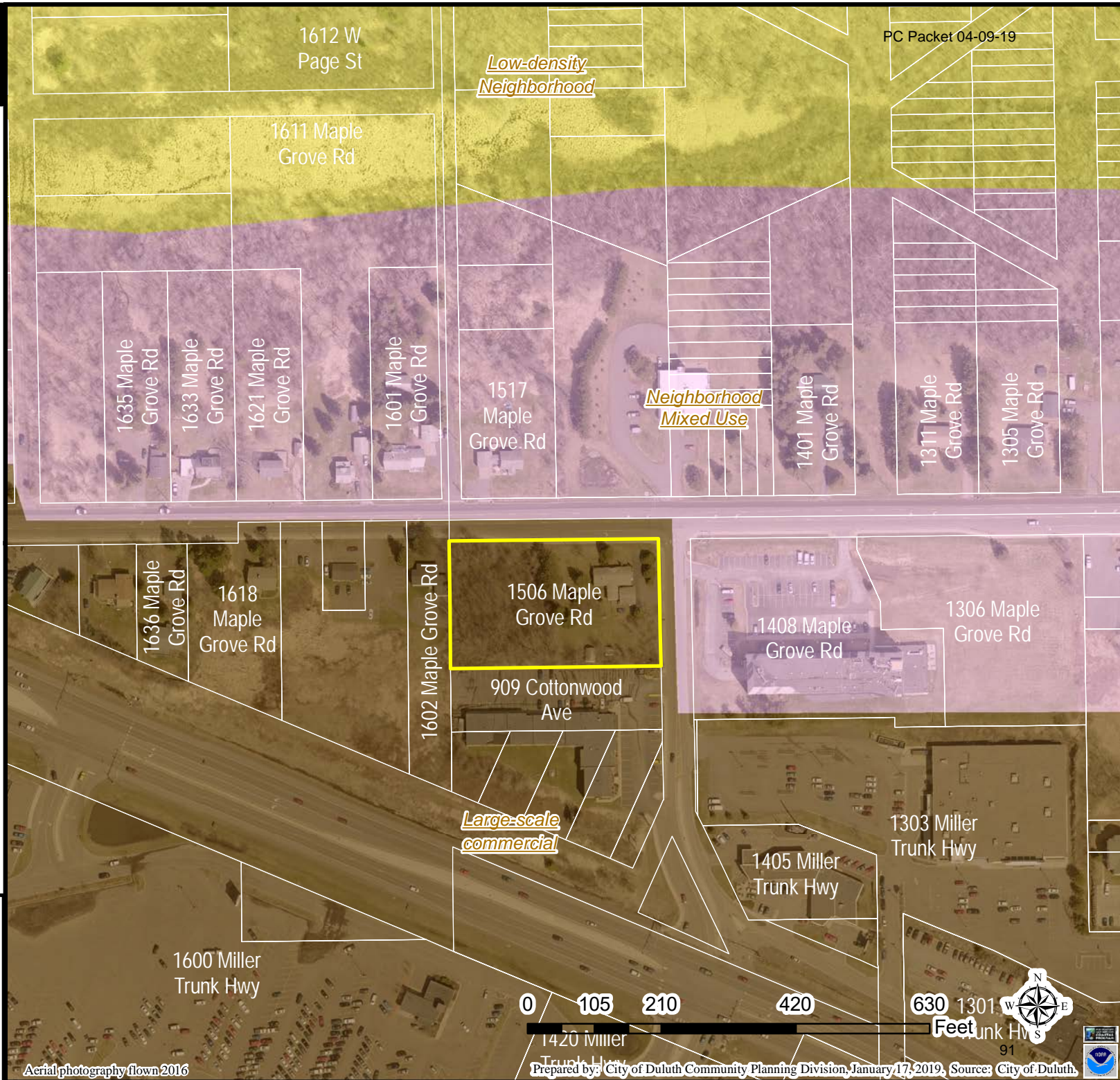
Prepared by: City of Duluth Community Planning Division, January, 17, 2019. Source: City of Duluth.



PL 19-017
 MU-C Plan Review
 1506 Maple Grove Rd

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



PC Packet 04-09-19

*Low-density
Neighborhood*

*Neighborhood
Mixed Use*

*Large-scale
commercial*

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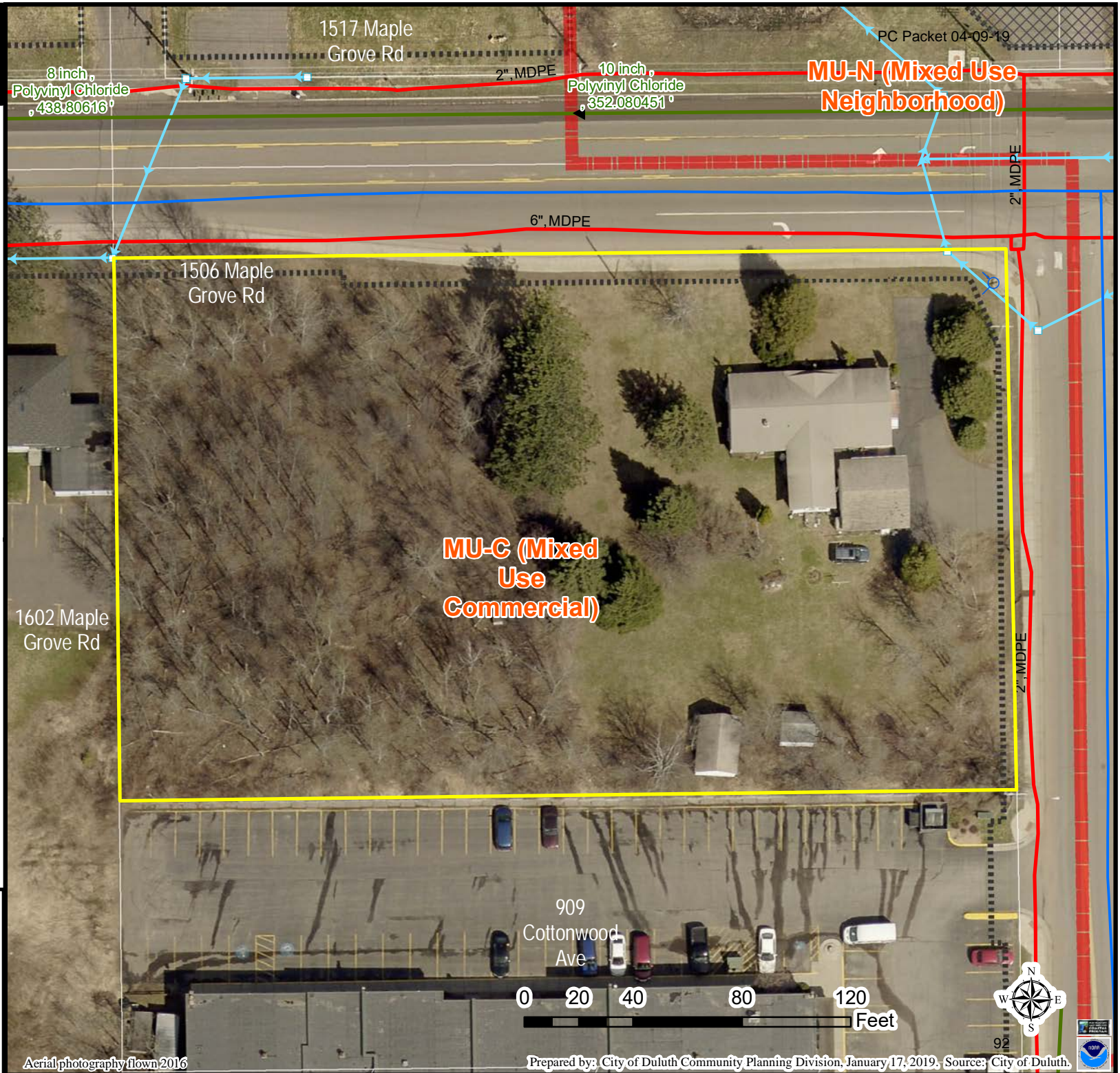




PL 19-017
 MU-C Plan Review
 1506 Maple Grove Rd

Legend

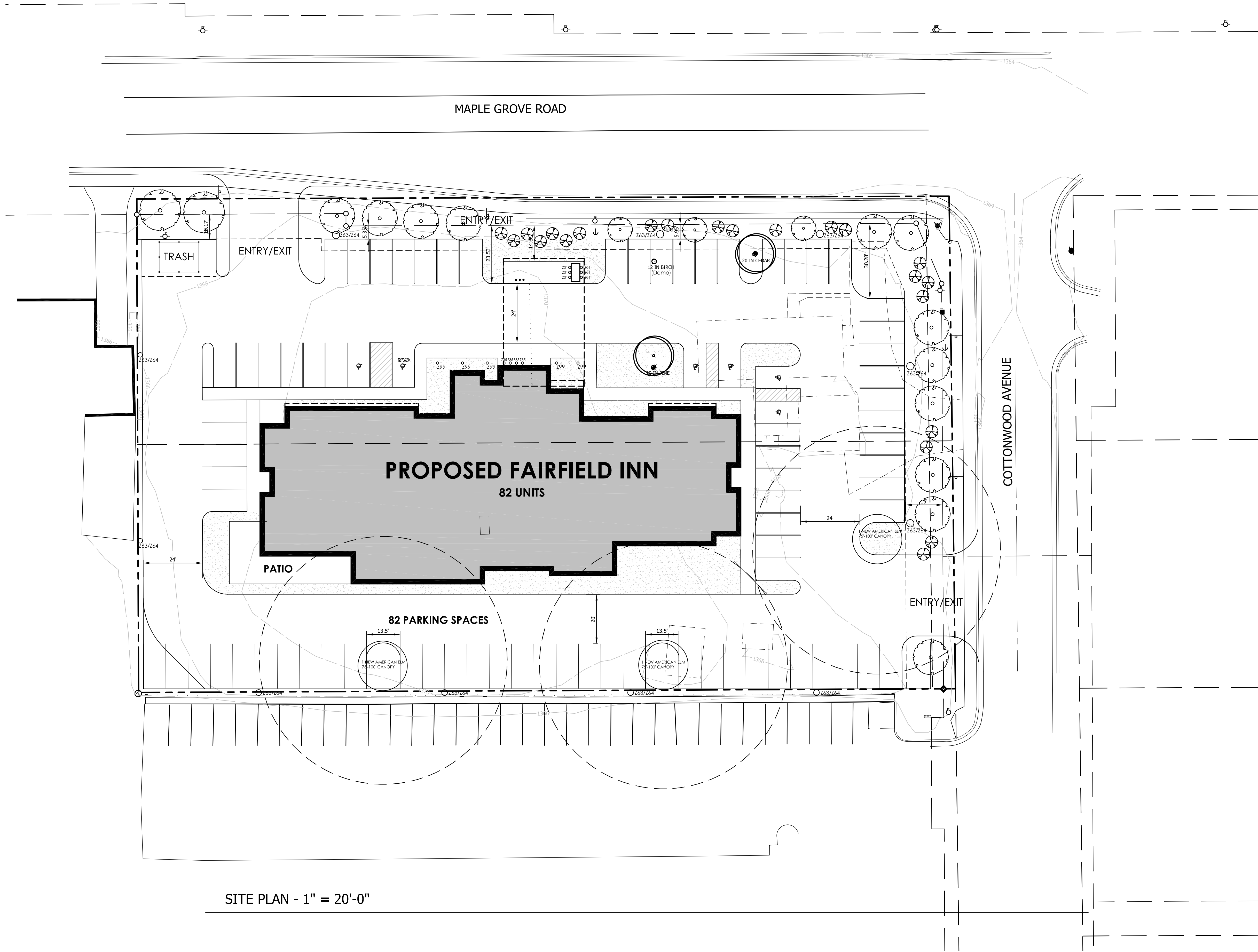
- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Road or Alley ROW
- Vacated ROW
- Easement Type**
- Utility Easement
- Other Easement
- Zoning Boundaries



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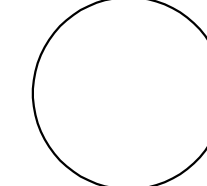


Aerial photography flown 2016

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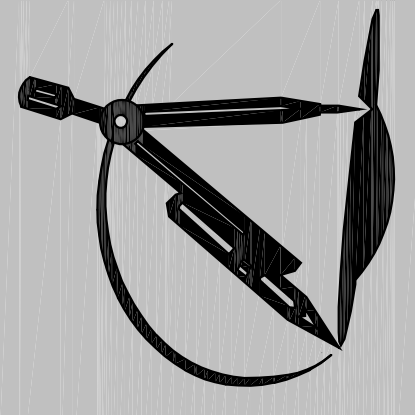
SITE PLAN - 1" = 20'-0"

SYMBOL LEGEND

-  Existing Tree
-  New Tree
-  New Shade Tree (Species specified on plan)
-  New Large Shrub
-  New Landscaped Areas
-  New Pole Light
-  New Bollard Light
-  New Inground Light

architecture
A D V A N T A G E
a limited liability company

2715 Piedmont Avenue - Duluth, Minnesota 55811
Phone: 218.724.5588 - Fax: 218.724.5589 - EMail: info@architectureadvantage.com



SHEET TITLE:

This sheet may be a reduced size copy of the bar above is 1" long on a full size sheet. Drawing scales apply to full size sheets.

FAIRFIELD INN
MAPLE GROVE ROAD AND COTTONWOOD AVE
DULUTH, MINNESOTA

PROJECT NO: _____ DRAWN BY: _____ CHECKED BY: _____

RELEASE DATE: 03.25.2019

REVISIONS:

SET NO.

SHEET NO.
SITE
OF

PRELIMINARY - NOT FOR CONSTRUCTION 03.25.19



1 NORTH ELEVATION
A401 1/8" = 1'-0"



2 SOUTH ELEVATION
A401 1/8" = 1'-0"

architecture
A D V A N T A G E
a limited liability company

2715 Piedmont Avenue - Duluth, Minnesota 55811
Phone: 218.724.5688 - Fax: 218.724.5689 - Email: info@architectureduluth.com



SHEET TITLE:
EXTERIOR ELEVATIONS

This sheet may not be used for any other project without the written consent of the architect. The drawing scales apply to full scale sheets.

Fairfield Inn
Maple Grove Rd. and Cottonwood Ave.
Duluth, MN

PROJECT NO: 1837
DRAWN BY: SN
CHECKED BY: IMG

PRELIMINARY - NOT FOR CONSTRUCTION 02.19.19

RELEASE DATE: 02.19.2019

REVISIONS:

SET NO.

SHEET NO.

A401
OF XX



