



City of Duluth  
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197  
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ACTIONS OF THE PLANNING COMMISSION  
May 13, 2014

**Roll Call:**

Members Present: Marc Beeman, Drew Digby, Terry Guggenbuehl, Garner Moffat, Patricia Mullins, David Sarvela, Luke Sydow and Zandra Zwiebel

Member Absent: Tim Meyer

- A. PL 14-029 Rezoning from Form District 3 (Mid-Rise Community Shopping) and F-4 (Mid-Rise Community Mix) to Mixed Use Commercial (MU-C) properties at Spirit Valley Mall by Kent Oliver  
**Per applicant, delayed until June 10, 2014, meeting**
- B. PL 14-038 Rezoning from R-1 (Residential-Traditional) to MU-C (Mixed Use-Commercial) at 9 West Palm Street by Kwik Trip, Inc.  
**Recommend Approval**  
**VOTE: 7-1 (Beeman opposed)**
- C. PL 14-039 Vacation of Alley Right of Way and Dedication of New Alley Right of Way at 2 West Central Entrance and 9 West Palm by Kwik Trip, Inc  
**Recommend Approval**  
**VOTE: 8-0**
- D. PL 14-048 Vacation of Unimproved Alley and Street Right of Way Near Commonwealth and Becks Road by Wisconsin Central Limited  
**Recommend Approval**  
**VOTE: 8-0**
- E. PL 14-049 Vacation of Unimproved Street Right Near Roosevelt Avenue and State Street by Wisconsin Central Limited  
**Recommend Approval**  
**VOTE: 8-0**
- F. PL 14-050 Vacation of Unimproved Street Right of Way Near Curtis Street and 119<sup>th</sup> West Avenue by Wisconsin Central Limited  
**Recommend Approval**  
**VOTE: 8-0**
- G. PL 14-033 Special Use Permit for Placing Fill in the Floodplain for Wisconsin Central Limited  
**Approved**  
**VOTE: 8-0**

- H. PL 14-036 Concurrent Use Permit for Private Skywalk above 10<sup>th</sup> Avenue East Right of Way Between 1<sup>st</sup> and 2<sup>nd</sup> Streets by St. Luke's Hospital of Duluth  
**Recommend Approval**  
**VOTE: 7-1 (Sydow Opposed)**
- I. PL 14-037 Concurrent Use Permit for Heat Melt System Below the Sidewalk on the 10<sup>th</sup> Avenue East Right of Way Between 1<sup>st</sup> and 2<sup>nd</sup> Streets by St. Luke's Hospital of Duluth  
**Recommend Approval**  
**VOTE: 8-0**
- J. PL 14-046 Rezoning from R-1 (Residential-Traditional) to R-P (Residential-Planned) at Rockridge School at 4849 Ivanhoe Street by ISD 709  
**Recommend Approval**  
**VOTE: 8-0**
- K. PL 14-022 Environmental Assessment Worksheet for Stewart Creek Bank Stabilization by City of Duluth  
**EIS is Not Necessary**  
**VOTE: 8-0**
- L. 5 Minute Recess
- M. PL 14-043 Concurrent Use Permit for Tie-back Anchors in the Alley Right of Way behind the 425 West Superior Street by Duluth Real Estate LLC  
**Recommend Approval**  
**VOTE: 8-0**
- N. PL 14-044 Concurrent Use Permit for Foundation Footings in the 4<sup>th</sup> and 5<sup>th</sup> Avenue West Right of Way between Superior Street and 1<sup>st</sup> Street by Duluth Real Estate LLC  
**Recommend Approval w/ condition that tree replacement be approved by the city Forrester**  
**VOTE: 8-0**
- O. PL 14-045 Concurrent Use Permit for Skywalk and Building Footings on 4<sup>th</sup> Avenue West and Superior Street West by Duluth Real Estate LLC  
**Recommend Approval**  
**VOTE: 8-0**
- P. PL 14-040 MU-C Planning Review for a New Restaurant at 4402 Grand Avenue by Mike Jones and JP Subway Inc  
**Approval w/ condition that clear pedestrian walkway be created using shrubs and curb cuts as approved by the land use supervisor**  
**VOTE: 7-1, Moffat opposed**
- Q. PL 14-041 MU-C Planning Review for a New Primary Use Parking Lot at 4402 Grand Avenue by Mike Jones and JP Subway Inc  
**Approved**  
**VOTE: 8-0**

R. PL 14-031 Variance From Side Yard Setback Requirements at 4414 West 8<sup>th</sup> Street by Darin Powell and Tim Collelo

**Approved**  
**VOTE: 8-0**

S. PL 14-034 Variance from Shoreland Setback of 150 feet at 1726 Piedmont Avenue by Dennis Michaud and the South St Louis Soil and Water Conversation District

**Approved**  
**VOTE: 8-0**

T. PL 14-035 Variance from Front Yard and Side Yard Setback Requirements at 3635 Lake Ave South by Robert and Carole Lent

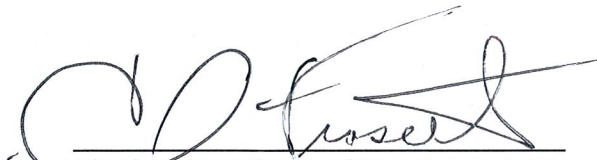
**Tabled Until June 10, 2014 Meeting**  
**VOTE: 8-0**

U. PL 14-042 Variance from Front Yard Setback Requirements at 30 East 9<sup>th</sup> Street by Jason Lindelof

**Due to Public Hearing Notice Requirement Not Met; Item Delayed until June 10, 2014 Meeting**

V. PL 14-027 UDC Text Amendment for Subdivisions

**Recommend Approval**  
**VOTE: 8-0**



Charles Froseth, Land Use Supervisor