

City of Duluth
Planning Commission
July 14, 2020 Meeting Minutes

Due to the COVID-19 emergency, many planning commission members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency. Public comment was taken at planning@duluthmn.gov prior to and during the meeting, and via verbal comment through public attendance in the WebEx video conference during the meeting.

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, July 14th, 2020.

Roll Call

Attendance: (* Via WebEx video conferencing – all votes conducted via roll call)

Members Present: Jason Crawford*, Gary Eckenberg*, Tim Meyer*, Margie Nelson*, Michael Schraepfer*, and Andrea Wedul*

Member Absent: Sarah Wisdorf and Zandra Zwiebel

Staff Present: Adam Fulton*, Robert Asleson*, Kyle Deming*, John Kelley*, Steven Robertson*, and Theresa Bajda*

Approval of Planning Commission Minutes

June 9, 2020

MOTION/Second: Eckenberg/Wedul approved the minutes with one change

VOTE: (6-0)

Presentations

Duluth International Airport Zoning Ordinance – Deputy Director Adam Fulton gave an overview. The Duluth International Joint Airport Zoning Board (JAZB) is comprised of: the city of Duluth, the city of Hermantown, the township of Canosia, the city of Rice Lake and St. Louis County. They are updating the ordinance, which was originally created in 1988. A draft was created by Duluth Deputy City Attorney Steve Hanke. MNDOT will need to approve it, and then it will come back to the city where they will conduct an additional public hearing before adoption into the UDC. City Planner Kyle Deming is the chief zoning administrator for the Board. Andrea Wedul asked what are the main changes being proposed. Deputy Director Fulton noted the greatest impacts are on the runway areas impacting Hermantown and Rice Lake, and is non-contentious at the runway ends in Duluth. He will keep the planning commission informed regarding next steps.

PL 20-107 Tax Forfeit Land Swap Process – Deputy Director Fulton gave an overview. He noted the priorities for selecting tax forfeit and open space parcels for city ownership and protection. They are collaborating with St. Louis County to create a community funding process. The Natural Resources commission acted to recommend adoption of the guidelines for selecting tax forfeit and open space parcels for city ownership and protection at its Wednesday, July 1st, 2020, meeting. Following the planning commission action on this item, the guidelines will go

before the city council for approval. This action/vote by planning commission will take place later in tonight's agenda. Wedul asked how much public involvement will there be. Deputy Director Fulton noted there is commitment to an open and transparent process, which will involve public meetings, by both Natural Resources and planning commissions. Today they are focusing on the guidelines. Gary Eckenberg asked about the "swap" process or funding through legacy grants. Deputy Director Fulton noted it is an internal term, but they are looking at the broader picture, and a shift of preservation. Eckenberg is in support of the process. Deputy Director Fulton noted the Parks and Library staff have been working hard on it, including Jim Filby Williams and Diane Desotelle. Wedul is in support and feels the guidelines are very helpful.

Consent Agenda

~~PL 20-060 Variance to Shoreland Setbacks for Garage at 2130 Abbotsford Avenue by Leonore Bauml~~ (Item removed from July's agenda by the applicant for additional information and may be brought back in August.)

PL 20-063 Variance to Front and Side Yard Setbacks at 523 E Skyline Parkway by Mark Merrill

PL 20-088 Interim Use Permit for a Vacation Dwelling Unit at 120 E Superior Street Floor 3 by Cook and Kocon Real Estate Holding LLC

PL 20-089 Interim Use Permit for a Renewal Vacation Dwelling Unit at 1026 N 10th Ave E by Eve Graves

PL 20-092 Minor Subdivision at 1136 S Lake Avenue by Larry McGough

PL 20-094 Special Use Permit for Pump House at 2120 W. Michigan St by the city of Duluth

PL 20-099 Final Plat for Kirkland Addition at Haines Road and Arrowhead Road by Costco

Staff: N/A

Applicant: N/A

Commissioners: PL 20-089: Eckenberg referred to page 108 of the packet and noted some discrepancies on the address in the staff report. He asked about the six-year term, and the three parking spaces listed. Are they in addition to what is existing? John Kelley stated this is a renewal and the parking was existing. He noted only two spaces are required. Deputy Director Fulton noted there is a parking pad in the back. Kelley affirmed. Eckenberg asked the applicant about the three spaces. The applicant Eve Graves stated one car fits in the garage and there is a 2nd space parallel to the garage. Eckenberg asked if the staff report can be changed to reflect two spaces instead of three. Deputy Director Fulton they will look into it before the approval is issued.

Public: No speakers.

MOTION/Second: Meyer/Crawford to approve the consent agenda items as per staff recommendations.

VOTE: (6-0)

Public Hearings

PL 20-090 Special Use Permit for Outdoor Recreation Facilities at 3301 Technology Drive, North Star Academy by Tischer Creek Duluth Building Company

Staff: John Kelley introduced the applicant’s proposal for a special use permit to expand its existing school campus to provide outdoor accessible space with structures located in an R-2, Residential Urban zone district. Staff recommends approval with the conditions listed in the staff report. Proposals include a yurt, a playfield, and a trail. Wetlands are avoided. They want to expand their outdoor space for educational purposes and make it ADA accessible. Wedul noted the proposed tree replacement plan. 24 trees are being removed and only 8 are going back in. Kelley stated the preliminary report has been submitted to the City Forester. Wedul verified the turf grass seed will be evaluated as well. Kelley stated yes, and the stormwater run-off will need to be evaluated and approved. Wedul asked if there will be any lighting proposed, and the purpose of the shed. Kelley stated there is no lighting planned at this time. He deferred to the applicant on the shed question.

Applicant: Landscape Architect, Heidi Bringman of LHB, Inc. addressed the commission and stated the shed use depends on the programming for the yurt. They may want it close to the parking lot for access. It will hold snowshoes, orientation gear, rain boots, etc. The Maintenance Supervisor would like a shed to store a mower, weed wacker, etc. The site plan includes two sheds: one close to the yurt, and one maintenance shed that may be outside of the site map area. She confirmed there will be no lighting involved in the outdoor recreation facilities. There will be lighting in the parking lot and an electrical hook-up will be included by the yurt. She noted the tree preservation plan. Of the 24 being removed, only two are significant and there are no special trees, therefore just a different tree species was suggested. Paul Goossens of Tischer Creed Duluth Building Company addressed the commission. They looked at what capital improvements would support educational improvements. They are trying to meet the needs of their students. It’s a win/win for joint use of the land with Snowflake Ski Area. Wedul asked if a wetland delineation is being proposed. Bringman noted the delineation occurred when the school was built ten years ago. The whole site sits on a hill. The intent is to develop a primary area, and will be a 1-5 year phased approach. No grading is proposed at this time, just more clearing at this first phase. She invited commissioners to walk that the site, and noted it is quite a bit away from the wetlands. It will have a parkland feel. Wedul appreciates the consideration of the turf seed. Bringman noted it was be similar to the area around the cabin that you don’t mow. She noted they have a couple of letters in support for the project.

Public: No speakers.

Commissioners: N/A

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

VOTE: (6-0)

New Business

Approval of Tax Forfeit Land Swap Process – Deputy Director Adam Fulton stated they are recommending approval of the guidelines as presented

MOTION/Second: Wedul/Eckenberg/Wedul recommended approval of guidelines as presented

VOTE: (6-0)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. He thanked commissioners and noted city hall continues to be open to the public by appointment only. He asked commissioners for their feedback regarding web-ex brown bag meetings. Wedul stated she would like a brown bag meeting and thinks web-ex meetings are doable. Eckenberg noted they have mastered the web-ex meeting and agreed to a brown bag meeting. Deputy Director Fulton noted a doodle poll to gauge availability will follow. He noted the city is tracking an asphalt plant planned in Rice Lake township. Rice Lake is contemplating a moratorium on the issue. There is a citizen petition for an Environmental Assessment Worksheet (EAW). This is outside Duluth's city jurisdiction, but Steven Robertson is working closely with our surrounding communities. Deputy Director Fulton asked for volunteers for the Land Swap subcommittee. Interested commissioners include: Eckenberg, Wedul, Chair Nelson and Crawford. Wedul asked about the Costco status. Deputy Director Fulton stated that Costco has indicated an intent to proceed subject to additional approvals. The City Council will consider tax abatement status at their 7/20/2020 meeting.

Heritage Preservation Commission – Commissioner Wisdorf not in attendance, but Deputy Director Fulton noted there was a resolution to maintain landmark status for the city-owned Tiffany windows. City council affirmed.

Joint Airport Zoning Board – No report. (Ordinance earlier on the agenda.)

Duluth Midway Joint Powers Zoning Board – No report.

Adjournment

Meeting adjourned at 6:09 p.m.

Respectfully,



Adam Fulton – Deputy Director
Planning and Economic Development