

City of Duluth Planning Commission

**October 11, 2022 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, October 11th, 2022 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Jason Holliday, Samuel Lobby, Margie Nelson, Danielle Rhodes, Michael Schraepfer, and Andrea Wedul

Members Absent: N/A

Staff Present: Adam Fulton, Robert Asleson, Chris Lee, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – September 13, 2022

MOTION/Second: Rhodes/Crawford approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

None

(Commissioner Danielle Rhodes recused herself from the consent agenda items due to a conflict of interest on Item PL 22-154. Her client is purchasing the property.)

Consent Agenda

PL 22-153 Interim Use Permit for a Vacation Dwelling Unit at 325 Lake Ave S #1313 by Tiegen Brickson

PL 22-154 Minor Subdivision at 405 Elk St by Devin and Ebony Nelson

PL 22-157 Interim Use Permit for a Vacation Dwelling Unit at 1035 Berwick Ct by Don Washington

PL 22-164 Interim Use Permit Renewal for a Vacation Dwelling Unit at 241 W Arrowhead Rd by Susan Yunis

MOTION/Second: Lobby/Schraepfer approved as per staff recommendations

VOTE: (7-0, Rhodes Abstained)

Old Business

MU-C Planning Review for a Hotel on Sundby Road north of Maple Grove rd by Kinseth Hotel Group

Staff: Chris Lee gave an overview. At the September planning commission meeting the commission voted to table the proposed MU-C Planning Review for a new extended stay hotel on Sundby Road. The commission wanted to speak to the applicant to have him address the concerns brought up by the neighbors including: screening to residential neighbors, lighting, and other impacts. The planning commission is tasked with approving the planning review or approve it with modifications if it is determined that the application complies with all applicable provisions. Staff recommends the planning commission approve the MU-C planning review with the findings in the staff report including adding 22 shrubs to the buffer.

Applicant: Ben Kinseth of Iowa addressed the commission, and gave an overview of the proposed project. They have seven additional extended stay hotels in Minnesota. He stated it is common to have residential areas butting up against commercial areas. He understands emotions are involved, and welcomed questions.

Public: Jo Haubrich, 1513 W. Morgan, addressed the commission. She represents 100 people who all voice their opposition to this hotel development. The hotel will cut into the green space, and invade people's privacy. There are no sidewalks in the area. She feels the negative impact will be enormous. Brenda Rose, 1609 W. Morgan, addressed the commission. She is a two-year resident of the area, and lives on the corner of Yosemite and Morgan. Traffic will increase and be dangerous. She is opposed. Joe Poppnickels addressed the commission. He is concerned that the replacement trees will not be of the same caliper as the trees they will be removing. He feels this change is radical and would be setting a massive precedent by telling big corporations they can shoe-horn their development in a residential neighborhood. This Project requires more thought. Devin Eng, 1516 Osage St., addressed the commission. She lives across the street from the proposed new hotel. She bought this family home from her father, and would like to some day pass it on to her daughter. Her daughter walks to the bus stop, and Eng is concerned about the safety due to increased traffic. Ben Fye, 1504 Osage Ave., addressed the commission. He noted there has been increased traffic in the area ever since the opening of the LaQuinta hotel. The new hotel will look directly into his window. The trees they are proposing are too sparse. His property will lose value. He asked if the four properties on Osage be granted a short-term rental license. Diana Mullberg addressed the commission. Looking from a satellite view, a hotel here doesn't make sense. It will disrupt wetlands and wildlife. There are lots of other properties for sale. Humans need nature. Once wildlife areas are gone, they aren't coming back. A hotel here just isn't right.

Commissioners: Andrea Wedul asked how does this proposal align with the Imagine Duluth 2035 Comprehensive Plan. Per Lee, the staff report lays out the alignment in more detail, but noted economic factors including tourism. The mall area is good for redevelopment and goes back to the 1970's. The land of the proposed hotel is deemed commercial. Commissioner Michael Schraepfer asked about the hotel height. David Bohl of Northland Consulting Engineering addressed the commission. He noted the elevation is 51'6". There is a ten-foot façade on top of the building for branding, but mostly to screen mechanical equipment. Commissioner Gary Eckenberg asked if the planning commission vote will be the final decision. Deputy Director Adam Fulton affirmed, but noted it could be appealed to the city council with ten-days of tonight's decision. Commissioner Schraepfer noted both sides of this development have a valid argument. The current property owners have rights, but so does the new property owner. He sees this as a zoning issue where it was zoned commercial back in 2009. He would like to see a compromise and suggests adding more trees as a buffer. Commissioner Rhodes asked if the homes surrounding the hotel should be zoned commercial. Deputy Director Fulton noted they have no application before them, and have not evaluated the future land use for those properties. Eckenberg reiterates that the public could file an appeal to the city council. Commissioner Wedul asked how typical is this for neighboring zoning differences. Fulton noted a study was done in the 1990's, which identified sites for expansion of activity in the mall area.

He noted Sundry Road functions as a commercial road. This site has lots of MU-C areas surrounding the RR-1 area due to no utilities. This is not a-typical and compared it to Spirit Valley and Lincoln Park.

Applicant: Bohl addressed Commissioner Schraepfer's comment to increase the buffer. Engineering required the 33' of right of way to the east of the property. This means the applicant will have a 33' buffer over the 33' buffer in place. He noted the stormwater needs to be cooled before it goes into a holding pond. He welcomed additional questions. Commissioner Eckenberg asked about the 22 additional shrubs. Per Lee, the shrubs need to be placed on the applicant's property. Bohl noted minor adjustments could be done and noted the re-allocation of parking towards Sundry Road.

Commissioners: Commissioner Rhodes noted the commission is not deciding on if they like hotels, only if the hotel meets the criteria. Wedul noted this is a hard topic, and appreciates the applicant's willingness to increase the buffer if possible. Bohl noted their intent is to build a 4' berm to black automobile headlights from the neighbors. Crawford asked if they could increase the height of the buffer. Per Bohl more area would need to be cleared to increase the berm height.

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

VOTE: (7-1, Lobby Opposed)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview. Golden Bulldog, 318 N 18th Ave E – Chris Lee stated their hours of operation appear to be outside of the agrees upon 9 p.m. close. An enforcement letter was sent, and they have 14 days to comply. Lee noted that a bar falls into the definition of a bar even if food is not the main focus. Eckenberg thanked staff for following-up.

Discuss Brown Bag Date

Heritage Preservation Commission – Gary Eckenberg noted there was no meeting this month. Joint Airport Zoning Board – No update.

Duluth Midway Joint Powers Zoning Board – No update.

Adjournment

Meeting adjourned at 6:24 p.m.

Respectfully,

DocuSigned by:
Adam Fulton
6F120D73DC4F4F5...

Adam Fulton – Deputy Director
Planning & Economic Development