

## City of Duluth Planning Commission

June 8, 2021  
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](mailto: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, June 8th, 2021.

### **Roll Call**

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

Members Present: Jason Crawford\*, Gary Eckenberg\* (entered meeting during item PL21-069), Jason Hollinday\*, Margie Nelson\*, Eddie Ratnam\*, Michael Schraepfer\*, Sarah Wisdorf\*, Andrea Wedul\*, and Zandra Zwiebel\*

Members Absent: N/A

Staff Present: Adam Fulton\*, Robert Asleson\*, Jenn Moses\*, Steven Robertson\*, Kyle Deming\*, John Kelley\*, Chris Lee\*, Theresa Bajda\*, and Cindy Stafford\*

### **Public Comment on Items Not on Agenda**

No speakers.

### **Approval of Planning Commission Minutes** -

Planning Commission Meeting – May 11, 2021

**MOTION/Second:** Zwiebel/Wisdorf approved

**VOTE: (8-0)**

(Item PL21-066 was removed from the consent agenda and placed under public hearings.)

### **Consent Agenda**

PL21-059 Special Use Permit for Child Care at 1500 Swan Lake Road by Mellissa Reisdorf  
PL21-067 Vacation of Portions of Right of Way at 3801 W Superior Street by Jorey Olson

**Staff:** Deputy Director Adam Fulton noted staff received correspondence in favor of PL21-059. They also received correspondence to deny item PL21-066 and remove from the consent agenda. The commissioners can decide if they want to remove the item from the consent agenda. Zandra Zwiebel asked if the person opposed to PL21-066 was present or

just submitted the letter. Deputy Director stated they were in attendance, but anyone can speak to the item regardless if it is on the consent agenda or not.

**MOTION/Second:** Schraepfer/Zwiebel remove item PL21-066 from the consent agenda

**VOTE: (8-0)**

**Public:** No speakers on the remaining consent agenda items.

**MOTION/Second:** Zwiebel/Schraepfer approved consent agenda items as per staff recommendations.

**VOTE: (8-0)**

### **Public Hearings**

PL21-066 Interim Use Permit (IUP) for a Vacation Dwelling Unit at 2301 E 4<sup>th</sup> Street by Michelle and Jim Lelwica

**Staff:** Deputy Director Fulton noted the applicant was chosen from the next in line on the waiting list. There will not be a formal presentation, but staff is happy to answer any questions. Commissioner Michael Schraepfer noted this property was already being rented, and had 26 reviews. The neighbor letter they received stated it has already been operating as a vacation rental. Schraepfer feels the applicant is not following the rules. Deputy Director Fulton noted this matter was brought to staff's attention earlier in the year. If the IUP is approved, it would bring it into compliance with the UDC. If denied, fines could be administered. Schraepfer stated this sets a precedent confirming the city's rules matter.

**Applicant:** Michelle Lelwica addressed the commission and noted the home has had a regular rental license since 2018. This license allows rentals longer than 29 days in duration. She noted they are advertising through VRBO and AirBNB for 29 days or longer. They are making sure they are staying within the limits and have been paying their taxes, and obeying the rules. Schraepfer pulled up the website (in current time) and noted it was available for short term rental through next weekend. Lelwica said she received an unofficial head nod for leniency during Grandma's Marathon from someone on staff. Commissioner Andrea Wedul asked Lelwica if she has had short-term rentals in the past. Lelwica stated she allowed friends, family and staff to stay there during Covid. Commissioner Jason Crawford noted anybody could do that with their own home. He has a hard time with this one. Deputy Director Fulton noted via text communication (in current time) staff did not provide clearance to rent on a short-term basis during Grandma's Marathon weekend. He noted there may have been violations, but it doesn't change the option to bring it into conformity now. Lelwica noted they worked hard on this house, and are trying to obey the rules, and she appreciates any support.

**Public:** Lisa Kappenman addressed the commission and noted it is a matter of fairness to the other people on the waiting list who obey the rules. She is opposed to the IUP and asks the commissioners to deny. She appreciated Commissioner Schraepfer's on-the-spot checking.

**MOTION/Second:** Zwiebel/Schraepfer recommended approval as per staff recommendations.

**Commissioners:** A motion was made to approve – no vote and more discussion followed. Schraepfer is pro vacation rentals. He sees the 29 day stipulation on the website, but noted he can rent it tomorrow for three days. It is off-putting that it is available now. Wedul noted this sets a dangerous precedent. It is not about *trying* to obey the rules, it is about obeying the rules. Zwiebel stated she is not happy with the applicant's disregard for the rules. Schraepfer suggested a friendly amendment be made to the motion to delay the rental start date, and any current rentals be removed, before it can be approved by the city council. City Attorney Bob Asleson stated the friendly amendment is valid if both motion makers agree to it. Deputy Director Fulton noted the commissioners can add any condition to bring to the city council, but it is subject to it being legal. Wedul thinks they should resolve any outstanding violations prior to

rental. Crawford noted the matter is moot if it is already booked through the fall. Schraepfer noted the city council is the deciding body and they can be responsible for enforcement. Wedul stated the rental date start can be open to city council discussion.

**MOTION/Second:** Zwiebel/Schraepfer recommended approval as per staff recommendations with added condition that the city council review potential delayed start date

**VOTE: (7-1, Wedul Opposed)**

(Commissioner Gary Eckenberg joined the meeting during the next item.)

PL 21-069 MU-P Concept Plan Amendment at 800 E Central Entrance by ISD 709

**Staff:** Steven Robertson gave a presentation. He shared a GIS map and noted this is a challenging site. The applicant is requesting to amend an approved MU-P concept map and plan. Any amendment to the concept map and plan that involves changes to land use, density, or height are required to follow the rezoning process, including a public hearing by the planning commission and final ordinance approve from the city council. If approved, the amendment will allow for development of a bus garage, and expansion of administrative office spaces on property to be retained by ISD 709, the applicant. It also provides for minimum requirements to be met prior to approval of a Regulating Plan by the Land Use Supervisor. Staff recommends approval based on the findings and conditions listed in the staff report. Commissioner Wedul asked if they can preserve the trails. Robertson noted a permanent easement shall be dedicated for existing and proposed city trail infrastructure on the site. Wedul noted this site is a high visibility area, and to consider height and the bluff line. Robertson noted the initial limits in height go up to 72', which equals five stories. There are no additional controls to height other than what was included in the 2014 plan. Commissioner Zwiebel noted the future use of bus maintenance. She was not aware that the school district owned and maintained buses, and thought it was contracted out. Robertson deferred to the applicant. He noted the bus language was most appropriate because he doesn't want an industrial site (i.e. Caterpillar) there in twenty years.

**Applicant:** John Erickson of DSGW Architects (not LHB) addressed the commission. This has been a challenging project for the city and school district for many years. There is now an opportunity to improve facilities and utilize existing property to add office space and a transportation maintenance facility. They are taking an economical, common sense approach. They will minimize impact to the tree line and maximize the buffer. The elevation creates a buffer, since it sits above the Blackman residential area. New building codes will be followed. He feels it will be less of an impact on the neighbors then when it was an existing school. Stormwater treatment will be on-site. There will be no retention ponds. There is special legislation by the state, which allows financing through bond sales. The timing is still being negotiated. Zwiebel thanked the applicant for addressing all her concerns before she noted them, but asked specifically about the buses. Erickson noted the school district owns about  $\frac{3}{4}$  of their buses, and the rest is contracted through Voyageur. Zwiebel asked why it took ten years to make something happen with the site. Erickson noted they were trying to sell the entire site for redevelopment, but with the successful deal of selling historic Old Central, the timing was right to utilize this property to house administrative office staff. Commissioner Eddie Ratnam noted before the pandemic there was a move toward consolidation into fewer buildings. Now future industry is opening up spaces to allow more distance between occupants. Has the applicant had conversation about creating more space? Erickson agreed that more space is a national conversation. The school district feels this is the right size for their space needs. Ratnam noted it is more expensive to acquire new land versus using existing property.

**Public:** Gary Kolojeski – of South Blackman Avenue addressed the commission. He said the school has already excavated trees that were supposed to be retained to create a buffer. He

would like to see them replanted. In the winter, the old school scoreboard is easily seen. He is not opposed to the administrative office space, but it opposed to the 36-stall, black-topped, bus garage. He is concerned about stormwater run-off as well as bus pollution. He is also concerned there will be more traffic on South Blackman Avenue. He doesn't feel he can hold the district to their word. Before the plan moves forward he would like to see the size of the building, and he urges the commission to table this item. Nathan Norton addressed the commission on behalf of the school district. He noted item d in the staff report and the financial security. The escrow might not be possible, but the school district is 100% on board. Deputy Director Fulton noted the language can be evaluated before it goes to the city council.

**MOTION/Second:** Zwiebel/Wedul recommended approval as per staff recommendations.

**VOTE: (9-0)**

PL 21-063 Special Use Permit for a Cottage Home Park at 4319 Decker Road by Northland Homes

**Staff:** Kyle Deming introduced the applicant's proposal for a special use permit for a cottage home park on four acres containing 14 dwelling units consisting of 1,500 – 1,800 square feet, one or two-level homes with attached garages. A homeowners' association will be formed to manage all of the property other than the individually owned dwelling units, including the 20 foot wide private looped driveway, interconnecting sidewalk, community recreation area, and stormwater treatment. Water, sewer, and gas pipes will be public. Staff recommends approval with the conditions listed in the staff report. Their stormwater plans are still being worked on and discussed with the City Engineer. A tree replacement plan and landscaping plan will need approval from the Land Use Supervisor before land-disturbing activities commence. The standard escrow amount will be required, and the "spine" of the sidewalk system shall be installed prior to the first dwelling receiving its certificate of occupancy. Then each dwelling unit will be connected to the spine as they are constructed. Commissioner Eckenberg asked about the nearby homes. Are they rentals, or owner occupied? Deming deferred to the applicant. Wedul asked about the curved road by the exception area. Why is it so close? Deming noted the UDC does not require buffering roads from the property line. Wedul thinks this would be better fit as an R-P zone development. Did staff have any discussion about rezoning? She noted the higher density is out of character with adjacent properties. Deming noted staff was not evaluating other zoning tools. This was presented to them as a cottage home park. Senior planner Jenn Reed Moses was in on the initial meeting with the developer. Staff presented both options to the developer, and cottage home park is the route they chose. President Nelson asked if this is the first cottage home park in Duluth. Deming stated there was also one by UMD/St. Marie Street that was approved but not built.

**Applicant:** Rob Irving addressed the commission. The land just below this area to the south is sub-cut down below their elevation. It is an open field, and the building on it is an old farmstead. They plan to leave as many trees as possible. They don't plan to rent the units, but he doesn't want to rule it out. The curved road has a six foot buffer from home/unit #14. Wedul asked about the community space, and whether they have to sell a certain number of units before completion. Irving doesn't want to complete the project in phases. They hope to have two units built in the fall to use as show homes, and complete the rest next summer. Wedul asked about stormwater treatment. Irving stated there is a possibility that they will have to lose a house for stormwater treatment. They are working with their engineer, and City engineers to develop a plan. Eckenberg noted the applicant wanted the units to be owner occupied, but then backed away, and suggest the possibility of rentals. Irving stated the homeowners association would have to vote on it. This allows the freedom for people to choose which direction they go. Eckenberg asked the price of the homes. Irving stated a mid-price range. Ratnam asked about utilities; will they all be located underground? Irving affirmed.

**Public:** Sarah Senderaf addressed the commission. Her family owns the property next door. They are concerned it will hurt the wildlife in the area. She doesn't feel it is a good fit for their community. She noted the homeowners association will have a vote, but what about the surrounding community? Her grandparents owned their property since the 1960s. Dan Pietrusa addressed the commission. He is the owner of the property labeled "exception" on the map. He was shocked to see the density being proposed for the project without consideration for the neighbors. The road is six feet from his property. He is highly opposed and doesn't feel it fits the neighborhood. The density is too excessive. Lori Lucia addressed the commission. Her mother owns the house next to Dan Pietrusa's property. She feels that 14 homes added to the small area will change the feel of the entire neighborhood. She is opposed.

**Commissioners:** Wedul noted UDC section item 2 which states the dwelling units meet the minimum lot area and lot frontage requirements. She doesn't think it meets residential requirements. Eckenberg asked about cottage home parks, and why the City Council approved them. Commissioner Sarah Wisdorf noted cottage home parks are the brain child of the Planning Commission in correlation to tiny homes. Eckenberg stated he is not opposed, just wondering why this is a good idea. Moses provided some insight into cottage home parks, which came out of discussion regarding tiny homes. They are homes which center around a community space, creating a pocket neighborhood. Wedul doesn't feel it fits the zoning in R-1. Moses noted general community space is allowed in R-1. Wedul noted the lots, and the shared parcel and the homes exist independent of the parcel. Moses stated there are no lots being created. The lot fronts on Decker Road; the homes would be sold utilizing a CIC plat. There is desire for a neighborhood with a sense of community. Zwiebel noted their proposed setback meets R-1 setback requirements. Staff affirmed. Deming noted the four acre parcel, which would allow roughly 43 units based on the minimum lot requirement of 4,000 sf. The dwelling units they are proposing are on the equivalent to a 50 x 60' lot, which is similar to how you would set up a traditional neighborhood. Eckenberg referred to the staff report and the Comprehensive Plan's Governing Principles regarding future land use – Urban Residential, which has the greatest variety of residential building types with medium to high densities. He feels this is a good opportunity for lower market value homes in areas other than traditional neighborhoods. It eliminates urban sprawl, and the utilities are already there. He is in support.

**MOTION/Second:** Zwiebel/Wisdorf approved as per staff recommendations.

**VOTE: (9-0)**

PL 21-064 UDC Map Amendment from RR-1 to R-1 on Vassar Street in the Woodland Neighborhood by Kevin Christianson

**Staff:** John Kelley introduced the applicant's proposal to rezone property from the current zoning of Rural Residential 1 (RR-1) to Residential Traditional (R-1). The applicant has stated that the intent of this rezoning of the 16 acres to R-1 along with an adjacent 10 acres already zoned the same, would allow for the development of 25-30 individual residential lots. The applicant believes the rezoning will allow for more housing opportunities and increase the demand for more services in the Woodland Core Investment Area. Staff recommends approval to the city council. Staff has received comments from residents in the area opposed to the rezoning. President Nelson noted she visited the site. She asked if there will be improvements made to Vassar Street. Kelley noted it could be a future consideration. They are just focusing on the rezoning tonight. There will be more steps needed post-rezoning, including a concept plan, a preliminary plat, and a final plat. Commissioner Wedul asked about the history of the large lots. Is it to protect Amity Creek? Kelley is unsure, but reasoning could be due to the creek and the creek corridor. With traditional neighborhood zoning, it would support additional housing. RR-1 zoning was a carry-over from older zoning. Planner Jenn Moses noted this was her understanding as well. This area was zoned prior to the current UDC. Eckenberg noted the green

open space which runs through the proposed rezoning. Kelley stated they will look at that during the platting process, where wetlands and steep slopes, etc. will be taken into account. Eckenberg noted the extension of future land use and the extension of the traditional neighborhood area. Kelley stated the features on the property could dictate the future design pattern. There could potentially be other access points. Moses stated the platting phase gets into more details. The intent is areas along Amity Creek are important to protect. Also, a tree preservation plan will be needed in the future. Zwiebel asked which side of the stream is the hiking trail. Kelley noted there is a series of hiking trails, but wasn't sure specifically about the Superior Hiking Trail. Kelley said there is also potential for portions to remain open space. There will be more discussion when the platting stage begins. Commissioner Jason Holliday asked how much of the area is buildable. He also visited the site and noted the narrowness of Vassar Street. Zwiebel asked about the utilities. Kelley stated the utilities are the responsibility of the developer/contractor. Eckenberg asked about item #5 in the staff report. Where is the additional 10 acres located? Kelley stated it is to the west of the proposed rezoning. The applicant already has interests in the 10 acres zoned R-1. Wedul asked if an environmental assessment has been done. She noted the area's trout stream and mature trees. Kelley stated the applicant's first step is rezoning. There was a wetland delineation done a couple of years ago, but a complete wetland delineation will be needed during the platting phase.

**Applicant:** Kevin Christensen addressed the commission. He feels the rezoning follows a pattern in the area, and meets the city's comprehensive plan. There will be a 2<sup>nd</sup> access off of Woodland to lower the impact on Vassar Street. He is happy to meet with neighbors to discuss future plans, but now the focus is on rezoning. Wedul asked if he was aware of the environmental impacts. Christiansen noted there are wetlands to be considered, and stormwater plans will need to be addressed. At this point he is focused on the rezoning.

**Public:** Chair Nelson noted they have received many emails and letters ahead of tonight's meeting. Julie O'Leary a member of the Izaak Walton League addressed the commission. She is concerned about the environment. The maps don't show the integrity of the area, and the mature trees and wetlands. She feels they should allow lower density of housing to protect the stream and nature areas. She urges the planning commission to look beyond just the map. Jennifer Marksteiner of 121 Vassar Street addressed the commission. She has many concerns including the narrowness of Vassar Street. It is only 21 feet wide. She is concerned heavy equipment will tear up the street. Utilities will destroy the trees and the frontage to their homes. It would destroy the aesthetics of people's homes. She also thinks it is a safety concern in case of a fire. The only current access is via Vassar Street. She is concerned that the increased density will truly change the character of the neighborhood. She reiterated to the commissioners that there have been several petitions circulating and created with neighbors who are opposed to the rezoning. She thanked the commissioners for their time. Pat Ferguson of 124 Vassar Street addressed the commission. Ferguson owns property to the south. The area is a direct flight pattern to migrating birds. Stormwater runoff will increase pollution including plastics. The area's wildlife needs to be considered. Protecting their habitat is important. There are no sidewalks on Vassar Street, and increased traffic is a concern, especially for young kids. Kyle Surrell of 121 Vassar Street addressed the commission. He has lived there for 20 years. The hills on the property do not accommodate new housing. He noted a steep drop off 100' away from 121 Vassar Street. It would be ridiculous to try to develop the area. It literally makes no sense. Joel Krochak and wife Sue address the commission. They live on Chisholm Street. They hike the trails. The Superior Hiking Trail is on the other side, but the trails are connected. He noted the area is very steep, and there are lots of wetlands. The creek can't speak for itself, and once it's done it is hard to undo. There will be permanent damage to pristine wilderness. Chair Nelson asked if anybody wanted to speak in favor of the rezoning. There were no speakers.

**Commissioners:** Zwiebel asked who owned the 10 acres of R-1 property adjacent to the rezoning area. Kelley noted the R-1 property is listed under Truscott, but the applicant has an

interest in it. Zwiebel noted the property isn't owned by the city and is not tax-forfeit property. The owners have rights as property owners. Everyone has green areas in their neighborhoods. Decisions have to be made. She appreciates the developers allowance for access to the trails to remain. In actuality the trail system belongs to the property's owners. Commissioner Wedul echoes Zwiebel's comments, but feels Woodland would be hit with development pressure.. She is not in favor of moving forward with the rezoning. Eckenberg agrees with Zwiebel's comments. The neighborhood thinks of the trail system as their own, but others would enjoy the benefits of the neighborhood. The developer is proposing a 2<sup>nd</sup> access other than Vassar Street. He is in favor of the rezoning. More detailed aspects will be presented later with the plat development. This phase will also be open to the public. Wedul noted the planning commission has tools in their toolbox now to use before it gets to the plat development stage. Zwiebel would like to table the item, and can't move forward in good conscience. What is the real intent of the situation? The community is willing to hold meetings. She doesn't want to move forward with the rezoning until future platting concerns are addressed. They need to support the Woodland neighborhood. Commissioner Ratnam is not opposed to the rezoning, but is leaning against it due to not knowing what the environmental impacts will be. Commissioner Eckenberg stated it is unfair for the developer to move forward to the next steps of the process without approval for rezoning. Punishing the developer for inaccurate information is not part of the planning commission's role. If the residents choose to, they can bring their voices to the city council. He doesn't feel it is right to table and delay their decision based on misinformation. Commissioner Zwiebel noted it this item is not tabled, she would be opposed. Wedul asked what misinformation the petition was focused on. Zwiebel noted somewhere it was listed as up to 80 homes, as opposed to the correct number of 25-30 homes. Commissioner Schraepfer sees both sides of the issue. The rezoning is the first step of the process, and gives the developer the go-ahead to address the next step. Commissioner Wisdorf appreciates the community's feedback and involvement. She says each step comes with checks and balances. The rezoning comes first, and she is in support.

**MOTION/Second:** Eckenberg/Hollinday Motion to Table

**VOTE: (3-6, Crawford, Hollinday, Nelson, Schraepfer and Wisdorf Opposed) – Motion Failed**

**MOTION/Second:** Eckenberg/Hollinday recommended approval as per staff recommendations

**VOTE: (6-3, Ratnam, Wedul and Zwiebel Opposed)**

PL 21-068 UDC Map Amendment from R-1 to MU-N at 6920 Grand Avenue by Peter Cpin  
**Staff:** Steven Robertson noted the applicant passed away last week. The tenant/owner's agent is in attendance. The proposal is to rezone the current zoning of Residential-Traditional (R-1) to Mixed-Use Neighborhood (MU-N). This will allow expansion of a legal non-conforming use. Based on the character of the neighborhood, the purpose statement of the MU-N zone district and the historic commercial use of this property and adjoining properties along Grand Avenue, the rezoning as proposed is appropriate for this property. The rezoning necessitates the review of the property for conformity with the UDC, which requirements for screening must be met, and other violations (dumping of tires and solid waste, and the long term use of shipping containers for storage) are addressed and corrected. Staff received one public comment opposing the rezoning. Because material adverse impacts on nearby properties are not anticipated, staff recommends that the planning commission recommend approval to the city council. Zwiebel asked if there is a new owner. Robertson said it may be a contract for deed situation where the person running the business will eventually own. Zwiebel asked about the previous citations. Robertson said they were issued to Cpin, and need to be addressed, but it should not stop the rezoning proposal tonight. Zwiebel asked about the stormwater drain. Does it enter into the

creek? Robertson noted MNDot redirected the underground pipe. The one on site is abandoned. Commissioner Eckenberg asked about the building to the east. Robertson noted there were homes, then a church and then commercial property. Eckenberg noted they can't put stipulations on rezoning, but could a special use permit require clean-up? Robertson stated the applicant has made a good faith effort to remove the tires. He is aware of the problem.

**Applicant:** Donnell Kelly addressed the commission. He has been there for six years. It is a limited business and can't expand. This zoning change will allow them to expand. He would like to continue to do business in Duluth and obey the laws. They sell tires and want to try to keep the business local. Covid times were difficult. He wants to improve the property's appearance and agree to comply. He hopes to expand. Eckenberg asked the applicant what his plans were for the shipping containers. The applicant said he wasn't aware they were not allowed, but agrees to comply. He would like to add a new building. He wants to invest in his business and the community.

**Public:** No speakers.

**Commissioners:** Eckenberg asked if shipping containers are allowed in an MU-N zone district. Robertson said they are only allowed in an Industrial zone. There was no prior warning made to the applicant about the shipping containers. Robertson noted they need to be more flexible on how they deal with this. Expansion would allow for more interior storage. Without rezoning the situation doesn't change, and they will be stuck in limbo. He can't speak for the Land Use Supervisor, but thinks they can give the applicant enough time for completion of expansion to allow for compliance.

**MOTION/Second:** Wisdorf/Zwiebel recommended approval as per staff recommendations

**VOTE: (9-0)**

### **Other Business**

PL21-070 Tax Increment Financing (TIF) – Comprehensive Plan Compliance for the Burnham Project at 521 W 2<sup>nd</sup> Street

**Staff:** Theresa Bajda provided overview of project and described the role of the Planning Commission is to determine whether the proposed development and its uses are consistent with the Comprehensive Plan and the Unified Development Code (UDC). The project implements the Comprehensive Plan principles as listed in the staff report. Staff believe that the proposed development conforms to and implements the Comprehensive Plan, and asks the Planning Commission to review, discuss, and make a determination. Staff indicated the TIF Plan and corresponding Development Agreement will go before the Duluth Economic Development Authority (DEDA) followed by City Council for approval. The project calls for redevelopment of the historic former St. Louis County Jail into a 32-unit residential apartment building spanning six floors. The majority of the units will be studio and one-bedroom, four of which will be affordable to tenants earning 60% or less of the Area Median Income.

**Commissioners:** Commissioner Zwiebel noted the annex and questioned if that is where off-street parking would be. Bajda confirmed there will be eight parking spots where the current non-historic annex is, and six additional spots located to the east. Commissioner Eckenberg asked what the plan is for pedestrian access to the other side of Second Street. City Senior Housing Developer Jason Hale noted there are opportunities for safe pedestrian crossing on Second Street and Mesaba Avenue and indicated signage will be added. Commissioners Wedul voiced her concerns regarding safe access across Mesaba for pedestrians without having to dart across Second Street, especially during freezing temperatures in the winter.

**MOTION/Second:** Wedul/Wisdorf Development is in conformity with the Comprehensive Plan



**VOTE: (8-1, Eckenberg Opposed)**

Commissioners Eckenberg and Hollinday recused themselves from the next agenda item.

PL21-073 Tax Increment Financing (TIF) – Comprehensive Plan Compliance for the Brewery Creek Project at 619 E 4<sup>th</sup> Street

**Staff:** Theresa Bajda provided an overview of the development that proposes a newly constructed 52-unit apartment building on the corner of 6<sup>th</sup> Avenue East and East Fourth Street. The one and two-bedroom units will be affordable to tenants earning between 30%-60% of the area median income. 26 of the units are reserved for high priority homeless and six units reserved for household with disabilities. The project includes removal of the existing blighted structure, a former oil change business and liquor store. City staff believe that the proposed development conforms to and implements the Comprehensive Plan Principles, which are detailed in the commissioners' staff report packet. City staff ask the Planning Commission to review the proposed development, and following discussion, make a finding that it conforms to the Imagine Duluth 2035 Comprehensive Plan.

**Commissioners:** No comments or questions.

**MOTION/Second:** Nelson/Wedul Development is in conformity with the Comprehensive Plan

**VOTE: (7-0, Eckenberg and Hollinday Abstained)**

**Communications**

Land Use Supervisor (LUS) Report – Planner Jenn Moses gave an overview. There will be a flag raising ceremony on June 21<sup>st</sup>. There is a MNDOT study on central entrance, which is going well. President Nelson noted there are virtual meetings coming up, and more information is listed on the MIC website.

Heritage Preservation Commission – Vice-President Wisdorf noted there was no recent meeting, and her update from the May 10<sup>th</sup> meeting stands.

Joint Airport Zoning Board – Commissioner Eckenberg relayed there is nothing new to report.

Duluth Midway Joint Powers Zoning Board – No updates.

**Adjournment**

Meeting adjourned at 9:05 p.m.

Respectfully,

DocuSigned by:  
*Adam Fulton*  
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Adam Fulton – Deputy Director  
Planning & Economic Development