



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-185	Contact	Jenn Moses, jmoses@duluthmn.gov	
Type	Concurrent Use Permit	Planning Commission Date	November 14, 2023	
Deadline for Action	Application Date	October 19, 2023	60 Days	N/A
	Date Extension Letter Mailed	N/A	120 Days	N/A
Location of Subject	1012 E 2 nd Street			
Applicant	St. Luke's Hospital	Contact	Mike Boeselager	
Agent	Erdman Company	Contact	Neil Bright	
Legal Description	See attached	Sign Notice Date	October 31, 2023	
Site Visit Date	October 31, 2023	Number of Letters Sent	N/A	

Proposal

The applicant is seeking a concurrent use permit to build a skywalk over an existing skywalk over the right of way of 10th Avenue E, connecting St. Luke's Hospital to Building A.

Staff Recommendation

Staff is recommending Planning Commission recommend approval to the City Council.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-I	Hospital campus	Institutional
North	MU-I	Hospital campus	Institutional
South	MU-I	Hospital campus	Institutional
East	MU-I	Hospital campus	Institutional
West	MU-I	Hospital campus	Institutional

Summary of Code Requirements

UDC Section 50-37.7C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
2. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions (does not apply in this instance);
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

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

Governing Principle #4 – Support economic growth sectors. This includes the medical sector. Skywalk provides an important connection for St. Luke’s Hospital between the hospital building and Building A.

Future Land Use – Institutional. Applicable to medical, university/college, public school, religious, or governmental campuses.

History: In 2014, St. Luke’s received a Concurrent Use Permit for the skywalk located directly below the proposed skywalk.

Review and Discussion Items:

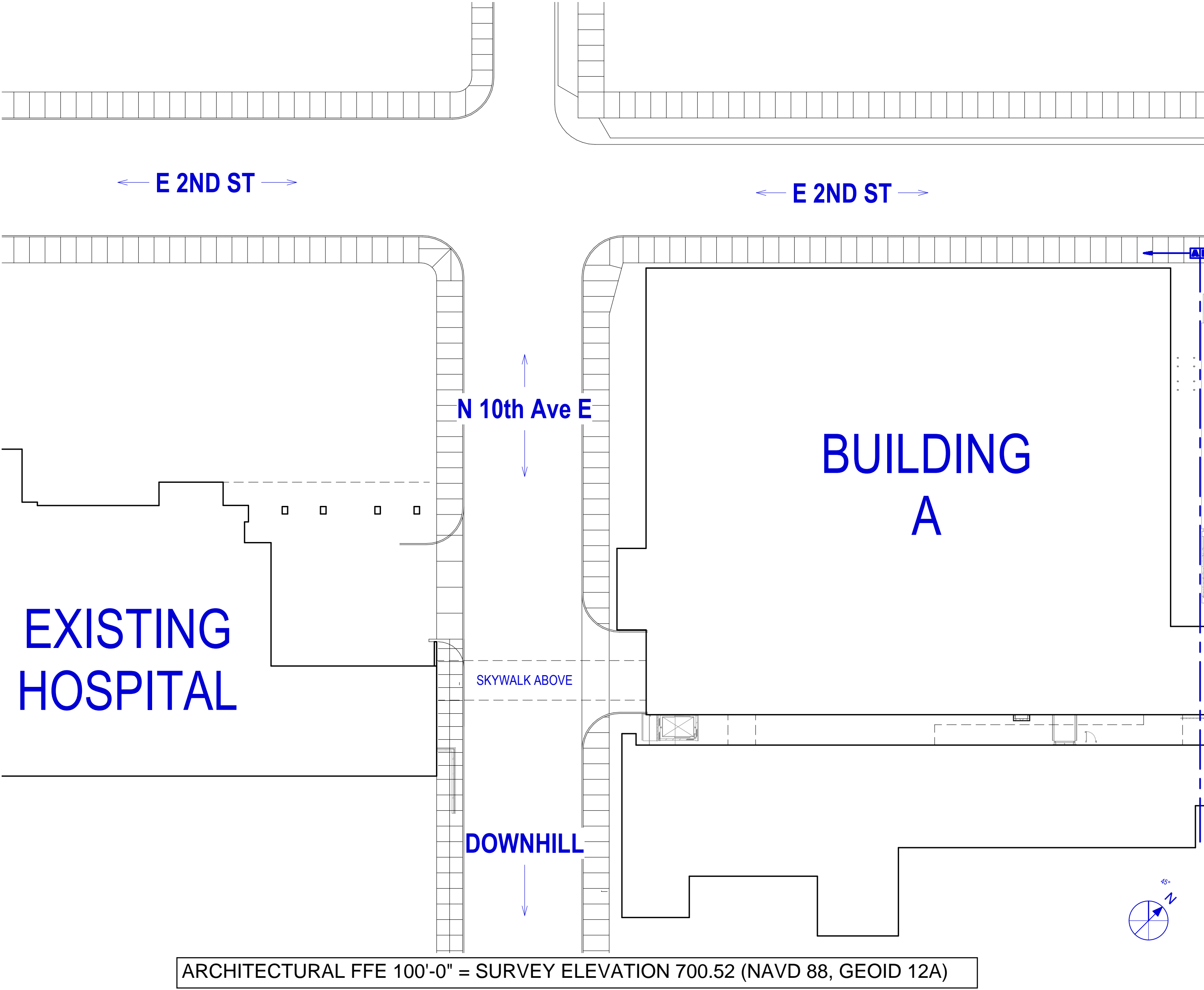
Staff finds that:

- 1) The applicant is seeking a concurrent use permit to construct a skywalk directly above an existing skywalk over 10th Avenue E, connecting St. Luke’s Hospital to Building A. The floor of the skywalk will be approximately 40’ above the road surface.
- 2) The skywalk will be used by hospital staff and patients, improving the connectivity within the hospital campus.
- 3) The area proposed for the concurrent use permit will not take away from the public’s ability to use the public right-of-way, nor will it harm or inconvenience the health, safety and general welfare of the city. This area is already occupied with a skywalk, and extending the structure vertically will allow for hospital campus connectivity without impeding travel of vehicles or pedestrians.
- 4) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at with St. Louis County as they are voidable agreements between the City and property owners.
- 5) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public are typically included in the ordinance that is submitted for the City Council’s review.
- 6) No comments were received from the public or other government agencies at the time this staff report was written.
- 7) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one year.

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission approve the concurrent use permit with the following conditions:

- 1) Applicant construct and maintain the project as identified in the attached exhibits.
- 2) Applicant provide annual proof of liability insurance to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 3) Applicant will remove the obstructions at the applicant’s expense if directed to by the City with appropriate notice.
- 4) The Planning Review shall only be effective upon approval of an MU-I Planning Review for the skywalk.
- 5) 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



1 OVERALL SITE PLAN
SCALE: 1" = 30'-0"



2 SITE CONTEXT - LOOKING EAST
SCALE: 12" = 1'-0"

1	CITY PLANNING	10/9/23
No.	Description	Date

Document Release

INTERIM REVIEW
THIS DOCUMENT IS RELEASED FOR THE
PURPOSE OF INTERIM REVIEW. IT IS NOT TO
BE USED FOR REGULATORY APPROVAL,
BIDDING, PERMIT OR CONSTRUCTION
PURPOSES.

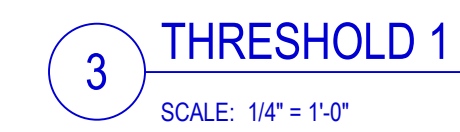
Sheet Name
**ARCHITECTURAL
SITE PLAN &
CONTEXT**

Dm: Author Chk: Checker

Sheet Number

A100

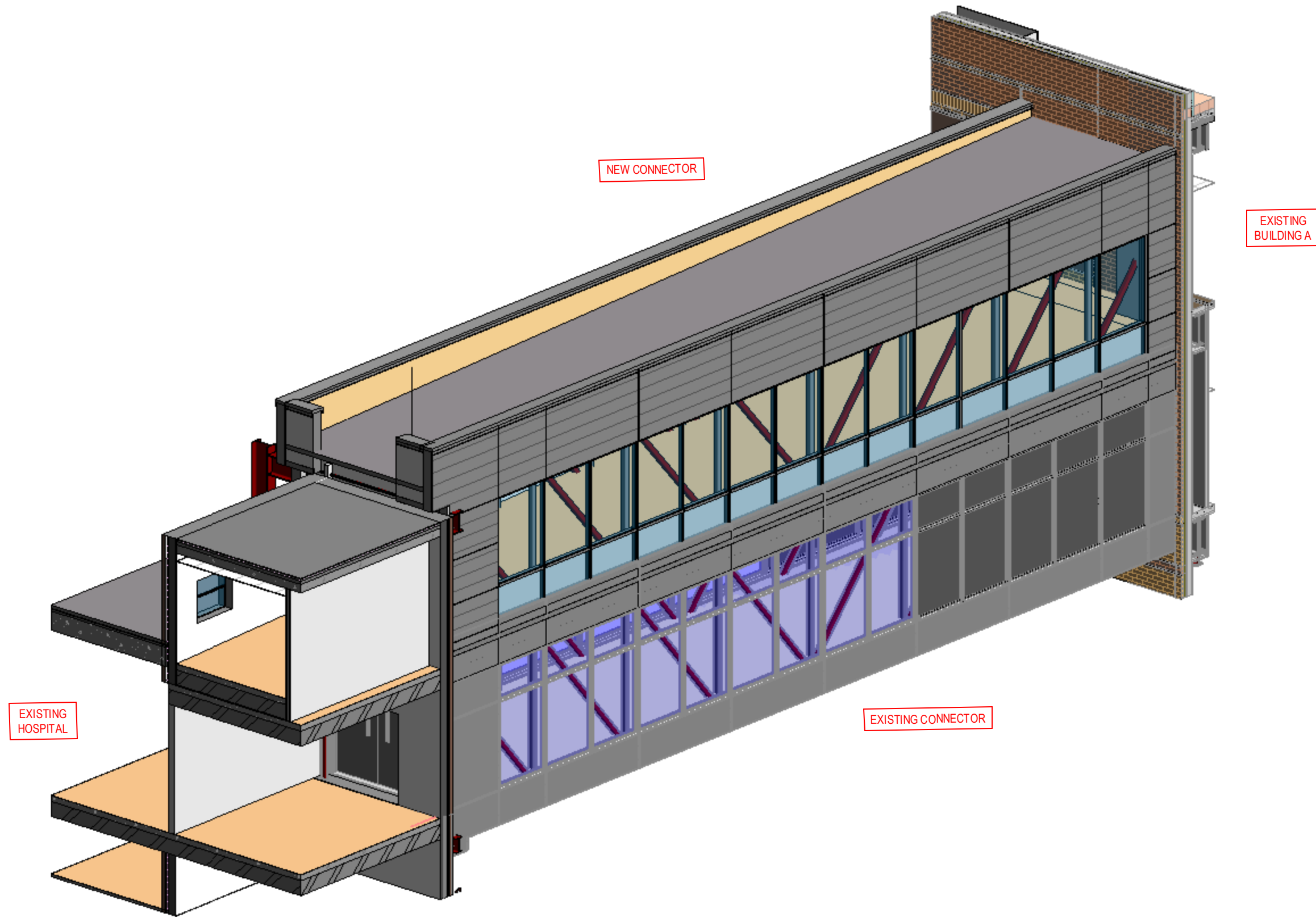
JOB # 672420



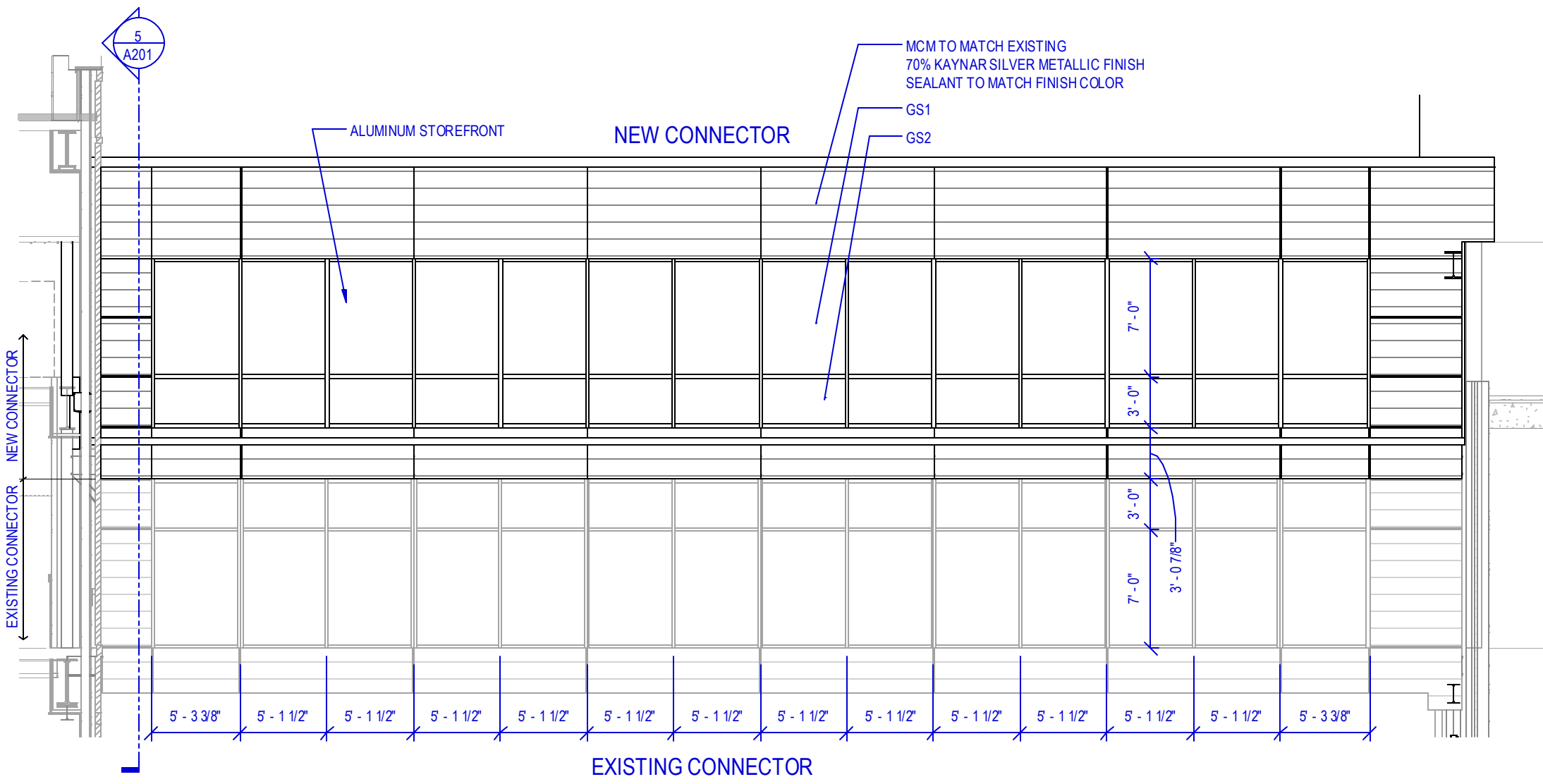
JOB # 672420

EXTERIOR MATERIALS

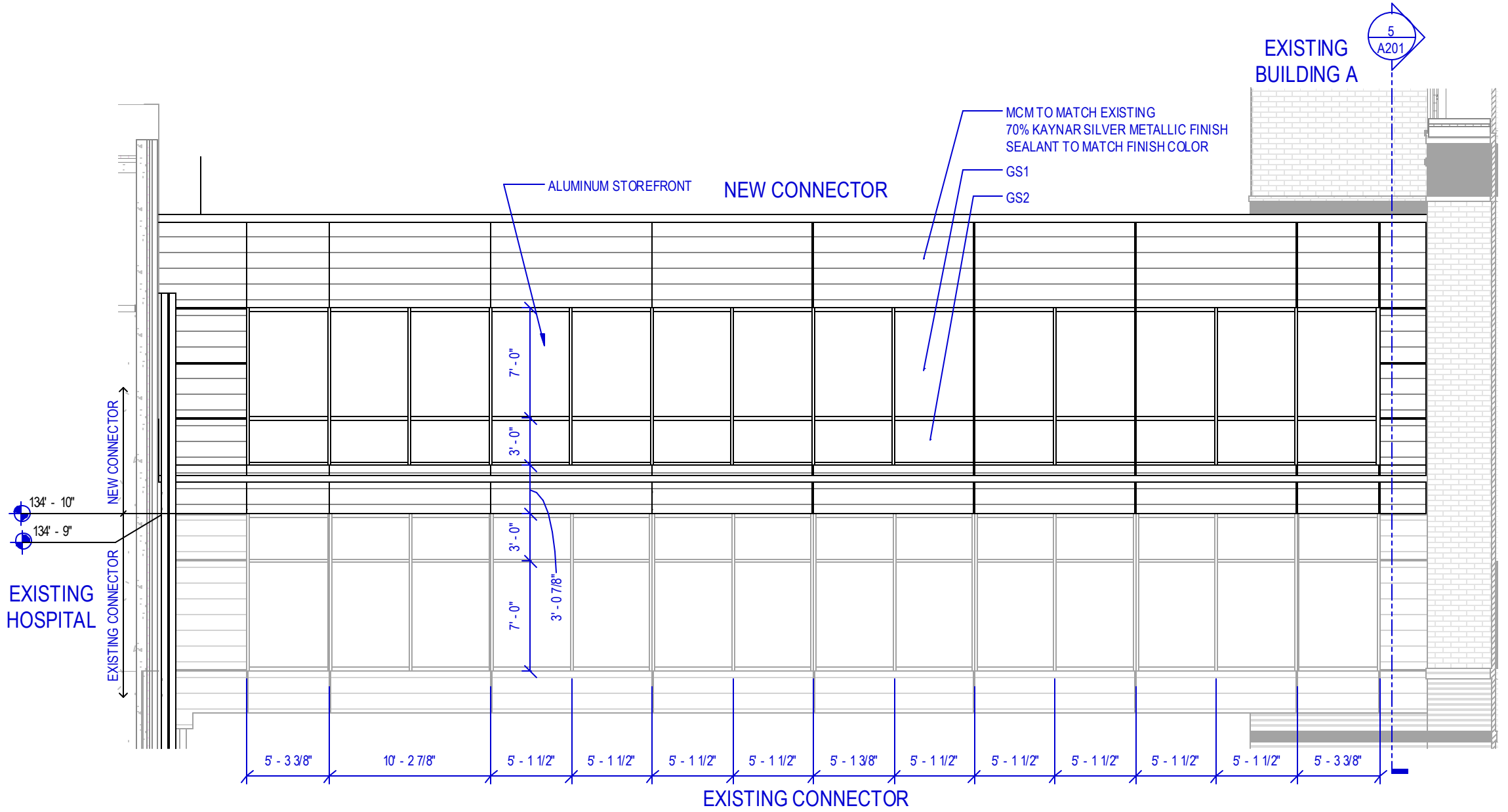
- 04 77300 - MANUFACTURED MASONRY VENEER - CULTURED STONE
CS-1 CULTURED STONE
- 074200 - ALUMINUM COMPOSITE METAL PANEL
ACM-1 ALUMINUM COMPOSITE METAL PANELS
- 074600 - EXTERIOR INSULATION AND FINISH SYSTEM - EIFS
EIFS-1 XX EIFS
- NOTE:
ALIGN EIFS REVEALS WITH ARCHITECTURAL ELEMENTS AS SHOWN UNLESS NOTED OTHERWISE
- 074600 - FIBER CEMENT PANEL S
FC-1 FIBER CEMENT SIDING
FC-2 FIBER CEMENT TRIM
- 077100 - MANUFACTURED ROOF SPECIALTIES
DS-1 DOWNSPOUT
- ALUMINUM COPING CAP
ACC-1 PREF ABRCATED TAPERED METAL COPING
- 084410 - GLAZED ALUMINUM CURTAINWALL
CW-1 8" ALUMINUM CURTAIN WALL SYSTEM
CW-2 X" ALUMINUM CURTAIN WALL SYSTEM
- CWC-1 CURTAINWALL STRUCTURAL GLAZED MULLION
CAP
CWC-2 CURTAINWALL FULLY CAPTURED MULLION CAP
CWC-3 CURTAINWALL METAL PANEL FIN
- MP-1 CURTAINWALL METAL PANEL INFILL
- 080800 - GLAZING
- IG-1 VISION GLASS WITH LOW REFLECTIVITY
- IG-1S VISION GLASS WITH LOW REFLECTIVITY - SAFETY GLAZING
- IG-1P SPANDREL GLASS WITH LOW REFLECTIVITY
- IG-2 VISION GLASS WITH HIGH REFLECTIVITY
- IG-3S VISION GLASS - CLEAR - SAFETY GLAZING
- IG-F FROSTED GLASS
- 090100 - PAINTS
P-1 HIGH PERFORMANCE PAINT ON STEEL (TO MATCH ACM-1)
- MISCELLANEOUS
CJ CONTROL JOINT
EJ EXPANSION JOINT



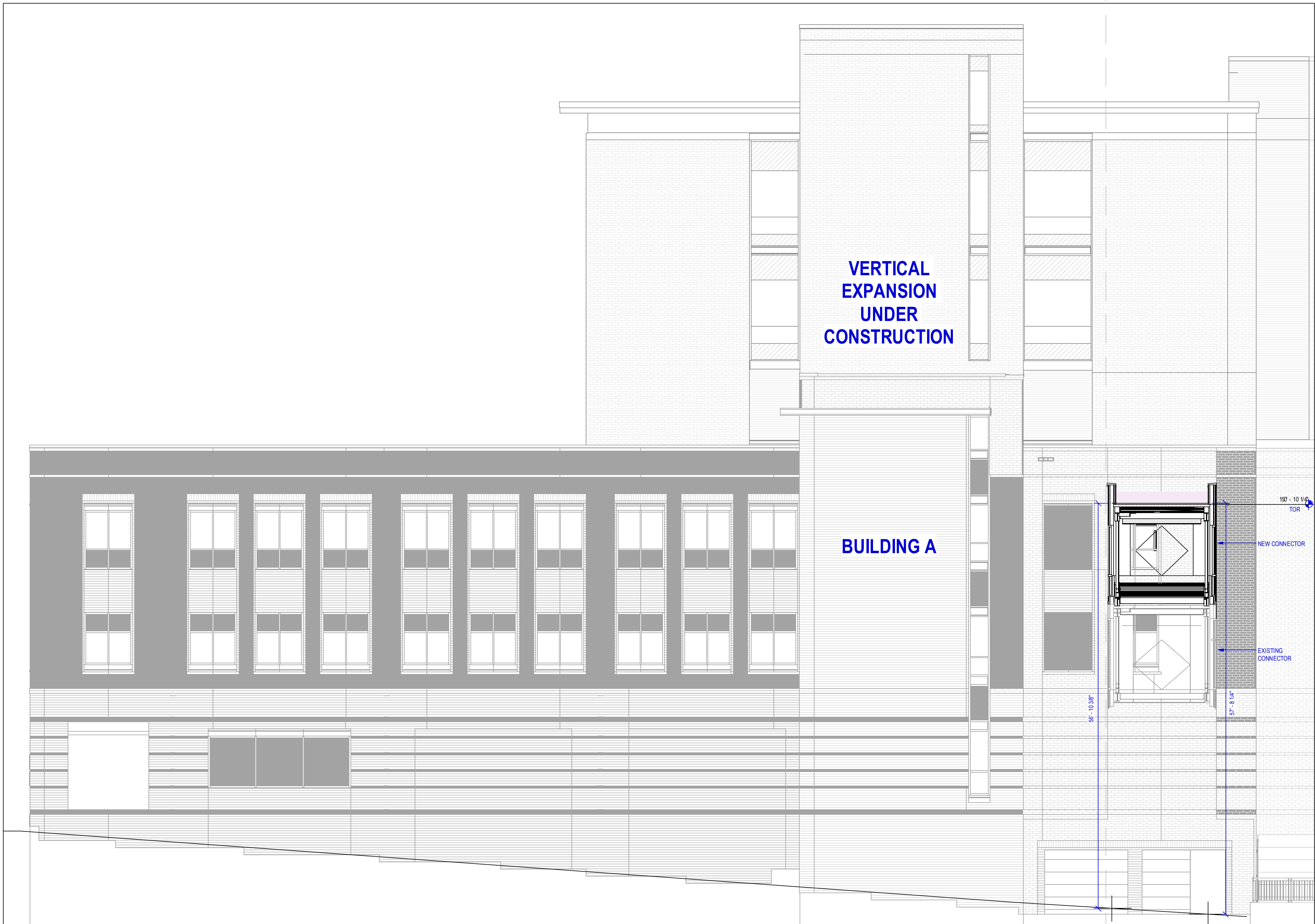
2 CONNECTOR ISOMETRIC VIEW



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EXISTING BUILDING A ELEVATION
SCALE: 1/8" = 1'-0"

1	CITY PLANNING	10/9/23
No.	Description	Date
	Document Release	

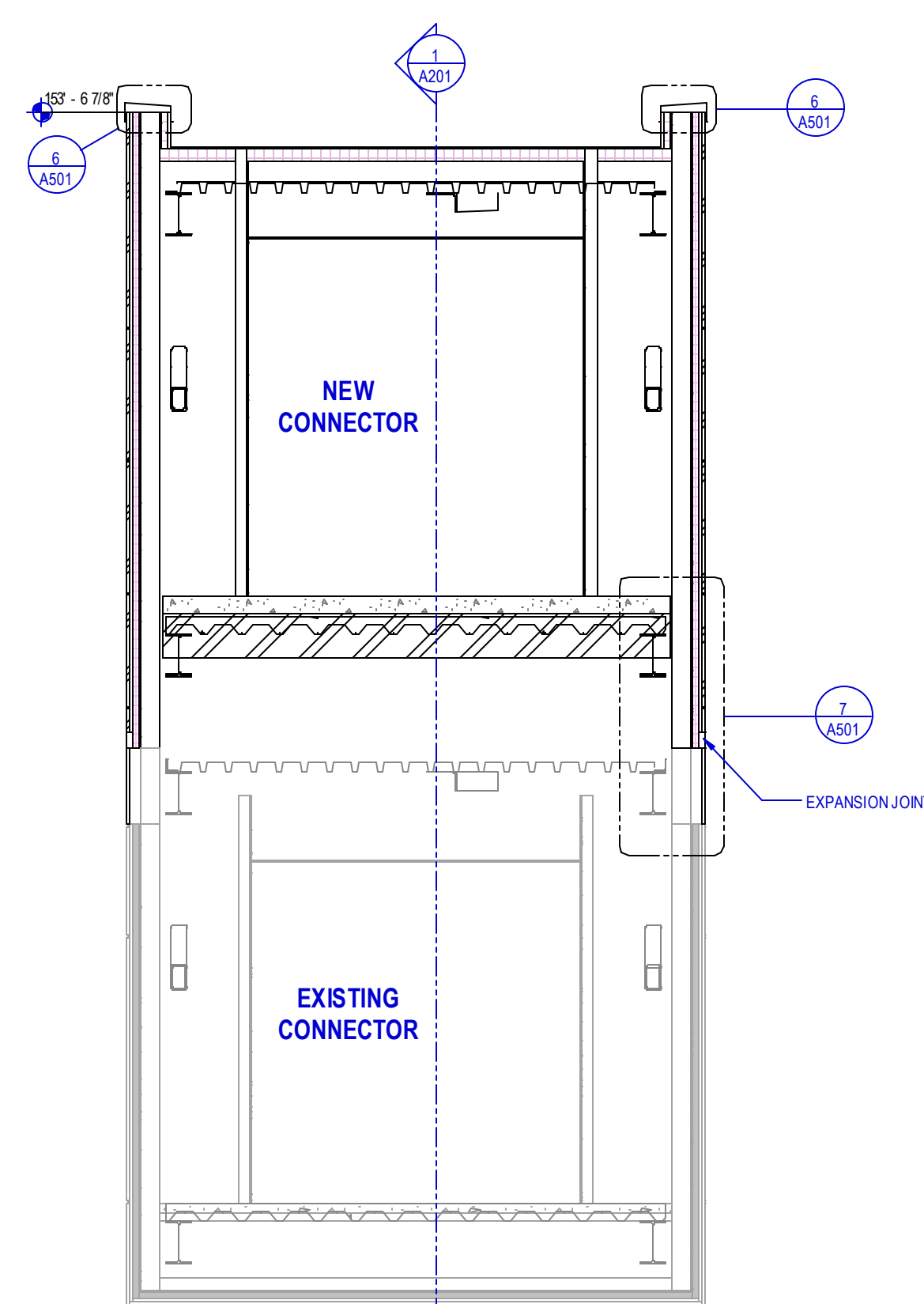
INTERIM REVIEW
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, BIDDING, PERMIT OR CONSTRUCTION PURPOSES.

Sheet Name
ELEVATIONS AND 3D RENDERING

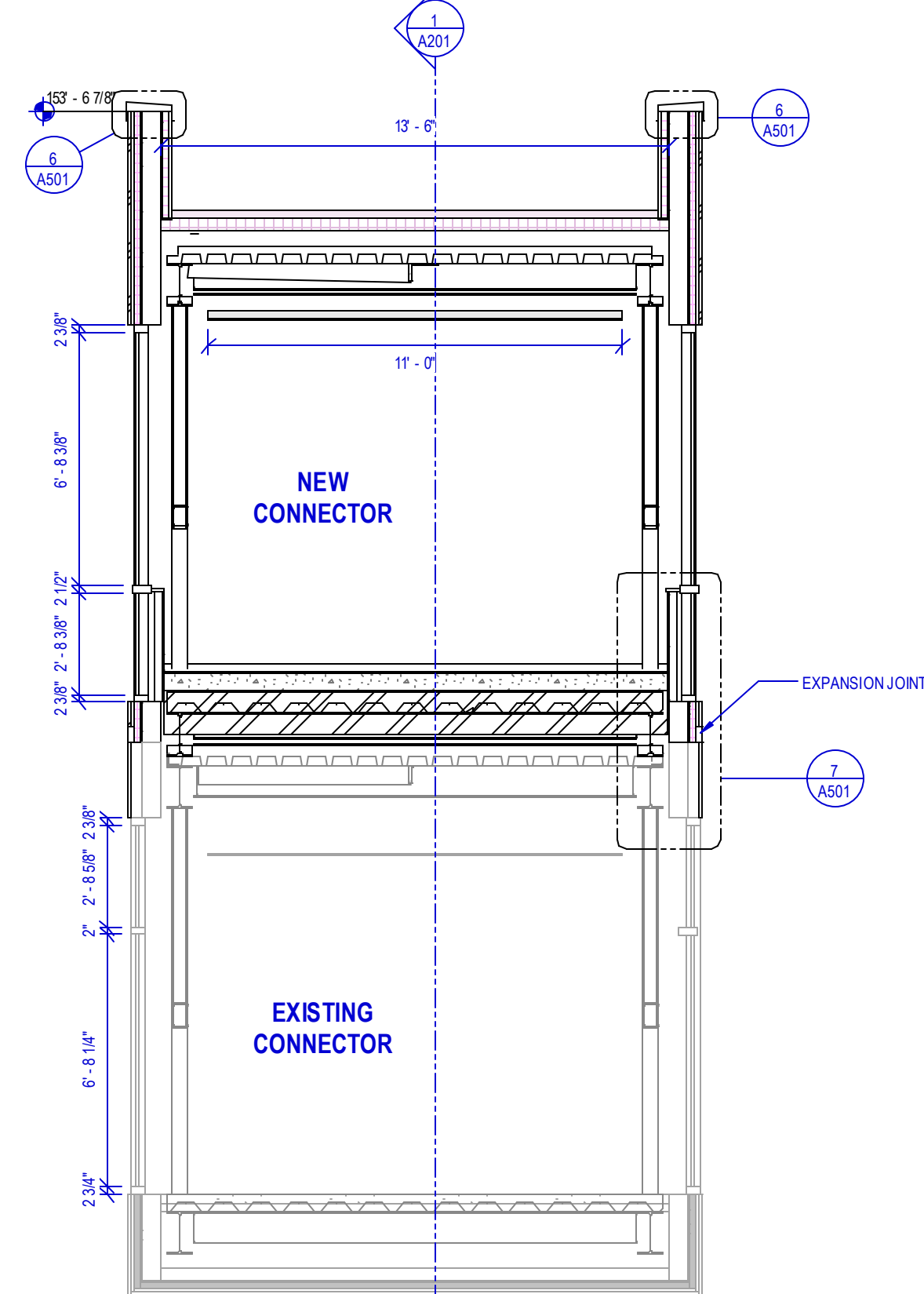
Drn: Author
Sheet Number

Chk: Checker
A133

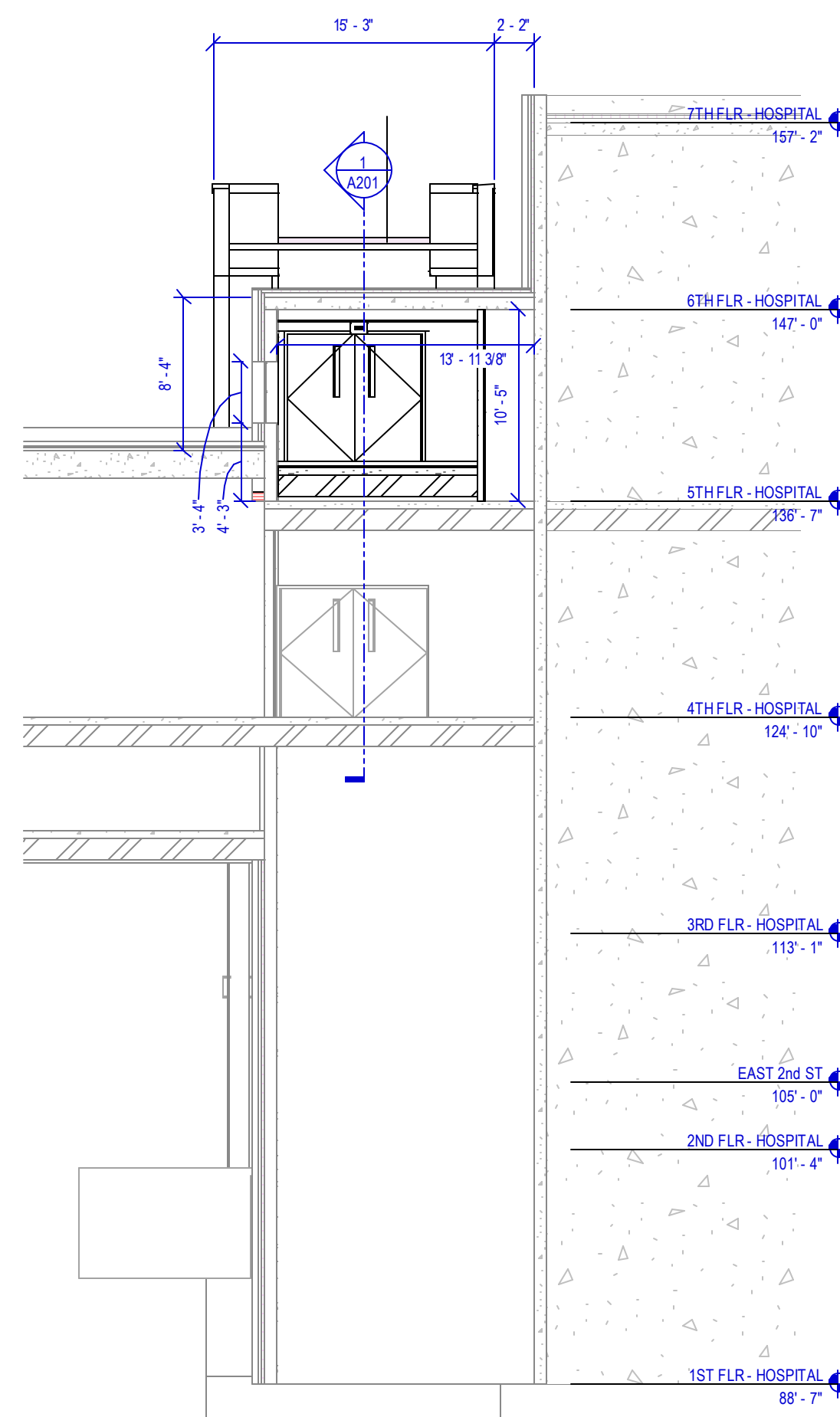
JOB # 672420



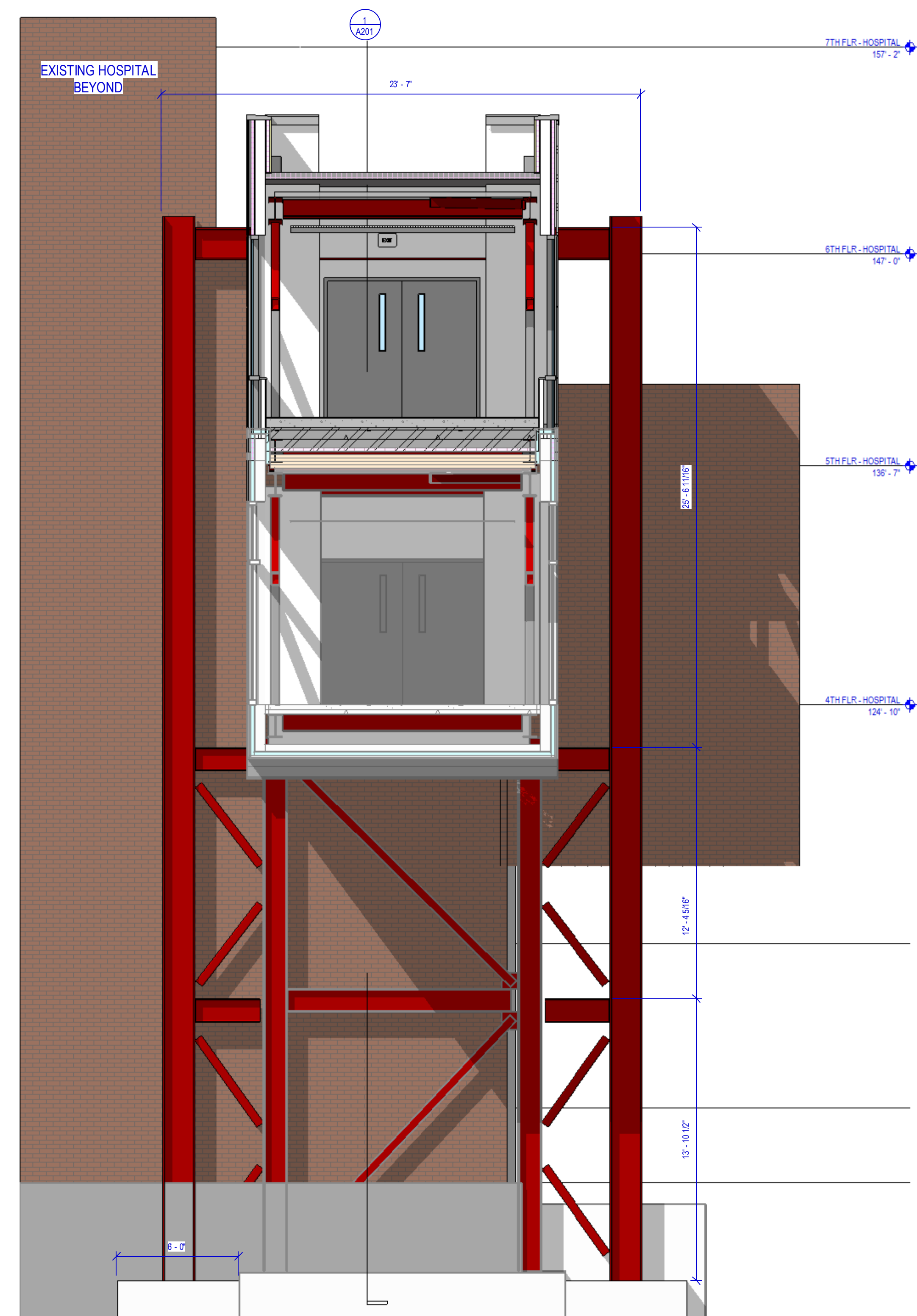
5 WEST SECTION
SCALE: 1/4" = 1'-0"



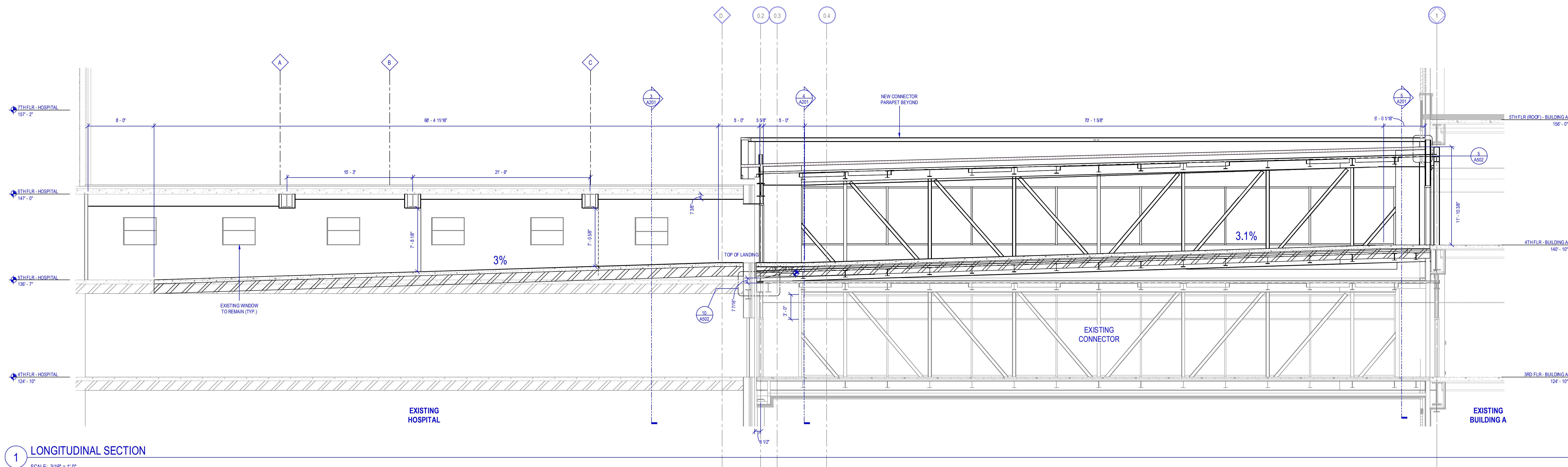
4 EAST SECTION
SCALE: 1/4" = 1'-0"



3 HOSPITAL LOBBY SECTION
SCALE: 1/8" = 1'-0"



2 WEST SECTION
SCALE:



1 LONGITUDINAL SECTION
SCALE: 3/16" = 1'-0"

1	CITY PLANNING	10/9/23
No.	Description	Date
Document Release		

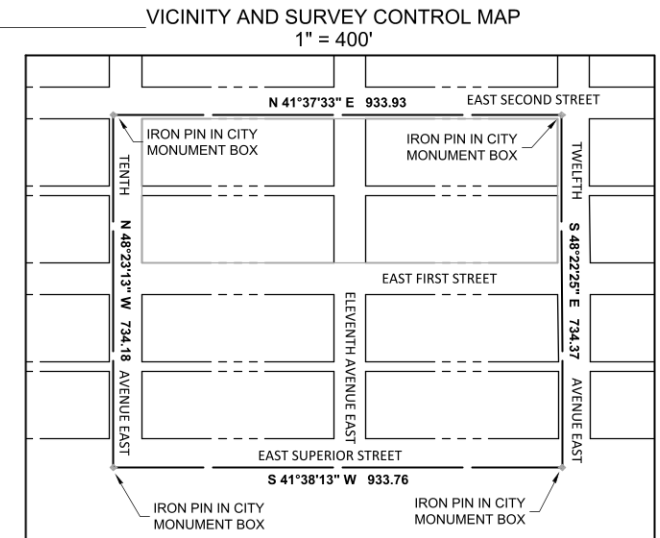
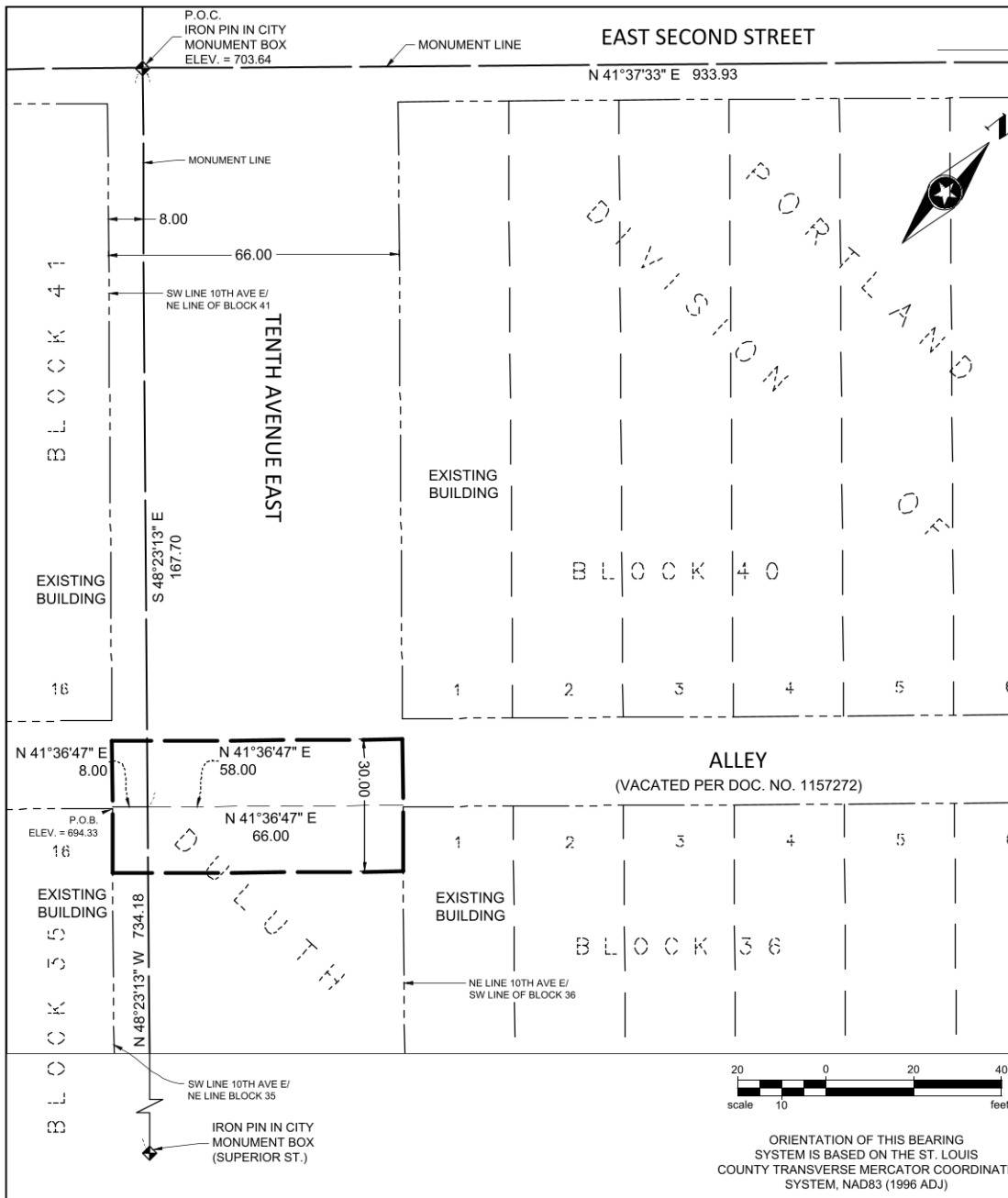
INTERIM REVIEW
THIS DOCUMENT IS RELEASED FOR THE
PURPOSE OF INTERIM REVIEW. IT IS NOT TO
BE USED FOR REGULATORY APPROVAL,
BIDDING, PERMIT OR CONSTRUCTION
PURPOSES.

Sheet Name
**CONNECTOR
SECTIONS**

Drn:ERDMAN Chk:ERDMAN
Sheet Number

A201

JOB # 672420



Proposed Pedestrian Skywalk Description:

An elevated 30.00 foot wide strip of land, over and across the public street right of way known as Tenth Avenue East, lying between Blocks 40 and 41, and between Blocks 35 and 36, PORTLAND DIVISION OF DULUTH, according to the recorded plat thereof, Saint Louis County, Minnesota, being referenced to NAVD 88, Geoid 12A, having an upper limit of 752.0 feet and lower limit of 722.0 feet, and lying within 15.00 feet on each side of the following described centerline:

Commencing at the existing City of Duluth monument situated within the public street right of way intersection of East Second Street and Tenth Avenue East, said monument being assigned a benchmark elevation of 703.64 feet, thence South 48 degrees 23 minutes 13 seconds East, assigned bearing, along the City of Duluth Monument Line, a distance of 167.70 feet; thence South 41 degrees 36 minutes 47 seconds West a distance of 8.00 feet to a point on the southwesterly line of said Tenth Avenue East, said line also being the northwesterly extension of the northeasterly line of said Block 35, and said point being the POINT OF BEGINNING, with said Point of Beginning being assigned a reference surface elevation of 694.33 feet; thence returning North 41 degrees 36 minutes 47 seconds East a distance of 66.00 feet to the southwesterly line of said Block 36, said line also being the northeasterly line of Tenth Avenue East, and there terminating.

All reported distances are horizontal. The sidelines of said strip of land shall be shortened or prolonged so as to terminate on the said northeast and southwest lines of Tenth Avenue East. Containing approximately 1,980 square feet, or 0.045 acres. Subject to restrictions, reservations, and easements of record.

ARCHITECTURAL FFE 100'-0" = SURVEY ELEVATION 700.52 (NAVD 88, GEOID 12A)

SEH Project
Drawn By
Surveyed By
Checked By

I hereby certify that this exhibit has been checked and approved this _____ day of _____, 2023.

Signature: _____
City Engineer

Printed Name: _____ Date: _____

I hereby certify that this exhibit was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

DRAFT

Date: _____ OCTOBER 9, 2023 _____

Lic. No. _____ 45848 _____

SEH
PHONE: 218.279.3000
418 W SUPERIOR ST.,
STE 200
DULUTH, MN 55802-1512
www.sehinc.com