

City of Duluth  
Planning Commission  
May 29, 2019 Special Meeting Minutes  
Council Chambers - Duluth City Hall

Call to Order

President Janet Kennedy called to order the meeting of the city planning commission at 5:00 p.m. on Wednesday, May 29, 2019, in city hall council chambers.

Roll Call

Attending: Gary Eckenberg, Janet Kennedy, Tim Meyer, Margie Nelson, Michael Schraepfer, Sarah Wisdorf, and Zandra Zwiebel

Absent: Jason Crawford and Luke Sydow

Staff Present: Adam Fulton, Robert Asleson, Steven Robertson and Chris Lee

Public Hearings

1. PL 19-061 UDC Map Amendment to Rezone Property Near the Former UDAC Site, Generally Between East Ninth Street Alley and East Skyline, and Between Fourth Avenue East and Seventh Avenue East, From R-1 (Residential-Traditional) to MU-N (Mixed Use Neighborhood) and P-1 (Parks and Open Space) by the City of Duluth

**Staff:** Steven Robertson introduces the city's proposal to rezone property to Park and Open Space (P-1) and Mixed Use Neighborhood (MU-N). Staff recommends approval.

**Applicant:** N/A

**Public:** Pamela Degrout, 479 E. 9<sup>th</sup> St., addresses the commission. She notes the map is more distinct and less broad than the general description of the agenda text. As her property is outside the zoning area identified in the map, she has no concerns or comments.

**Commissioners:** N/A

**MOTION/Second:** Nelson/Zwiebel recommend approval as per staff's recommendations.

**VOTE: (7-0)**

2. PL 19-060 UDC Map Amendment to Rezone Property Between East Second Street and East Third Street, and Between Sixth Avenue East and Ninth Avenue East, From R-2 (Residential-Urban) to MU-N (Mixed Use Neighborhood) by the City of Duluth

**Staff:** Steven Robertson introduces the city's proposal to rezone property to Mixed Use Neighborhood (MU-N). Staff recommends approval.

**Applicant:** N/A

**Public:** No speakers.

**Commissioners:** Zandra Zwiebel asks about the one building that is currently zoned R-2 (corner of 4<sup>th</sup> Street and 6<sup>th</sup> Avenue East). Staff explains that this current zoning proposal focused on a compact three block area, and while there may be other nearby areas that have incongruous zoning designations that should be reexamined in the future, staff believed that this specific zoning proposal is appropriate and should move forward at this time as is.

**MOTION/Second:** Meyer/Wisdorf recommend approval as per staff's recommendations.

**VOTE: (7-0)**

3. PL 19-023 UDC Map Amendment to Rezone Property Near the Essentia Campus, Between East Superior Street and East Second Street, and Between Third Avenue East and Eighth Avenue East, From Mixed-Use Neighborhood (MU-N), Mixed Use Commercial

(MU-C), and Form District Downtown Mix (F-8), to Mixed Use Institutional (MU-I) and Mixed-Use Neighborhood (MU-N) by the City of Duluth

**Staff:** Steven Robertson introduces the city's proposal to rezone property to Mixed Use Neighborhood (MU-N) and Mixed Use Institutional (MU-I). Staff recommends approval.

**Applicant:** N/A

**Public:** No speakers.

**Commissioners:** N/A

**MOTION/Second:** Zwiebel/Eckenberg recommend approval as per staff's recommendations.

**VOTE: (7-0)**

(The public hearing for items #4, 5 and 6 were held together.)

4. PL 19-019 Concurrent Use Permit for Structure Over the Right of Way of the First Street East Alley, Related to the New Hospital Facility at 502 East Second Street by Essentia Health

**Staff:** Steven Robertson introduces the applicant's proposal for a concurrent use permit to construct a private structure (in-patient tower and replacement of a portion of an existing clinic) over the public right of way of the alley between Superior Street and First Street. Staff recommends approval with the conditions listed in the staff report.

**Applicant:** Mark Hayward addresses the commission. They have worked closely with the city and will continue to work closely with any changes and address concerns as they arise.

**Public:** No speakers.

**Commissioners:** Chair Kennedy asks how often are items brought before the Planning Commission before they have engineering's approval. Staff states most of the time exhibits are approved by engineering prior to approval. This is an atypical situation due to the nature of the changes that were still being made to the proposal in May and April, but it does happen. Amendments that will be made to the exhibits are technical and do not substantially impact what is being reviewed tonight. Staff added that commissioners can add conditions, but timing is critical and this is a complicated project that city engineering and Essentia contractors are working very closely together on. Staff adds this is a very large city/private investment that there are many moving pieces that will likely have additional minor changes as conditions change. Changes to the exhibits will be approved by the engineering department prior to being submitted for final City Council approval.

**MOTION/Second:** Nelson/Wisdorf recommend approval as per staff's recommendations.

**VOTE: (7-0)**

5. PL 19-021 Concurrent Use Permit for Support Pillars In, and a Structure Over, the Right of Way of First Street East, Related to the New Hospital Facility at 502 East Second Street by Essentia Health

**Staff:** Steven Robertson introduces the applicant's proposal for a concurrent use permit to construct a private structure (in-patient tower and replacement of a portion of an existing clinic) over the public right of way of First Street, and placement of a new structural supports within the right-of-way of First Street. Staff recommends approval with the conditions listed in the staff report.

**Applicant:** N/A

**Public:** No speakers.

**Commissioners:** N/A



**MOTION/Second:** Wisdorf/Zwiebel recommend approval as per staff's recommendations.

**VOTE: (7-0)**

6. PL 19-022 Concurrent Use Permit for Private Utility Work Under the Right of Way of Fifth Avenue East, Related to the New Hospital Facility at 502 East Second Street by Essentia Health

**Staff:** Steven Robertson introduces the applicant's proposal for a concurrent use permit to construct private underground utilities within the public right-of-way of Fifth Avenue, to provide electrical duct banks from the existing emergency generators. Staff recommends approval with the conditions listed in the staff report.

**Applicant:** N/A

**Public:** No speakers.

**Commissioners:** N/A

**MOTION/Second:** Zwiebel/Wisdorf recommend approval as per staff's recommendations.

**VOTE: (7-0)**

7. PL 19-018 Mixed Use Institution (MU-I) Planning Review For a Replacement Hospital Bed Tower, Surgical Suites and Clinic Space at 502 East Second Street by Essentia Health (Vision Northland)

**Staff:** Steven Robertson introduces the applicant's proposed plan review for a new in-patient and out-patient healthcare facility adjacent to the existing St. Mary Medical Center. The 940,000 gross square foot project consists of 18 levels on a sloping site and will provide 312 beds, out-patient clinics, and includes a rooftop helipad. The project is within the MU-I (Mixed Use – Institutional) zone district, which requires it to be reviewed and approved by the planning commission at a public hearing. Staff recommends approval with the conditions listed in the staff report.

**Commissioners:** Gary Eckenberg asks what purpose the curvature of the building serves, and asked about the entrance on second street. Staff replied that the curvature is an aesthetic choice by the applicant, and the 2<sup>nd</sup> street entrance and cross connection to Superior Street on their 6<sup>th</sup> level is intended to be accessible and more open to the public.

**Applicant:** Applicant notes concourse level does connect public through the area that will be open to the elevator between 2<sup>nd</sup> Street and Superior Street. The architect notes the curvature of the building is based on providing views to the lake. The curvature reduces the perceptible size of the structure. The aerodynamic shape reduces wind turbulence along the building.

**Public:** No speakers.

**Commissioners:** Zandra Zwiebel asks who will be lining up their curb cut; Fitgers or Essentia? Staff states that three of the conditions listed on the staff report, including this one related to access management and lining up the existing and proposed curb cuts, are important to address and correct, but will need further review and discussion with engineering, planning, and members of the Essentia Team. Zandra Zwiebel asks would they add bumpouts to add more considerations for pedestrians? Staff responds that the concern with pedestrian crossings and bumpouts is more broad to include just second and first street. Staff noted that some of the comments from government and public agencies referenced pedestrian safety and bumpouts, but bumpouts are not specifically called out in the staff report recommendations. Zwiebel notes that at least four

sustainability points are needed for this project. Staff states that the project will be able to provide enough points for sustainability, and that the applicant will likely provide a green or cool roof as shown on their exhibits. Deputy Director Adam Fulton addresses the commission regarding the study or converting 1<sup>st</sup> Street to two way to change infrastructure and traffic patterns in this neighborhood. There will be ongoing conversations about how pedestrians move throughout the area.

**MOTION/Second:** Zwiebel/Nelson approved as per staff's recommendations.

**VOTE: (7-0)**

8. PL 19-056 Variance from Side Yard Setbacks at 515 North Lake Avenue by Elden Lindamood

**Staff:** Chris Lee introduce the applicant's proposal for a variance from the side yard setbacks to renovate the exterior of the property. The structure is currently located 4.8 feet from the side lot line. The proposed renovations will reduce that setback to 4 feet. The required side yard setbacks in the R-2 district are 6 feet. Staff recommends approval with the conditions listed in the staff report. Zwiebel asks what will happen to the sidewalk.

**Applicant:** Eldon Lindamood states the sidewalk will likely be removed, because it is private.

**Public:** No speakers.

**Commissioners:** N/A

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

**VOTE: (7-0)**

#### Communications

Manager's Report – Deputy Director Fulton thanks the commissioners for all their hard work. He notes the Mud Lake Meeting to address the clean-up of the of the US Steel site and the prominence of the historic LMSR. This will be a high level meeting involving most elected and appointed city reps; there are comments from the Friends of the West Duluth Parks and Trails. Staff will report back to the June PC meeting with the findings of the Mud Lake meeting. MN Power plaza will go to the city council on June 10<sup>th</sup>. The design is still ongoing.

**MOTION:** Eckenberg nominates Wisdorf to serve on the Heritage Preservation Commission as the planning commission representative

**VOTE: (7-0)**

#### Adjournment

Meeting adjourned at 6:36 p.m.

Respectfully,



Adam Fulton – Deputy Director  
Planning and Economic Development