



CITY OF DULUTH

Community Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL 18-122	Contact	Jenn Reed Moses	
Type	MU-W Planning Review	Planning Commission Date	November 13, 2018	
Deadline for Action	Application Date	September 20, 2018	60 Days	November 19, 2018
	Date Extension Letter Mailed	October 1, 2018	120 Days	January 18, 2019
Location of Subject	1033 Minnesota Avenue			
Applicant	Park Point Marina Inn and Suites LLC	Contact	Terry Anderson	
Agent	N/A	Contact	N/A	
Legal Description	010-4390-02090, 010-4400-00780			
Site Visit Date	October 2, 2018	Sign Notice Date	September 25, 2018	
Neighbor Letter Date	October 1, 2018	Number of Letters Sent	23	

Proposal

The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the southeast side of the existing hotel. Staff has revised the report and proposed conditions since the October 9, 2018 Planning Commission meeting where the Applicant's request was tabled.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-W	Hotel	Commercial Waterfront
North	MU-W, R-1	Marina, Hotel	Commercial Waterfront, Trad Neighborhood
South	MU-W	Residential	Mixed Use Waterfront, Transp. & Utilities
East	R-1	Residential	Traditional Neighborhood
West	MU-W	Marina	Commercial Waterfront

Summary of Code Requirements

Sec. 50-15.6.E - MU-W Development Standards:

- 2. To protect public views ... all primary structures shall have a maximum width of 200 feet measured along the shoreline and shall be separated from other primary structures by a minimum of 50 feet.
- 4. The quality of façade design ... facing the water shall be comparable to that on any other building façade containing a functioning entrance. The building façade facing the water shall have at least 40 percent transparency, no rectangular area greater than 30 percent of each story may be windowless, and no horizontal distance greater than 15 feet may be windowless;
- 5. The parking requirements in Section 50-24 shall be met, except that where a property is not adjacent to an R zone district, the required parking may be reduced by 30 percent if the applicant can demonstrate that nearby properties provide supplemental on-street or off-street parking.

50-18.1.E Storm Water Management – Addresses water runoff quality and quantity pre- and post-construction.

50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.

50-24 Parking and Loading – Addresses required minimum and maximum parking spaces and loading docks, dimensional standards, snow storage, and pedestrian circulation.

50-25 Landscaping and Tree Preservation – Landscaping standards such as materials, plant size, location, and tree preservation.

50-26 Screening, Walls, and Fences – Screening of mechanical equipment, loading areas, and commercial

containers, plus regulations regarding fences and retaining walls.

50-29 Sustainability Standards – Sustainability point system for new development.

50-30 Design Standards – Building standards for multi-family, commercial, institutional, and industrial buildings.

50-31 Exterior Lighting – Directs the minimum and maximum illumination values and lighting fixtures for a site.

50-37.11 Planning Review – Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of this Chapter.

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

Governing Principle #1 – Reuse previously developed lands. This site is a former marina.

Governing Principle #4 – Support economic growth sectors. As a hotel, this site provides visitor services.

Future Land Use – Commercial Waterfront: Waterfront-dependent commercial uses, sometimes mixed with residential or adjacent to higher density residential. Includes tourist- or recreation-oriented uses. Commercial areas can be adjacent to industrial waterfront. Abuts other commercial uses and recreation areas, preservation areas. Access to regional arterial traffic and water access.

History: On April 9, 2012, the City Council approved an ordinance to rezone the property to MU-W (PL 12-017). On April 10, 2012, Planning Commission approved an MU-W Planning Review for a 55 room, 3 story hotel (PL12-028), which was revised on May 8, 2012, for 12 additional rooms (PL 12-078). Also on May 8, 2012, Planning Commission approved a variance from the MU-W transparency standards (code required 70%; applicant asked for a reduction to 26.5%) (PL12-079).

In 2015, applicant sought to define maximum width for the structure along Minnesota Avenue. On August 10, 2015, City Council affirmed Planning Commission's decision to deny an appeal of a Land Use Supervisor's decision related to the interpretation of the MU-W zone district and the 200-foot rule (PL 15-030). On December 18, 2015, Planning Commission denied a variance (PL 15-165) from the 200 foot MU-W limit. Applicant submitted an appeal to the City Council, which was later withdrawn. On January 29, 2016, the Land Use Supervisor issued an interpretation related to this hotel and the limits of a possible expansion within the confines of the 200-foot standard. The applicant asserted that exceptions from the 200-foot limit include any areas previously blocked from view due to existing buildings or trees, based on a dictionary definition of "topography." The Land Use Supervisor agreed with this definition and signed the site plan based interpretation allowing for areas previously occupied by trees and the existing marina building to be excluded from the 200-foot maximum. The site plan showing these measurements, as approved by the Land Use Supervisor, is attached to this staff report.

On January 9, 2018, Planning Commission approved a minor subdivision (PL 17-181) to combine 15 parcels into two parcels.

Review and Discussion Items

- 1) The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the existing hotel. According to the St. Louis County Assessor, the existing structure is three stories, was built in 2014, and has a total area of approximately 48,000 square feet, with a main floor area of approximately 19,800 square feet. There are 68 existing guest rooms. With 15 additional rooms, this will be an 83 room hotel.
- 2) The MU-W district is intended to provide for waterfront-dependent commercial uses and medium to high density residential development. Intended nonresidential uses include visitor-related retail and services, lodging, recreational facilities and maritime uses, as well retail and service uses that take advantage of the waterfront setting. This project meets the intent of the MU-W district.
- 3) 50-15.6.E (Development Standards) – #2 The proposed expansion will meet the required minimum 50 foot setback from adjacent structures. #4 Applicant states the project will meet the minimum 40% transparency requirement along the waterfront. #5 The proposed expansion will add rooms and take away existing off-street parking spaces; see item 5 below.
- 4) 50-18.1 (Natural Resources Overlay District) - Site is within a floodplain and will need to meet elevation requirements. Structure meets the 50 foot shoreland setback requirements. The proposed plan eliminates

some stormwater control features (landscape island SE corner of the site). According to City Engineering, this infiltration basin will need to be replaced somewhere else on the site, with plans for its replacement completed prior to issuance of a building permit.

- 5) 50-23 (Connectivity) – No new sidewalk or connection is being proposed. There is an existing connecting sidewalk from the hotel to the Minnesota Avenue right of way. The existing partial public sidewalk is in poor condition on the bay side of Minnesota Avenue (east of 11th Street South right of way). If the public sidewalk is to be used as a pedestrian connection to off-site parking, it must be replaced by Applicant.
- 6) 50-24 (Parking) - Off-street parking requirements for hotels are based on the number of rooms and accessory areas. 87 parking spaces are required. The applicant is proposing 74 off-street parking spaces. The 30% reduction is not applicable here because of the site's location related to adjacent R-1 properties. This site was previously developed with the 30% reduction for transit proximity; however, the proposed 15-room addition is located on previously required parking areas. The addition of hotel rooms will increase parking demand. Additional staff evaluation of transit use by hotel customers or employees indicates that such use is negligible based on the lack of regular, reliable transit service in this location. The application fails to demonstrate that nearby properties provide supplemental on-street or off-street parking. The site plan indicates that the hotel will rely on the adjacent marina's drive aisle for parking access, and that an easement for this use has been recorded.
- 7) 50-25 (Landscaping and Tree Preservation) - Landscape Plans indicate that the proposed expansion project will provide the required tree canopy coverage and frontage landscaping requirements.
- 8) 50-26 (Screening, Walls and Fences) - Applicant is not proposing any ground-mounted or roof-top mechanicals. If any are added they will need to meet the UDC requirements for screening.
- 9) 50-27 (Signage) - Applicant is not proposing any additional signage; any signs will need to apply for and receive a permit prior to installation.
- 10) 50-29 (Sustainability Standards and Building Design Standards) – This addition has to comply with the standards that the original hotel (PL 12-028 and PL 12-078) had submitted.
- 11) 50-31 (Exterior Lighting) - Applicant is not adding any new lighting, and is removing two existing light poles.
- 12) No public or state agency comments have been received to date on this application.

Staff Recommendation

Based on the above information, Staff recommends that Planning Commission approve the MU-W Planning Review for the hotel expansion with the following conditions:

1. Applicant must apply for a building permit within 180 days of Planning Commission approval. No administrative extensions shall be granted.
2. To protect the viability of the current Planning Review and its basis in establishing parameters to protect the health, safety, and welfare of the community, any further applications submitted within 180 days of Planning Commission approval by Applicant for further Planning Commission review related to Subject Property shall nullify the current action of the Planning Commission,
3. Prior to issuance of a building permit, Applicant shall submit professionally drawn elevations signed by a Licensed Architect that include measurements demonstrating that the façade facing the water meets the 40% transparency requirement of the UDC.
4. Prior to issuance of a building permit, Applicant shall provide an additional 13 parking spaces on or immediately adjacent to the site, or demonstrate that supplemental parking is available within 500 feet of the site with off-street pedestrian access using a trail or sidewalk connecting to the hotel's primary entrance.
5. Any alterations to the approved plans must be reviewed by the Planning Commission as part of a subsequent update to the Mixed-Use Waterfront Planning Review.



PL18-122
1033 Minnesota Ave



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2016







Prepared by: City of Duluth Community Planning Division, October 2, 2018. Source: City of Duluth.



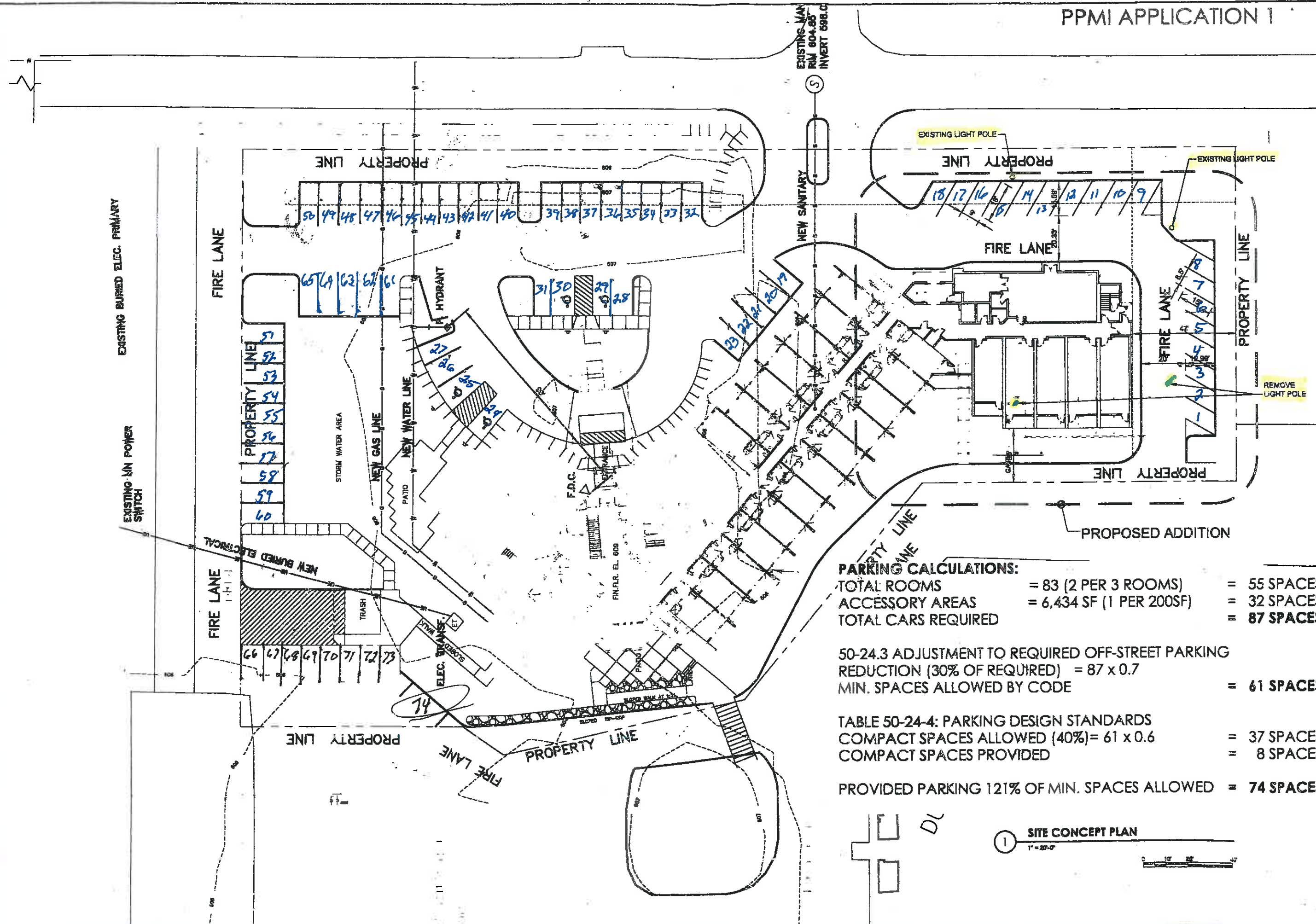


Legend

-  Zoning Boundaries
- Floodplain (UDC)**
-  General Flood Plain
-  Flood Way
-  Flood Fringe

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PARKING CALCULATIONS:

TOTAL ROOMS	= 83 (2 PER 3 ROOMS)	= 55 SPACES
ACCESSORY AREAS	= 6,434 SF (1 PER 200SF)	= 32 SPACES
TOTAL CARS REQUIRED		= 87 SPACES

50-24.3 ADJUSTMENT TO REQUIRED OFF-STREET PARKING
 REDUCTION (30% OF REQUIRED) = 87 x 0.7
 MIN. SPACES ALLOWED BY CODE = 61 SPACES

TABLE 50-24-4: PARKING DESIGN STANDARDS
 COMPACT SPACES ALLOWED (40%) = 61 x 0.6 = 37 SPACES
 COMPACT SPACES PROVIDED = 8 SPACES

PROVIDED PARKING 121% OF MIN. SPACES ALLOWED = 74 SPACES

1 SITE CONCEPT PLAN
 1" = 20'-0"

HERE BY CERTIFY THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER.
PRELIMINARY
 NOT FOR CONSTRUCTION
 DATE: 02/21/2018
 LICENSE NO. _____
 CONSULTANTS _____

PARK POINT MARINA INN - ADDITION
 1033 MINNESOTA AVENUE
 DULUTH, MINNESOTA 55802
 OWNER: PROJECT OWNER

ISSUE DATE: XX-XX-XXXX
 REVISIONS:

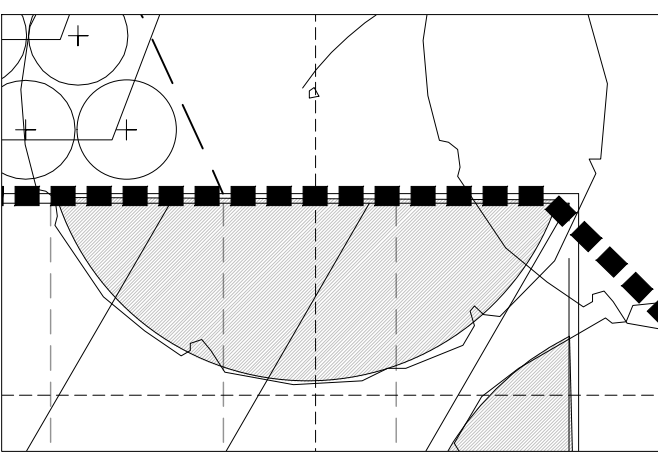
PROJECT NO. 1609
 SHEET NO.

SK-1

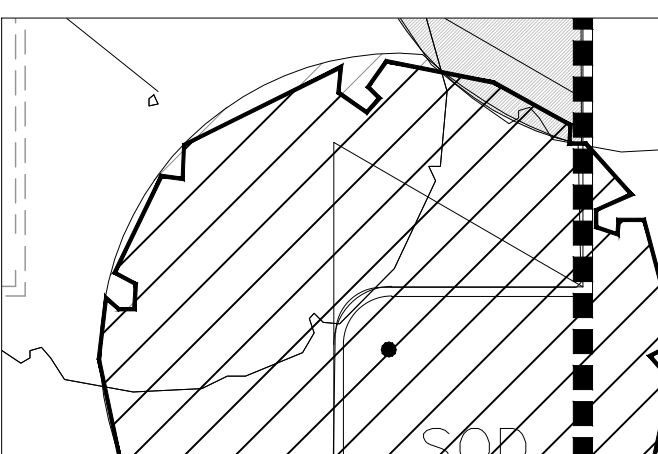
CALCULATIONS

PARKING LOT SIZE:	8234 SF (18 SPACES)
INTERIOR LANDSCAPING:	MINIMUM 30% TREE CANOPY REQUIRED REQUIRED: 2348 SF PROVIDED: 2398 SF
STREET FRONTAGE #1	Minnesota Ave
LINEAR STREET FOOTAGE: (FOR ADDITION LENGTH)	165 LF
TREES:	1 TREE/35 FT. LINEAR FRONTAGE REQUIRED: 5 TREES PROVIDED: 6 TREES (EXISTING)
SHRUBS:	3 LARGE SHRUBS/25 FT. LINEAR FRONTAGE REQUIRED: 19 LARGE SHRUBS/GRASSES PROVIDED: 20 LARGE SHRUBS/GRASSES (EXISTING)
ALL PLANT SELECTIONS WILL MEET UDC REQUIREMENTS SEE LANDSCAPE SHEET FOR MATERIALS LIST ALL SHRUB PLANTING BEDS TO INCLUDE 3-4" 1" ROCK MULCH WITH LANDSCAPE FABRIC	
ALL DISTURBED AREAS NOT PLANTED WITH SHRUBS/TREES ARE TO BE SODDED	

NO NEW LIGHTING WILL BE REQUIRED FOR THE PARKING LOT.

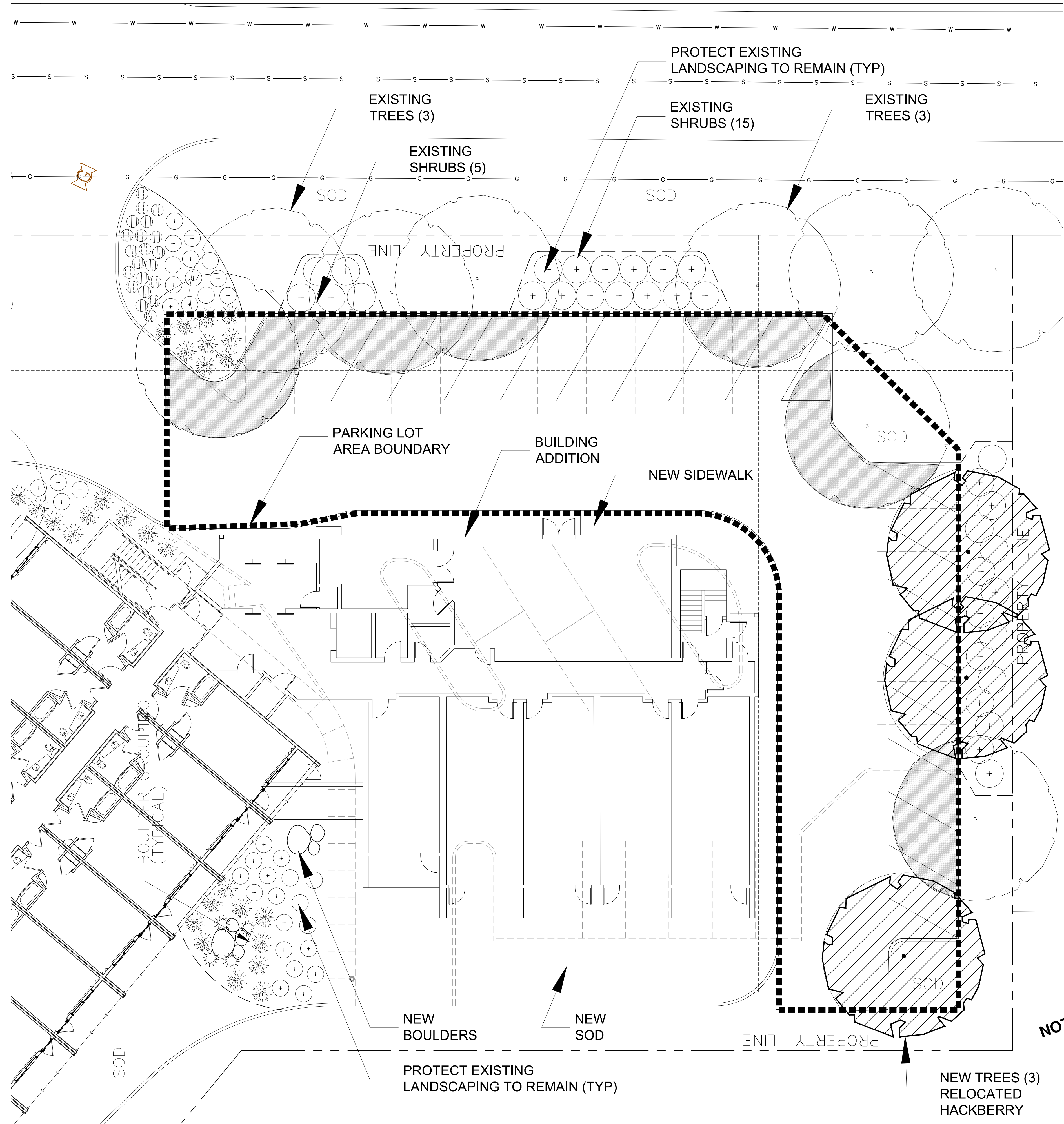


EXISTING 30% CANOPY COVERAGE



NEW 30% CANOPY COVERAGE

1 PARKING 30% SHADING AREAS
L-3 SCALE: 1"=30'



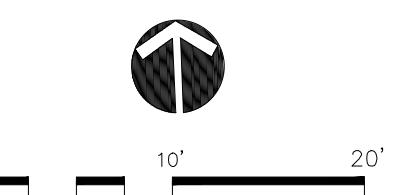
ASSOCIATES

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REVISIONS
UDC SUBMITTAL 2/06/19

PARK POINT MARINA INN - ADDITION
1003 Minnesota Ave
DULUTH, MN



Sheet Key

NOT FOR CONSTRUCTION

Sheet Title
UDC LANDSCAPE / SHADING

Date: 2/06/2019

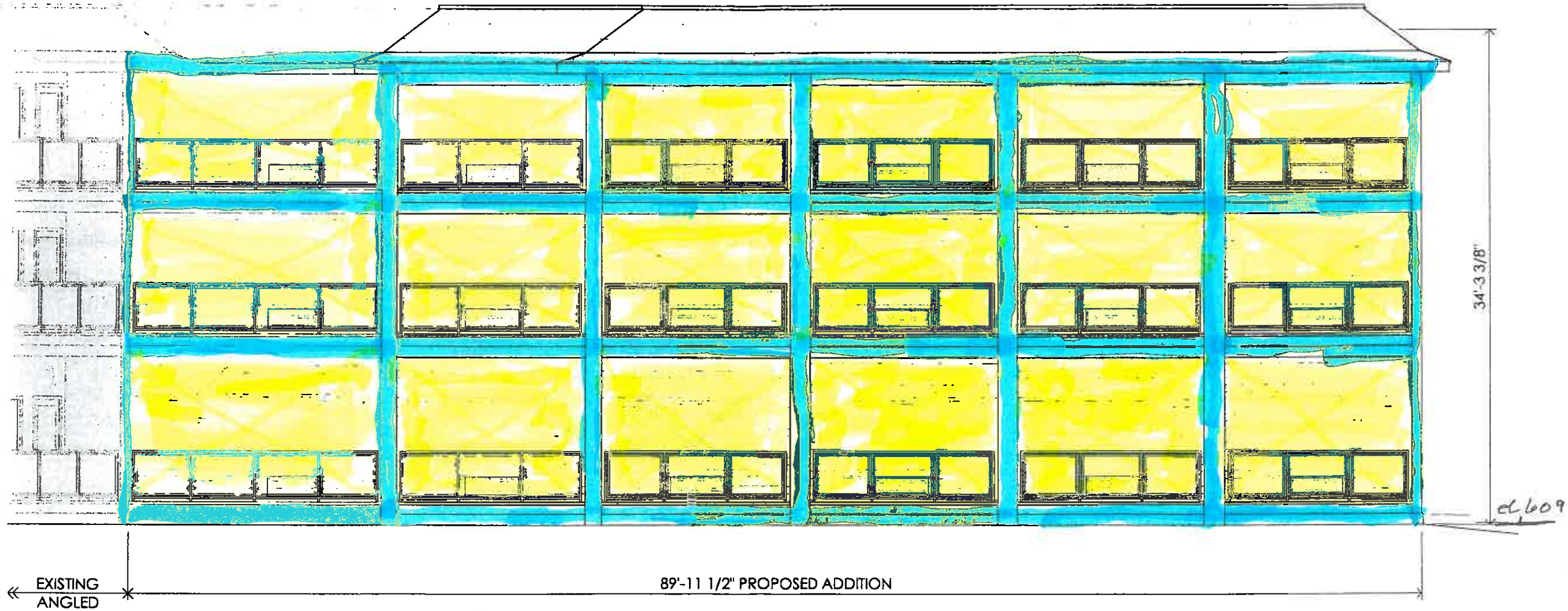
Drawn By: LWS

Checked By: LWS

Project Number: 18050

Sheet Number: L-3

Attachment 1-A
TA
9-12-18



← EXISTING ANGLED *

89'-11 1/2" PROPOSED ADDITION

34'-3 3/8"

el. 609

1

PROPOSED ADDITION - HARBOR ELEVATION

1/8"=1'-0"

Building façade will be designed to meet 50-15.6 E.4

I HEREBY CERTIFY THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM
PRELIMINARY
NOT FOR CONSTRUCTION
DATE 02/21/2018 LICENSE NO.

PARK POINT MARINA INN - ADDITION
1033 MINNESOTA AVENUE
DULUTH, MINNESOTA 55802
OWNER: PROJECT OWNER

ISSUE DATE
XX-XX-XXXX

REVISIONS

PROJECT NO.
1609

SHEET NO.

SK-2

Jennifer Moses

From: Terry Anderson <ebittery@gmail.com>
Sent: Sunday, September 30, 2018 12:06 PM
To: Jennifer Moses
Subject: Re: Planning Review - 1033 Minnesota Avenue

I have received your latest email

Sent from my iPhone

On Sep 28, 2018, at 9:45 AM, Jennifer Moses <jmoses@DuluthMN.gov> wrote:

Terry,

We have reviewed the application materials and subsequent submittals for your Planning Review application at 1033 Minnesota Avenue.

Under the required Planning Review, planning commission shall approve it "if it is determined that the application complies with all applicable provisions of this Chapter." This means all development standards related to parking, landscaping, building design, and lighting; any use-specific standards; and, in the MU-W district, the very important standards related to viewsheds of and to the water, and building design along the waterfront. Because of this, the building and site plans need to be complete before they are brought to Planning Commission. In order for staff to recommend approval, we require complete and detailed building elevations with exact measurements related to window sizes and transparency percentages.

We understand that you would like to move this forward to the full design phase and that you have deadlines related to previous Land Use Supervisor interpretations for this property. To be sensitive to these deadlines, we are able to make an exception to our normal submittal requirements and send this to Planning Commission with the materials submitted to date. The recommendation will include conditions for transparency, to be detailed at the time of building permit submittal. However, we want you to be aware of the following matters related to timelines on this project:

- We are unable to extend the Land Use Supervisor approved site plan, originally from 1/29/2016, past the current deadline date which is in December of this year.
- If Planning Commission approves the Planning Review, you will have 90 days from the approval date to apply for a building permit, after which time the Land Use Supervisor interpretation will be null and void.
- Because of the short timeframe between Planning Commission approval and building permit application, you will be unable to apply for any variance to transparency.
- Note that once the building permit is received, you will have 180 days to begin construction.

Please respond to confirm your receipt of this email so we can move this forward and finish compiling the staff report.

Thanks,

Jenn

Per City of Duluth Unified Development Chapter Base Zoning Map Number 18, Revision Date April 1, 2015 this property is in Zone MU-W. Zone MU-W Dimensional Requirements are as follows:

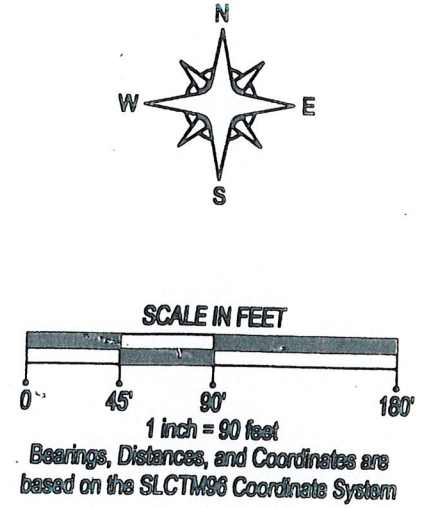
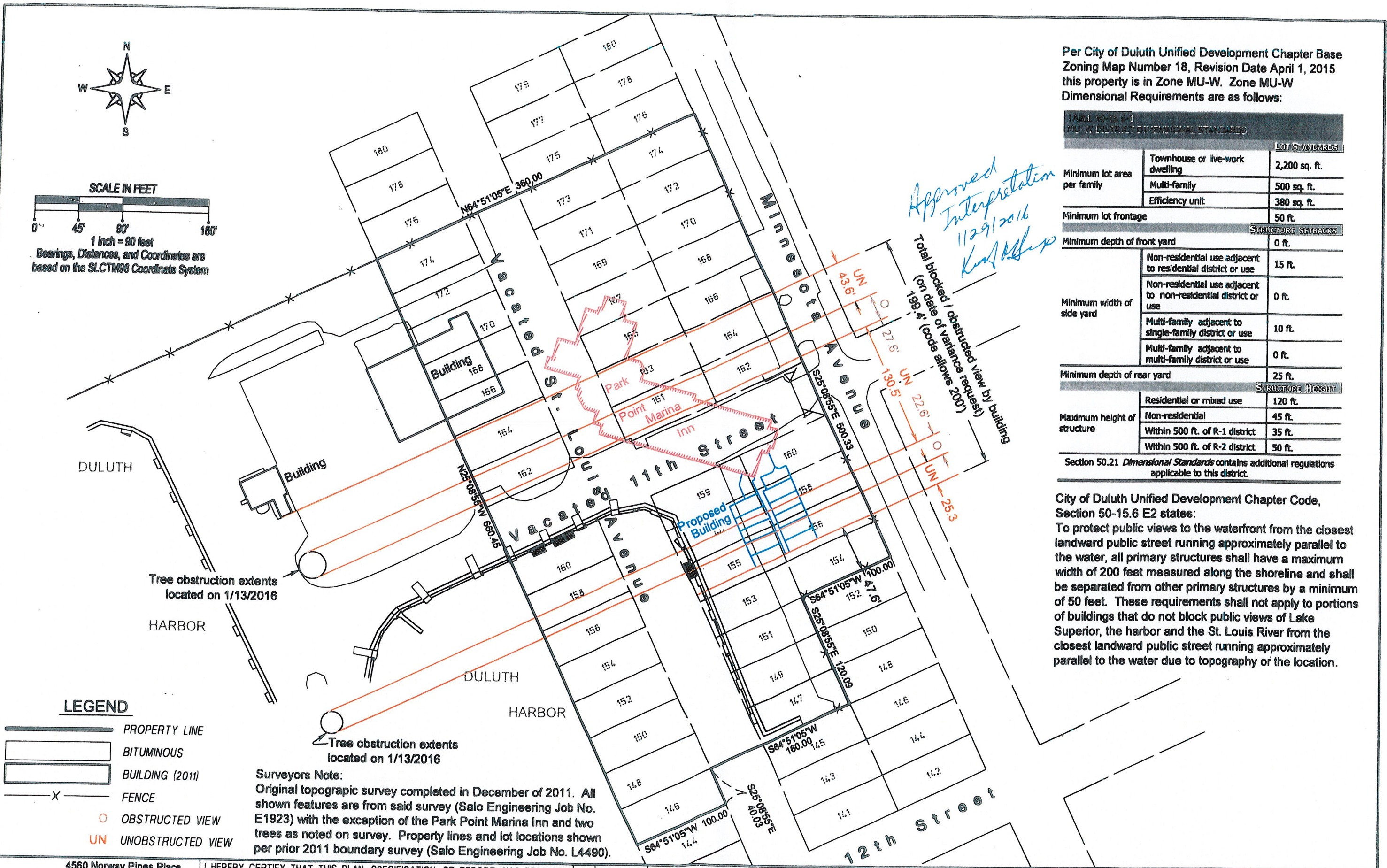
TABLE 50-15.6-1 MU-W DISTRICT DIMENSIONAL STANDARDS		
LOT STANDARDS		
Minimum lot area per family	Townhouse or live-work dwelling	2,200 sq. ft.
	Multi-family	500 sq. ft.
	Efficiency unit	380 sq. ft.
Minimum lot frontage		50 ft.
STRUCTURE SETBACKS		
Minimum depth of front yard		0 ft.
Minimum width of side yard	Non-residential use adjacent to residential district or use	15 ft.
	Non-residential use adjacent to non-residential district or use	0 ft.
	Multi-family adjacent to single-family district or use	10 ft.
	Multi-family adjacent to multi-family district or use	0 ft.
Minimum depth of rear yard		25 ft.
STRUCTURE HEIGHT		
Maximum height of structure	Residential or mixed use	120 ft.
	Non-residential	45 ft.
	Within 500 ft. of R-1 district	35 ft.
	Within 500 ft. of R-2 district	50 ft.

Section 50.21 Dimensional Standards contains additional regulations applicable to this district.

City of Duluth Unified Development Chapter Code, Section 50-15.6 E2 states:
To protect public views to the waterfront from the closest landward public street running approximately parallel to the water, all primary structures shall have a maximum width of 200 feet measured along the shoreline and shall be separated from other primary structures by a minimum of 50 feet. These requirements shall not apply to portions of buildings that do not block public views of Lake Superior, the harbor and the St. Louis River from the closest landward public street running approximately parallel to the water due to topography or the location.

*Approved Interpretation
11/29/2016
Karl Kasper*

Total blocked / obstructed view by building
(on date of variance request)
199.4' (code allows 200')



Tree obstruction extents located on 1/13/2016

Tree obstruction extents located on 1/13/2016

LEGEND

- PROPERTY LINE
- BITUMINOUS
- BUILDING (2011)
- FENCE
- OBSTRUCTED VIEW
- UNOBSTRUCTED VIEW

Surveyors Note:
Original topographic survey completed in December of 2011. All shown features are from said survey (Salo Engineering Job No. E1923) with the exception of the Park Point Marina Inn and two trees as noted on survey. Property lines and lot locations shown per prior 2011 boundary survey (Salo Engineering Job No. L4490).

<p>4560 Norway Pines Place Duluth, MN 55811 218-727-8796 tkda.com</p>	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT 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.		1	10/13/2015	Removed 'Removed Buildings' from drawing	Topographic Survey / Proposed Building Exhibit of Harbor Cove Marina aka Park Point Marina Inn, City of Duluth, Minnesota For: Globe Duluth Enterprises	
	DATE		2	10/28/2015	Added additional dimensions as requested		
	DAVID SZYSZKOSKI		3	1/15/2016	Added Tree obstructions and dimensions		
MINNESOTA LICENSE NUMBER 47046	NO	DATE	REVISION		JOB NO. 15513.179	FILE NO. E1923C	DATE OF FIELD WORK: 12/2011 & 9/2015