

City of Duluth Planning Commission

**July 8th, 2025 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Gary Eckenberg called to order the meeting of the city of Duluth Planning Commission at 5:00 p.m. on Tuesday, July 8th, 2025, in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Chris Adatte, Nik Bayuk, Jason Crawford, Gary Eckenberg, Brian Hammond, Danielle Rhodes, Dave Sarvela, Kate Van Daele, and Andrea Wedul
Members Absent: None

Staff Present: Nick Anderson, Chris Lee, Ben Van Tassel, Ariana Dahlen, Natalie Lavenstein, Christian Huelsman, and Sam Smith

Approval of Planning Commission Minutes

Planning Commission Meeting – June 10th, 2025 –
MOTION/Second: Van Daele/Wedul approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

No comments.

Consent Agenda

PLIUP-2504-0025 Interim Use Permit for a Vacation Dwelling Unit at 702 S Lake Ave by Jeff and Kristy Huotari [JM]

PLIUP-2506-0029 Interim Use Permit for a Vacation Dwelling Unit at 732 E Superior St by Sorrento Group LLC [NL]

PLIUP-2506-0030 Interim Use Permit for a Vacation Dwelling Unit at 1429 London Rd by PJI Mountain Properties [CH]

PLIUP-2506-0031 Interim Use Permit for a Vacation Dwelling Unit at 1431 London Rd by PJI Mountain Properties [CH]

PLVAC-2505-0004 Vacation of a Utility Easement at 3501 E 2nd St by Meghan Klasic [CH]

Public: No speakers.

MOTION/Second: Wedul/Sarvela approve the consent agenda items as per staff recommendations

VOTE: (8-0)

Public Hearings

PLSUP-2505-0056 Special Use Permit for a Bed and Breakfast at 2400 E Superior St by CF Design [CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The primary structure on the property is a 6,513 square-foot home. It is a 6-room, 2.5-bathroom structure that was previously used as a social club and event space for the Duluth Woman's Club. The applicant proposes using the structure as a bed and breakfast. The UDC limits bed and breakfasts to no more than 12 habitable units and the applicant's property has 5 one-bedroom suites.

The site plan shows improvements to the rear yard of the property to accommodate parking stalls, new driveways and access, landscaping, and screening to mitigate light and noise to the surrounding properties. The applicant is proposing screening and landscaping between the proposed parking and the adjacent single-family properties. The site plan indicates that 6 parking stalls will be provided for guests and a property manager. This does not exceed the parking maximums.

The parcel is .76 acres in size exceeding the minimum required for a Bed and Breakfast. The main floor of the structure is 3,400 square feet exceeding the minimum required. A sign is allowed to identify the property and will be reviewed with a separate sign permit.

One comment from engineering was received stating that the stormwater presented in the site plan does not show enough detail to be reviewed. A full stormwater plan for the proposed rear parking area must be included in the building permit review for the parking improvements. Several other public comments were received regarding this project. Staff recommends approval with conditions.

Commissioners: Wedul asked staff if the proposed driveway access plan had been reviewed by fire marshal.

Staff: Lee stated that no comment was received from the fire marshal at this time. There will likely be some form of fire marshal review for any forthcoming building permits.

Applicant: Cheryl Fosdick addressed the commissioners. She had spoken with the fire marshal regarding access to the building using fire equipment, and the fire marshal did not foresee any issues. The proposed landscape plan is preliminary plan. They fully intend to deal with rainwater and the absorption issue. Fosdick stated that it is generally a sloped, treeless piece of land, and the owner's intention is to bring more life into backyard for the tenants.

Fosdick stated that the organization of the parking may change. They are also working with neighboring property owners to make sure that everyone is satisfied with privacy, drainage, and property lines.

There will be no changes to exterior of the building other than maintenance, as the owners of the Woman's Club took remarkable care of the building. The subject property owners hope to have the bed and breakfast up and running by spring of next year.

Commissioners: Eckenberg asked if the applicant has been communicating with both neighboring property owners, and if there would be any sort of breakfast served to tenants.

Applicant: Fosdick responded that they have spoken with the neighbors on the east side, which is where the proposed driveway will be. There is a fair amount of natural vegetation on

the other side of the property and the owners have not proposed doing anything on that side of the property at this time, so they have not spoken to those neighbors yet.

Fosdick stated that the subject home has a commercial kitchen, and there will be breakfast. There are no plans to use the kitchen to host large events, but it could be used for small catering events or some sort of chef.

Public: Barb Cane, 2409 Branch St – Barb owns what used to be the carriage house for the subject property. She is not opposed or in favor of the project. She voiced concerns regarding The width of Branch St. Cane stated that in previous years, the fire department advised property owners on Branch St to not park on the street because it is not wide enough for emergency vehicles to get through if cars are parked on the side of the street. She also expressed concerns surrounding access to the subject property, and how local wildlife may be impacted. Cane stated that she did not receive any notice for this project other than the public hearing notice from the city.

Commissioners: Wedul asked staff if the radius for neighbor letters are based on the subject property address.

Staff: Lee answered that the letters are sent out to addresses within a 350 ft. radius of the entire subject property, so folks on branch did receive a letter for this public hearing. The applicant is not required to reach out to neighbors as they would have to if they were applying for a vacation dwelling unit.

Commissioners: Van Daele encouraged the applicant to consider reaching out to other neighbors directly with the intention of being transparent about the project plans. Eckenberg asked the applicant if they would talk with other neighbors to address their concerns.

Applicant: Fosdick stated that the neighbor they've been in communication with had reached out to them because they are planning to build, and they were curious about the plans for the subject property. She also noted that there is an access point going into this property from Branch St, and it is platted but not yet built.

The owners and design team are willing to reach out to other neighbors, and they are taking their concerns seriously. They designed the driveway to ensure that no headlights will be facing neighbor's houses, and it will also allow for water to be directed into a rain garden for water management purposes. A linear apple orchard has also proposed as a screen for Barb Cane's property. There will be a full-time staff person living on site.

Motion/second: Wedul/Rhodes approve as per staff recommendation with the following conditions:

- 1. The project be limited, constructed, and maintained consistent with plans submitted and included in this report;**
- 2. Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.**

Vote: (9-0)

Adatte arrived at 5:07 p.m.

PLVAR-2506-0008 Variance to Front Yard Setback at 315 W Faribault St by Nathan Anderson
[CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The property was built in 1913 and contains 3 bedrooms, 1.5 bathrooms and 1,152 square feet. The applicant is

seeking a variance from the front yard setback to construct a 14' by 20' addition to the northwest corner of the existing home and a porch. The addition is proposed to reduce the front yard setback by 4.5' and be located 15.5' from the property line, and the existing porch will be replaced.

The subject property is not exceptionally shallow or narrow. There are some minor grade changes, but not enough to be considered a practical difficulty. Staff find that this results in a buildable area for an addition without the need for a variance. The existing primary structure was not built by the current owner. The primary structure is a nonconforming building that was legally reconstructed per UDC Sec. 50-38.3.A and the need for a variance is due to the location of the home built in 1913. The existing primary structure is located closer to the front property line compared to the adjacent properties; this is a somewhat typical development pattern for residential properties in Duluth. There is buildable area on the side and rear yard that would not require a variance.

The applicant's proposal to build a moderately sized addition to a 1,152 square foot home is a reasonable use, and the variance will not impair an adequate supply of light and air to adjacent properties. The addition will not alter the character of the neighborhood as there are several homes of similar size throughout the neighborhood. The addition, if it were to be approved, would be as close to the property line as the existing attached porch.

One comment was received in support of the project. Staff recommends denial of the variance due to the findings listed in the staff report.

Commissioners: Hammond commented that staff's recommendation to deny hinges on the exceptional narrowness and shape criteria, but he noted that there is language in the code that discussed other conditions related to property may warrant a variance. He asked staff what other conditions related to the property means.

Rhodes asked how much of the variance criteria is taken from the state vs. the city.

Staff: Lee responded that other conditions may fall into the same categories that staff review. They can be topographical features, wet areas, river & stream or shoreland setbacks. Staff look at the lot's shape, size, and other parts of the property that can be built on.

Lee is not sure about the history of why the variance criteria were written the way that they were, but it is likely that the language was written specifically for the city's needs.

Applicant: Nathan Anderson addressed the commissioners. This request is for his family home, which he has owned since 2007. Their application met five out of the six variance criteria, as was discussed in the staff report. He pointed out that their lot is already one of the most private lots on the block due to the screening that is already in place.

Anderson and his husband have made many improvements to their property over the years, including building the garage, renovating the kitchen, and adding a third bedroom to the back of the house. He stated that their family needs more space as their kids get older. They've spent the past couple of years searching for another house, but due to the challenges of the housing market, they were unable to buy another home. Instead of moving, Anderson and his family want to add another bedroom to their home for more space.

The proposed addition will be to the side of the existing home, and no part of the addition will extend past the front side of the house. Anderson added that the porch is not in good shape and needs to be redone as well. The proposed addition would be on the first floor so he and his husband can use it as they age, and it would also help accommodate their aging family members that visit.

The neighbor to the west is supportive of the project. Anderson stated that there is space on the property to move the addition back, but that could cause drainage problems for his neighbor. Anderson's property is on higher ground compared to the neighbor, and he fears that

if the addition were to be moved back, that the runoff from his house would be directed to the neighbor's basement. Having the addition on the side of the house would help them keep as much green space in the rear yard as possible, and moving addition back would also cover the kitchen window and block natural light. He added that having another egress window with the proposed addition is important, especially with children.

Commissioners: Hammond feels that the proposed project seems reasonable given the current layout of the home. He asked the applicant if there would be any practical difficulty for him if the commission asked for the addition to be moved elsewhere.

Applicant: Anderson stated that the only other option would create a challenge for the placement of the egress window, and he is not sure where the egress would go.

Commissioners: Rhodes pointed out that there are almost an additional two feet available to the west with normal setbacks.

Wedul asked the applicant how they decided on the width of the proposed addition.

Applicant: Anderson responded that Rhodes point is accurate, but it would still pose a challenge for the egress window. It would also bring the subject structure much closer to the neighbor's house, and they want to minimize impacts to neighbor.

Anderson stated that there are shrubs and trees that they want to preserve. 14 ft is what seemed reasonable.

Public: No speakers.

Commissioners: Discussion ensued amongst the commissioners regarding practical difficulty criteria in the zoning code and how it applies to this application.

Motion/second: Hammond/Bayuk approve

Vote: (5-4)

Rhodes, Sarvela, Van Daele, and Wedul opposed

Other Business

No other business.

Communications

Land Use Supervisor (LUS) Report – No report.

Heritage Preservation Commission Report – There is an upcoming meeting on July 14th.

Adjournment

Meeting adjourned at 6:00 p.m.

Respectfully,

Jenn Moses, Manager
Planning & Economic Development