

City of Duluth
Planning Commission
November 12, 2019 Meeting Minutes
Room 330 - Duluth City Hall

Call to Order

President Janet Kennedy called to order the meeting of the city planning commission at 5:06 p.m. on Tuesday, November 12, 2019, in Room 330 in Duluth city hall.

Roll Call

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

Absent: Jason Crawford and Michael Schraepfer

Staff Present: Adam Fulton, Robert Asleson, Steven Robertson, Chris Lee, John Kelley, Kyle Deming, and Cindy Stafford

Approval of Planning Commission Minutes

October 8, 2019

MOTION/Second: Wisdorf/Wedul approved the minutes

VOTE: (7-0)

Consent Agenda

1. PL 19-146 Special Use Permit for Daycare at 301 W. St. Marie Street by Hope United Methodist Church
2. PL 19-153 Special Use Permit for Daycare at 7210 Fremont Street (Zoo) by Leah Budnik
Staff: N/A
Applicant: N/A
Public: No speakers.
Commissioners: Andrea Wedul asked about PL 19-153 accessibility concerns. Chris Lee notes there will be access to the back of the building avoiding the stairs. Zandra Zwiebel asked about item PL 19-146, when did it stop being a daycare? Lee mentions in January, and now a new daycare is going in.
MOTION/Second: Meyer/Eckenberg recommended approval of the consent agenda items as per staff's recommendations.

VOTE: (7-0)

Public Hearings

3. PL 19-147 Mixed Use-Institutional (MU-I) Campus Sign Plan for Essentia Health
Staff: Steven Robertson introduced Essentia Health and Ewing Cole's campus sign plan for the new Vision Northland facility near the corner of 2nd Street East and North 4th Avenue East. The intent of a campus plan is to provide a uniform signage plan for a large institutional site. It also allows for more rapid zoning review of pending sign permit applications. Every room within the campus will have a unique and non-repeating identification; there will not be the confusion of having more than one "room 100" within the project area. Staff recommends approval of the campus sign plan with the conditions listed in the staff memo dated 11-4-19. Wedul asked about the lighting requirements. Will they be required to meet UDC requirements? Robertson stated yes. The lighting rule takes precedent. Wedul in reference to color blindness she asks if gradient of shading will be applied. Interim Director Fulton notes there are other labels

to the sign rather than just a color. It is noted in the record that the color factor will be addressed.

Applicant: Not present.

Public: No Speakers

Commissioners: Zwiebel doesn't feel the allowance is slight, but she is in support.

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

VOTE: (8-0)

4. PL 19-157 Preliminary Plat of 56 acres at the northeast corner of Haines Road and Arrowhead Road to become the Kirkland Addition by Costco Wholesale
Staff: Kyle Deming introduced the applicant's proposal for a preliminary plat of 56 acres of land into three lots ranging from 6.3 acres to 28.6 acres into "Kirkland Addition". There are wetlands scattered throughout the property. Staff recommended approval with the conditions listed in the staff report. Wedul asked about future utilities beyond this. Are there granted easements they should be considering? Deming noted city engineering is involved. There are no additional needed drainage easements. Zwiebel noted the turn lanes on Arrowhead Road. The commission received correspondence from a neighbor who had concerns. Deming stated they were concerned about the widening of Arrowhead Road. The developer only will widen the the road by the applicant's property.
Applicant: Tom Meyer, civil engineer for Costco addressed the commission. The site is challenging, but they have minimized the impacts and are anxious to get the project started.
Public: Cindy Beaulier, 4320 W. Arrowhead Rd., addressed the commission. She has lived there for 20 years. She is concerned about run-off into Miller Creek, increased traffic, and she feels the zoning has been inconsistent. It is going to affect her daily life. She isn't against Costco, but feels there could be a better location for it. Mike Casey, 415 S. 88th Ave. W, addresses the commission. The 2019 bikeway plan has been approved. He feels Arrowhead Road is a dangerous place to ride a bike. He would like to see safe DTA bus stops. He feels Costco can set a positive example. Nathan Bentley (owns Advantage Emblem) addresses the commission. Making a left hand turn into their property on Haines Road is difficult. He hopes there are turn lanes going both directions on Haines Road. Deming noted there is a provision to include turn lanes. Interim Director Fulton noted these are county roads, and the applicant can address the turn lanes topic. Dwayne Timo, addressed the commission. He drives on Arrowhead on a weekly basis. He is neutral on the proposal. He feels it is good for the community in the long run. Dennis Jensen, 4219 W. Arrowhead Rd., addressed the commission. He lives to the right of the property, and owns two other properties in the area. He is concerned this won't be considered a residential area anymore. Is there a plan to rezone Arrowhead Road, or will the city continue to spot zone? He is neutral on the proposal. Chris Addette, 823 Grandview Avenue addressed the commission. He is in favor of the development. He works construction and feels Miller Creek will not be at risk.
Commissioners: Zwiebel asked about Miller Creek. She asks staff to show the boundary. It would be to the left of the wetland area. She asked staff to talk about the zoning changes. Deming noted the Northwest corner study. The proposal was to contain development to the edges. There is no sanitary sewer service on Arrowhead Road, which limits development. Tim Meyer asked what they are proposing for outlot B. He can't consider the plot without knowing what they are going to build on it. He suggested combining the items, and doesn't understand why they doing them separately. Interim

Director Fulton stated it is standard order of operation to consider the preliminary plat first, and then discuss the plan. Any development on the outlot will require further review. There are limitations to the outlots because of the wetlands. Sarah Wisdorf asked if future development plans will come back to the planning commission. Interim Director Fulton affirmed. Gary Eckenberg would like staff to clarify the zoning. Per Deming it is already zoned MU-C. Meyer noted there is potential for more big box retail in the area. Is this what is wanted?

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

VOTE: (6-1, Meyer Opposed)

5. PL 19-156 Mixed Use-Commercial (MU-C) Planning Review of Costco Wholesale at the northeast corner of Haines Road and Arrowhead Road

Staff: Kyle Deming introduced the applicant's proposal to build and operate a 161,226 square foot member-only retail warehouse with a tire center, liquor store, and vehicle fueling facility on 20.9 acres. Staff recommended approval with the conditions listed in the staff report. Wedul asked staff about the landscaping requirements. Does the tree replacement have to be in addition. Per Deming the tree addition can meet both requirements.

Applicant: Tom Meyer, civil engineer for Costco, addressed the commission. Wedul asked about infiltration capacity. Meyer noted the infiltration basins on the overhead slide. It is currently designed for one inch of run-off which meets MPCA requirements. Wedul noted the trees and landscaping proposed. The trees aren't labeled for zone hardiness. She noted the high mortality rate. Meyer noted their landscape designer is willing to work with the city to include more appropriate trees/shrubs. Zwiebel noted the variation from the parking lot landscape area. Can you couple water retention system with the tree plan? Interim Director Fulton noted it is challenging for landscaping areas which usually have islands with dead trees in them. They viewed the pairing with the water cooling system as acceptable. Wedul noted the soil limitation. Per Meyer, they are willing to work with staff. They do have islands, but also have trees around the perimeter. Interim Director Fulton noted bigger islands would require the need to expand the site, which further effects wetlands. It all goes into their analysis. Zwiebel would like to be consistent in what they are asking applicants to do. She mentions Aldis and the mall area and noted adding trees is aesthetically pleasing.

Public: Mike Casey, 415 S. 88th Ave. W., addresses the commission. He welcomes Costco, but he feels people need access to the store. He wants to make it safe for pedestrians. Dwayne Timo, addressed he commission. He asked if there will be any electric car charging stations.

Commissioners: Wedul would like to add the condition that landscaping plan be agreed upon by planning staff. Interim Director Fulton noted they will keep the commissioners updated. A credit for their filtration system is also being utilized as landscaping requirements. Deming notes the final plat will come back to the planning commission for approval.

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

VOTE: (7-0)

(Wedul recused herself on the next item because she worked directly on this project. She exited the room for this item.)

Other Business

6. PL 19-072 Spirit Lake Sediment Remediation Project Environmental Assessment Worksheet (EAW) Review of Comments and Decision
Staff: Kyle Deming gives an overview of the process. As the Responsible Governmental Unit (RGU), the city planning commission is tasked with making the decision on whether an Environmental Impact Statement (EIS) is required for the Spirit Lake Sediment Remediation Project. The comments received during the 30-day comment period were included in the planning commission packet. Environmental issues summary highlights two items: the proposal as a self-mitigating project and the project potential impacts on fish habitat. The DNR and MPCA will be issuing permits, so they both have the ability to require mitigation. The fish will be better off with a betterment provided of over 126 acres of aquatic habitat in the project area. Staff thinks an EIS should not be required.
Applicant: N/A
Public: N/A
Commissioners: Zwiebel verified there is no public hearing tonight. Deming affirmed.
MOTION/Second: Zwiebel/Wisdorf Environmental Impact Statement (EIS) is not necessary

VOTE: (6-0, Wedul Abstained)

Wedul reenters the room. Eckenberg recuses himself for the next item, since he sits on the board of the applicant. He remained in the room, but will not vote.

7. PL 19-164 Comprehensive Plan Compliance, Proposed TIF District for Decker Dwellings
Staff: Interim Director Adam Fulton gave an overview. In order to facilitate development of One Roof Community Housing’s affordable housing project located at 47xx Decker Rd, the city is proposing to use Tax Increment Financing (TIF). TIF is a financial tool that uses the increase in property taxes generated from site improvements to pay for a portion of those improvements. The planning commission is tasked to determine if the TIF is in conformity with the Imagine Duluth 2035 Comprehensive Plan.
Applicant: N/A
Public: N/A
Commissioners: Zwiebel asked how often are TIF districts considered when taking away a green space. Interim Director Fulton noted housing TIF districts support affordable housing and is in a core investment area. It is a new development, which has different requirements from redevelopments. Zwiebel shared TIF districts are low, and this is a good use of funds. She is in support. Margie Nelson is in support. Chair Kennedy would like to see additional housing. City council and HRA will have public comment for the TIF District.
MOTION/Second: Zwiebel/Wisdorf TIF is in conformity with Comp Plan

VOTE: (6-0, Eckenberg Abstained)

Communications

Manager’s Report – Interim Director Fulton gave an overview. He noted the elections last week. And congratulated chair Kennedy on her new role as a city councilor. Her last planning commission will be in December. Construction is under way in the medical districts.

Reports of Officers and Committees

- Heritage Preservation Commission Representative – Wisdorf gave an overview. They discussed the Lincoln Park Plan and approved the memorandum of understanding. They

will submit a public comment to the consolidated plan that they consider historic preservation.

- Joint Airport Zoning Board (JAZB) – Nelson gave an overview. There is a draft ordinance to update the airport maps. They are waiting for funds from MNDot.

Adjournment

Meeting adjourned at 7:01 p.m. A Brown Bag discussion regarding vacation dwellings will follow after a short recess.

Respectfully,



Adam Fulton – Interim Director
Planning and Economic Development