



**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 23-065	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Interim Use Permit– Vacation Dwelling Unit	Planning Commission Date		May 9, 2023
Deadline for Action	Application Date	April 3, 2023	60 Days	June 2, 2023
	Date Extension Letter Mailed	April 17, 2023	120 Days	August 1, 2023
Location of Subject		20 North 12 <sup>th</sup> Avenue East, Unit 5		
Applicant	New London Land Company, LLC	Contact	Mike Schraepfer	
Agent	Heirloom Property Management	Contact		
Legal Description		PID # 010-0190-01120		
Site Visit Date		April 25, 2023	Sign Notice Date	April 25, 2023
Neighbor Letter Date		April 14, 2023	Number of Letters Sent	21

**Proposal**

Applicant proposes to use a two bedroom unit as a short-term rental. Up to 5 people will be allowed to stay in the unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of 2 nights. This unit is in the Higher Education Overlay District and must adhere to the standards for a standard vacation rental (no form district exemptions); this includes a minimum 2-night stay and 1 off-street parking space per unit.

This is 1 of 4 identical applications for the same building.

Staff is recommending approval to Planning Commission.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-4	Multi-Family Dwelling	Central Business Secondary
<b>North</b>	F-4	Multi-Family Dwelling	Central Business Secondary
<b>South</b>	MU-I	Commercial Business	Institutional
<b>East</b>	F-4	Parking Lot	Central Business Secondary
<b>West</b>	F-4	Commercial Business	Central Business Secondary

**Summary of Code Requirements:**

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-4 zone district.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location ....;
2. The applicant agrees to sign a development agreement with the city . UDC Section 50-



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19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-4 Zone District.

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

Governing Principle #5 - Strengthen neighborhoods

Governing Principle #8 - Encourage mix of activities, uses, and densities

- Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages  
**S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth

**Future Land Use – Central Business Secondary:** An area adjacent to and supporting the central business primary area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

**Current History:** Structure is currently a duplex with 6 bedrooms spread across the 2<sup>nd</sup> and 3<sup>rd</sup> floors. There was previously a real estate office on the main floor. A long-term rental is on the 3<sup>rd</sup> floor. The structure was built in 1900 and contains 3,936 square feet.

**Review and Discussion Items:**

- 1) Applicant's property is located at 20 North 12<sup>th</sup> Avenue East, Unit 5. The proposed vacation dwelling unit contains 2 bedroom, which would allow for a maximum of 5 guests.
- 2) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Heirloom Property management at 202 East 1<sup>st</sup> Street to serve as the managing agent.
- 3) The site has room for the required vehicle parking with 9 total parking stalls. There will not be any campers or trailers parked on the property.
- 4) The site does not have any outdoor amenities.
- 5) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon



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change in ownership of the property or in six years, whichever occurs first.

6) Applicant has applied for all relevant permits and licenses and these are contingent upon approval of the Interim Use Permit for a Vacation Dwelling Unit.

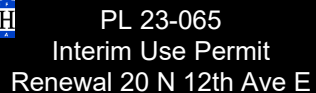
7) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").

8) No comments from citizens, City staff, or any other entity were received regarding the application.

**Staff Recommendation:**

Based on the above findings, Staff recommends that Planning Commission approve the Interim Use Permit subject to the following:

1. The permit shall lapse if no activity is taken within one year of approval.
2. 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50



**MU-N (Mixed Use Neighborhood)**

019001160 SHIPROCK MANAGEMENT

019001140

1212 E 1ST ST

2" MDPE

CENTURY LINK

1202 E 1ST ST

NEW LONDON LAND CO LLC

20 N 12TH AVE E

**F-4 (Mid-Rise Community Mix)**

019001120

6" Coated Steel

E 1st Alley

CVS HEALTH CORPORATION

019000860

CVS HEALTH CORPORATION

019000840

**MU-I (Mixed Use Institutional)**

019001250

1131 E SUPERIOR ST

WALGREEN CO

0 12.5 25 50 Feet

8" MDPE

2" MDPE

8" Coated Steel

Prepared by: City of Duluth Planning & Economic Development, February 23, 2023 Source: City of Duluth

**Legend**

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
  - CITY OF DULUTH
  - WLSSD; PRIVATE
  - Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
  - Storm Sewer Pipe
  - Storm Sewer Catch Basin
- Zoning Boundaries**

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.

**MU-I (Mixed Use Institutional)**

019001250  
1131 E  
SUPERIOR ST  
0 12.5 25  
WALGREEN CO

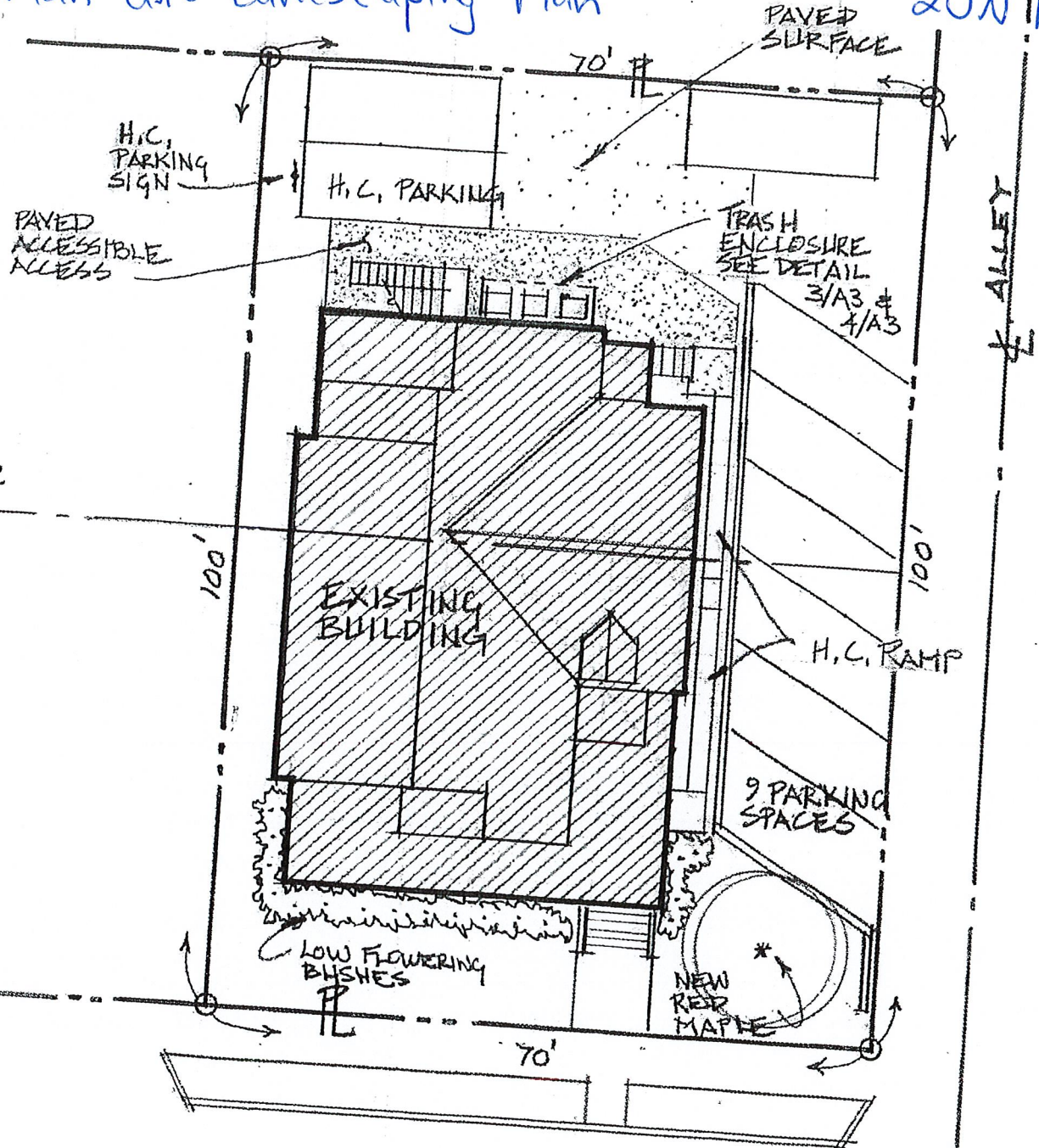
Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, February 23, 2023 Source: City of Duluth



# Site Plan and Landscaping Plan

20N 12th Ave.



SITE PLAN

1" = 20'-0"



20 N 12<sup>th</sup> Ave E #1

## Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts). What will be your minimum rental period? 2 nights

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

1

What will be your maximum occupancy?

3

3. Off-street parking shall be provided at the following rate:

a. 1-2 bedroom unit, 1 space

b. 3 bedroom unit, 2 spaces

c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.

d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide? 1

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. Will you allow motorhome or trailer parking? If so, where? None allowed.

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice. Please explain how and where you will

keep your guest record (log book, excel spreadsheet, etc):

We keep an excel spreadsheet log of all guests.

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

Heirloom Property Management 218-409-4885

10. Permit holder must disclose in writing to their guests the following rules and regulations:

- a. The managing agent or local contact's name, address, and phone number;
- b. The maximum number of guests allowed at the property;
- c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
- d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
- e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

This will be emailed before check-in and provided on-site in a handbook.

11. Permit holder must post their permit number on all print, poster or web advertisements. Do you agree to include the permit number on all advertisements? Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.