



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



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planning@duluthmn.gov

File Number	PL 23-066	Contact	Kyle Deming	
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 19, 2023	120 Days	August 1, 2023
Location of Subject		1732 E. 2 nd St. (Endion)		
Applicant	Predictable 2, LLC	Contact	Andrew Goldfine	
Agent	Heirloom Property Management	Contact		
Legal Description		E 40 feet of N 100 feet of Lot 8, Block 68, Endion Division (010-1480-03080)		
Site Visit Date		April 28, 2023	Sign Notice Date	April 25, 2023
Neighbor Letter Date		April 17, 2023	Number of Letters Sent	36

Proposal

Applicant proposes to convert an existing dwelling unit in a duplex to a 2-bedroom vacation dwelling unit with a capacity for 5 guests. The property was randomly selected from the list for eligible permits.

Recommended Action: Approve with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Urban Residential
North	R-2	Residential	Urban Residential
South	R-2	Community center/offices	Urban Residential
East	R-2	Apartment building	Urban Residential
West	R-2	Residential	Urban Residential

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-2 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units. Council established a maximum number of vacation dwelling unit permits. The applicant was selected to a permit by a random drawing of interested applicants.

UDC Sec. 50-37.10.E . . . the commission 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;

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

Governing Principle #8 - Encourage mix of activities, uses, and densities. The project converts an existing dwelling unit in a duplex. A short-term rental allows property owners to generate income and provides a service for tourists.

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. Short-term rentals provide for a more diverse experience for tourists.

Urban Residential - Greatest variety of residential building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space. 8 units/acre and up

Review and Discussion Items:

Staff finds:

- 1) The proposed vacation dwelling unit is the easterly unit of a side-by-side duplex.
- 2) The unit has 2 bedrooms, which will accommodate up to 5 guests.
- 3) One off-street parking space will be provided (see site plan) in front of the tuck-under garage in the rear of the dwelling unit, in compliance with UDC parking requirements.
- 4) The applicant has indicated there will not be a space for camper or trailer storage by VDU guests.
- 5) The site plan shows a deck behind the building with a grill.
- 6) The applicant has provided letters from the two abutting property owners waiving the screening requirement for outdoor areas.
- 7) 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. Heirloom Property Management located in Duluth has been listed as the property manager.
- 8) 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. This will be a condition of approval, with documentation to be provided before final permit issuance.
- 9) 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 change in ownership of the property or in six years, whichever occurs first.
- 10) The permit will lapse if no rental activity takes place within 1 year of permit approval.
- 11) Applicant must comply with Vacation Dwelling Unit 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"). Applicant will do so via a framed sign installed in the kitchen of the rental unit.
- 12) No comments were received from citizens, City staff, or any other entity were received.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The permit shall not be effective until evidence is given that contact information has been provided to all property owners within 100 feet.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 3) 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

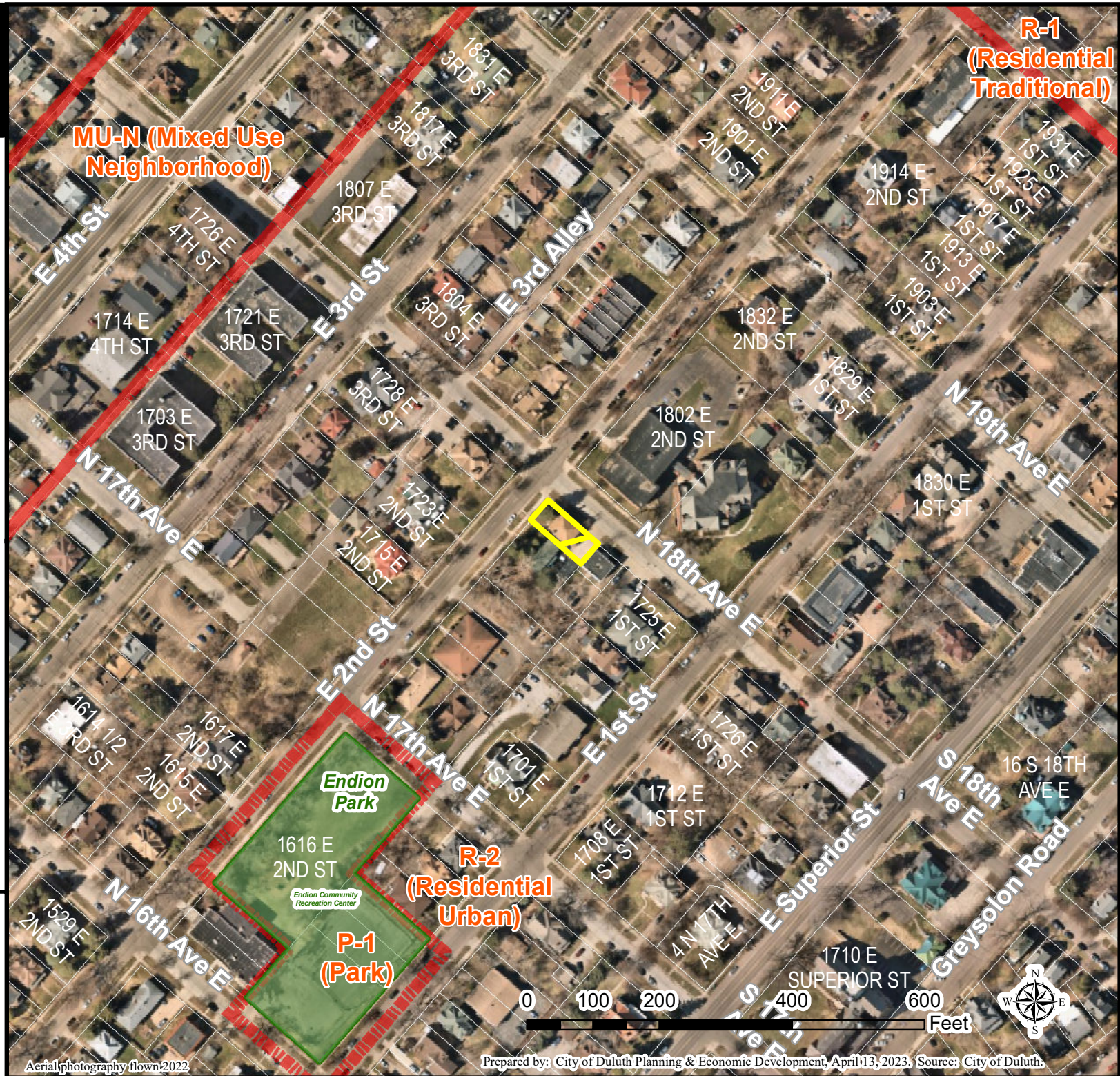


PL 23-066
Vacation Dwelling Unit
1732 E. 2nd St.
Applicant: Predictable 2, LLC

Area Map

- Legend**
- Zoning Boundaries
 - Park Lands
 - Recreation
 - Parks

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Aerial photography flown 2022

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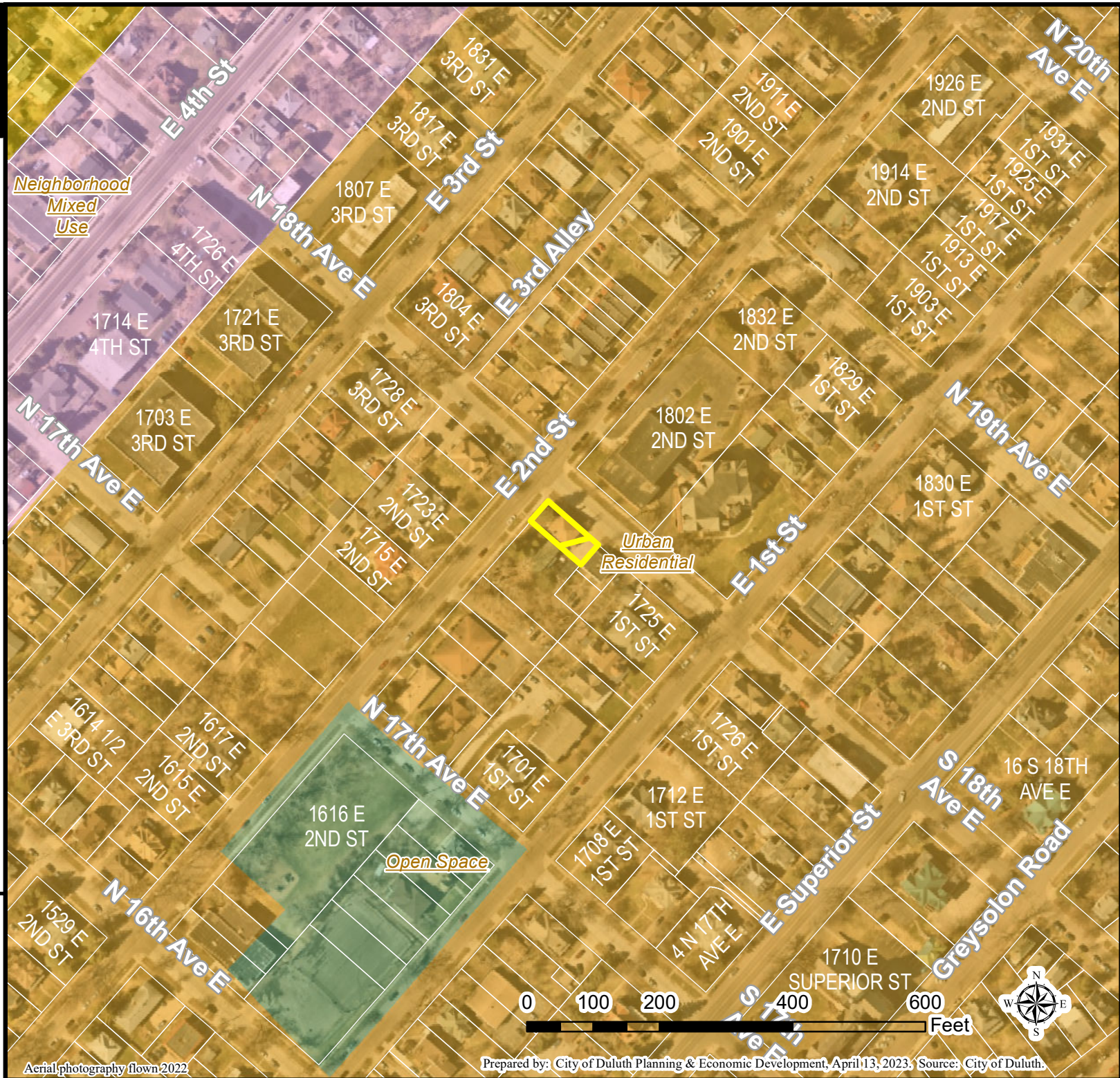
Future Land Use Map

Legend

Future Land Use

- Open Space
- Traditional Neighborhood
- Urban Residential
- Neighborhood Mixed Use

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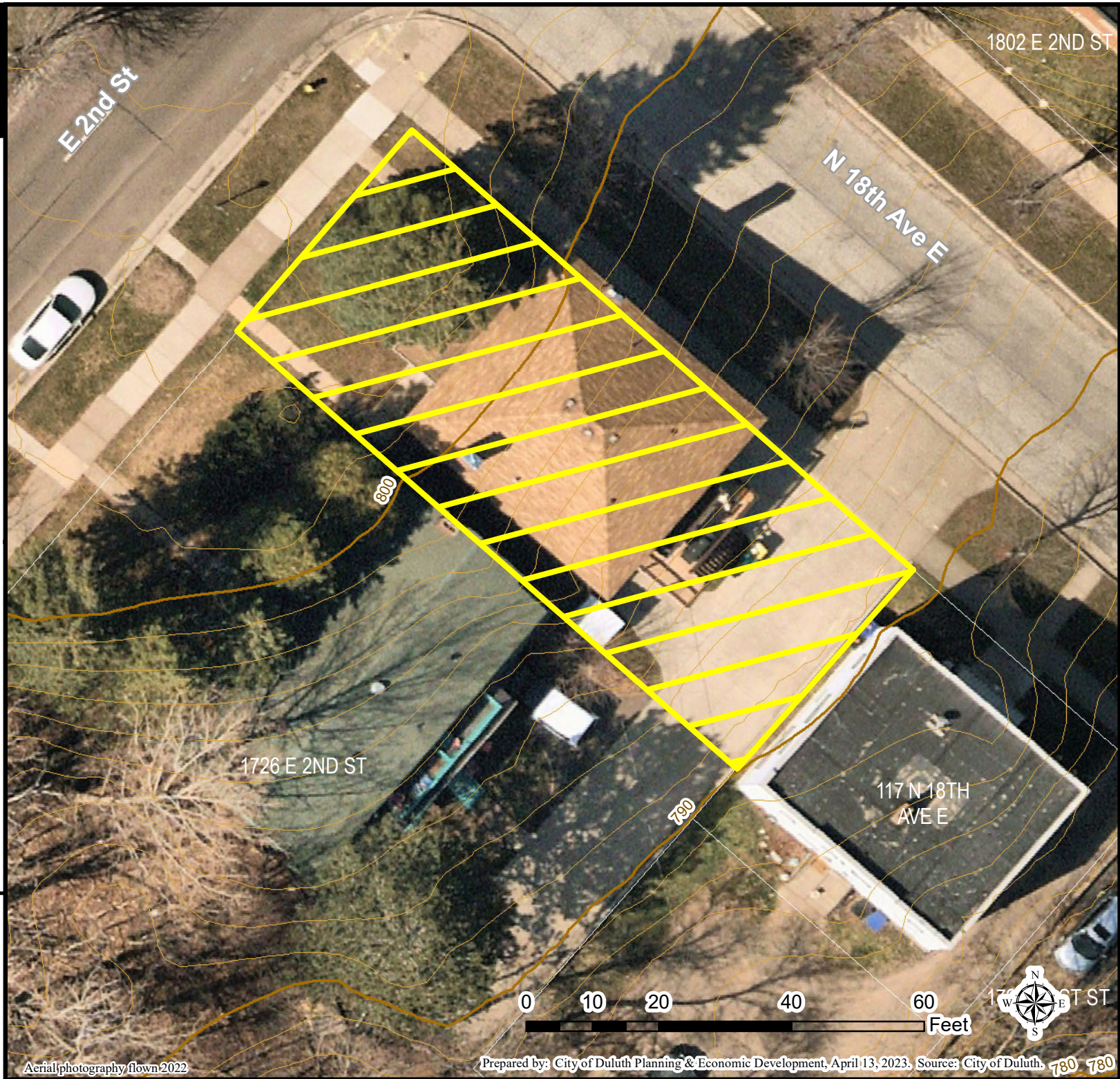
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Site Map

Legend

Elevation
— 1 Ft contour
— 10 Ft contour

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← EAST 2ND ST →

1732 E 2ND ST
SITE PLAN

