



**Planning & Development Division**  
*Planning & Economic Development Department*

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<b>File Number</b>	PL 19-128	<b>Contact</b>	Jenn Reed Moses, 730-5328	
<b>Type</b>	Special Use Permit	<b>Planning Commission Date</b>	10/8/19	
<b>Deadline for Action</b>	<b>Application Date</b>	8/20/19	<b>60 Days</b>	10/19/19
	<b>Date Extension Letter Mailed</b>	9/12/19	<b>120 Days</b>	12/18/19
<b>Location of Subject</b>	8721 W Skyline Pkwy			
<b>Applicant</b>	Skyline Parkway Properties LLC	<b>Contact</b>		
<b>Agent</b>	CF Design LTD	<b>Contact</b>	Jake Kieper	
<b>Legal Description</b>	Parcel ID Number 010-1550-00060			
<b>Site Visit Date</b>	9/3/19	<b>Sign Notice Date</b>	8/27/19	
<b>Neighbor Letter Date</b>	8/30/19	<b>Number of Letters Sent</b>	7	

**Proposal**

The applicant is proposing the creation of a “hotel” through the addition of four small, detached hotel units to a property currently used as a vacation rental. Once constructed, the existing vacation rental will be included in the new hotel and will no longer be operated as a vacation dwelling unit. The UDC defined use of “hotel” allows detached units to function as a hotel, and requires a special use permit in the MU-N district.

**Staff Recommendation**

Staff recommends that planning commission approve the special use permit with conditions noted below.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	MU-N	Residential (vacation rental)	Low-density Neighborhood
<b>North</b>	RR-1	Undeveloped	Low-density Neighborhood
<b>South</b>	RR-1	Recreation/Open Space	Open Space
<b>East</b>	RR-1	Residential	Low-density Neighborhood
<b>West</b>	R-1	Residential	Low-density Neighborhood

**Summary of Code Requirements**

UDC Section 50-37.10. Special Use Permits: 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.

- 1) The application is consistent with the Comprehensive Land Use;
- 2) The application complies with all applicable provisions of this Chapter; including without limitations to any use-specific standards applicable to the proposed use, development or redevelopment, and is consistent with any approved district plan for the area.
- 3) Without limiting the previous criteria, the Commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts on the community.

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

Governing Principle #4 – Support economic growth sectors: These include outdoor recreation and visitor services. Located near Spirit Mountain, this development is a unique lodging opportunity that will appeal to visitors who appreciate the outdoors.

Future Land Use – Low-density Neighborhood: Single-family housing with urban services. Typified by curvilinear streets, houses with longer dimension parallel to street, and attached garages. Non-residential uses are mainly uses such as schools and churches.

#### Recent History:

- August 28, 2017: City council approved an Interim Use Permit for a vacation dwelling unit. This vacation dwelling unit is expected to continue operating.
- Per Imagine Duluth 2035, Duluth's recent comprehensive plan, this area's current zoning does not match the Future Land Use. Rezoning of the area is likely in the future, and could result in a hotel becoming a nonconforming use. It would be allowed to continue but not expand.
- Per UDC Land Use Supervisor Interpretation #19-004, a hotel can include multiple structures.

### **Review and Discussion Items**

#### Staff finds that:

- 1.) A hotel must have a reception desk staffed at all times. The registration and office are located in a former garage, shown on the site plan.
- 2.) UDC Sec. 50-24 (Parking and loading). The proposed site plan includes 6 parking spaces. The UDC allows a maximum of 5 parking spaces. Applicant has been advised that to allow 6 spaces they must request and receive an Administrative Adjustment from the Land Use Supervisor pursuant to UDC Section 50-37.1.L.5.
- 3.) UDC Sec. 50-25 (Landscaping and Tree Preservation). Given its heavily wooded nature, existing trees and vegetation provide buffers and aesthetic amenities on the site. Applicant is proposing an Alternative Landscaping Plan to formally demonstrate that existing vegetation meets the intent of the UDC. Alternative Landscaping Plans must be approved by the Land Use Supervisor prior to receiving a building permit.
- 4.) UDC Sec. 50-26 (Screening, Walls and Fences). Garbage and recycling will be stored inside an existing shed with no exterior dumpsters on the site; no fences are proposed; and no rooftop or ground-mounted mechanicals will be used.
- 5.) UDC Sec. 50-28 (Stormwater). The development will add additional impervious surface for the cabins and an expansion of the parking area. If additional impervious surface exceeds 3,000 sf in area, permanent stormwater controls will be required.
- 6.) UDC Sec. 50-29 (Sustainability Standards) and 50-30 (Building Design Standards). These requirements do not apply for this project.
- 7.) UDC Sec. 50-31 (Exterior Lighting). The hotel will include bollard-style lighting along grass pathways to the cabins. All lighting over 900 lumens must be full cut-off fixtures that meet UDC requirements.
- 8.) The Fire Marshal has indicated that fire rig access and hydrant locations need to be evaluated for conformance with life safety regulations. No other public or City comments have been received.
- 9.) Applicant will need to ensure utility connections can be made to units if needed, and should work closely with the City's Engineering and Construction Services divisions on plans for these.
- 10.) UDC Section 50-37.1.N states that an approved Special Use Permit will expire if the project or activity authorized by the permit has not begun within one year.

### **Staff Recommendation**

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

- 1.) The project shall be limited to, constructed, and maintained according to the site plan dated 9/30/19 and the floor plans and building elevations dated 8/20/19.
- 2.) The number of parking spaces shall comply with UDC requirements.
- 3.) No permits shall be issued without the approval of the Fire Marshal.
- 4.) 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 administrative approval shall constitute a variance from the provisions of Chapter 50.

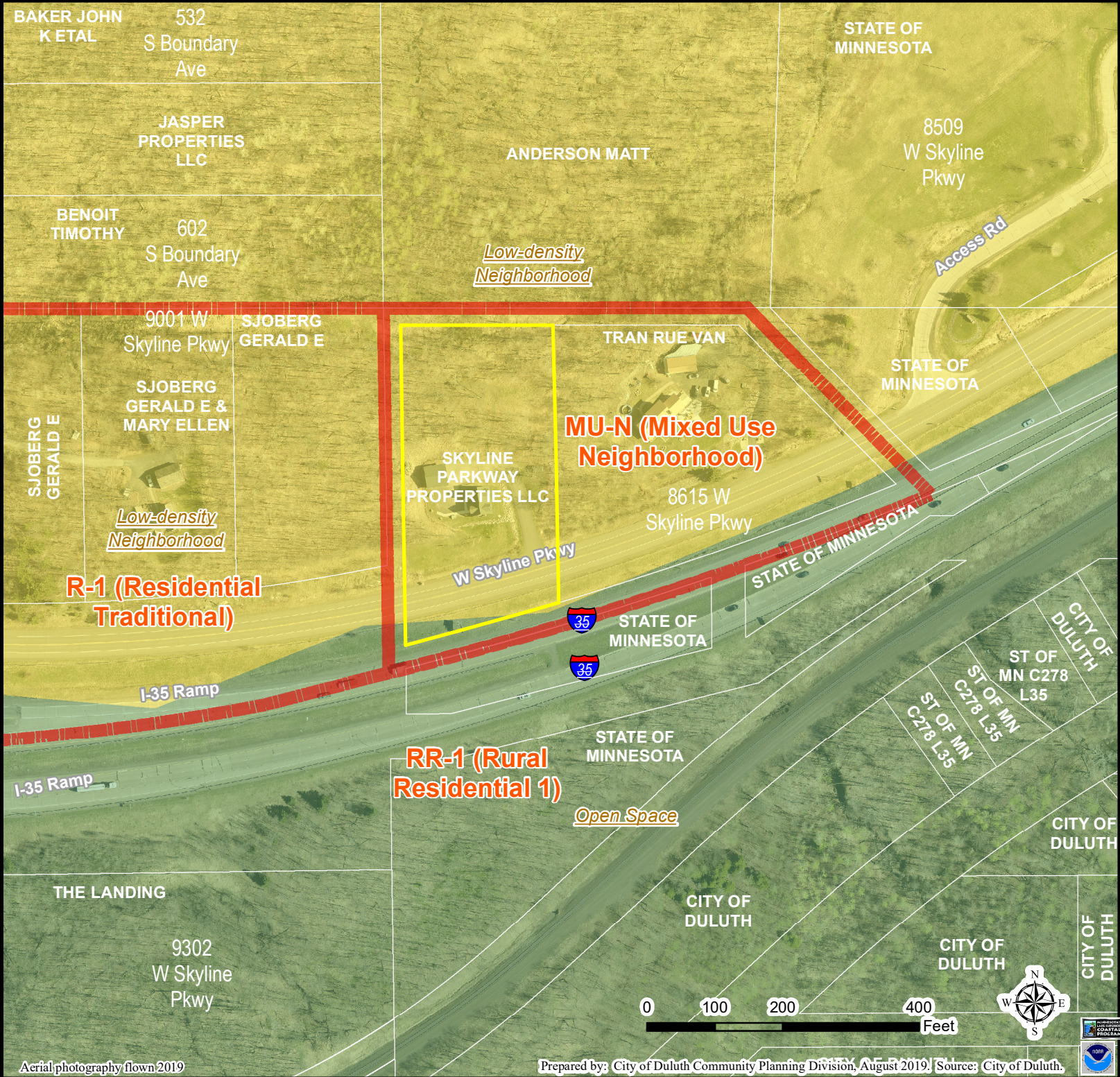




Special Use  
8721 W Skyline Pkwy

**Legend**

- Zoning Boundaries
- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional



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.

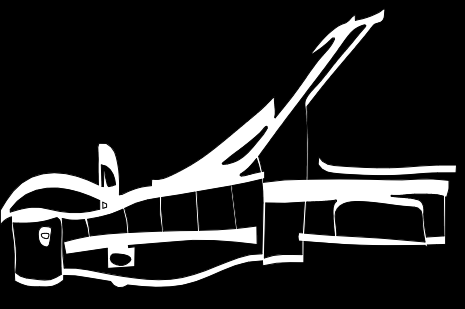
Aerial photography flown 2019

Prepared by: City of Duluth Community Planning Division, August 2019. Source: City of Duluth.

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CITY OF DULUTH

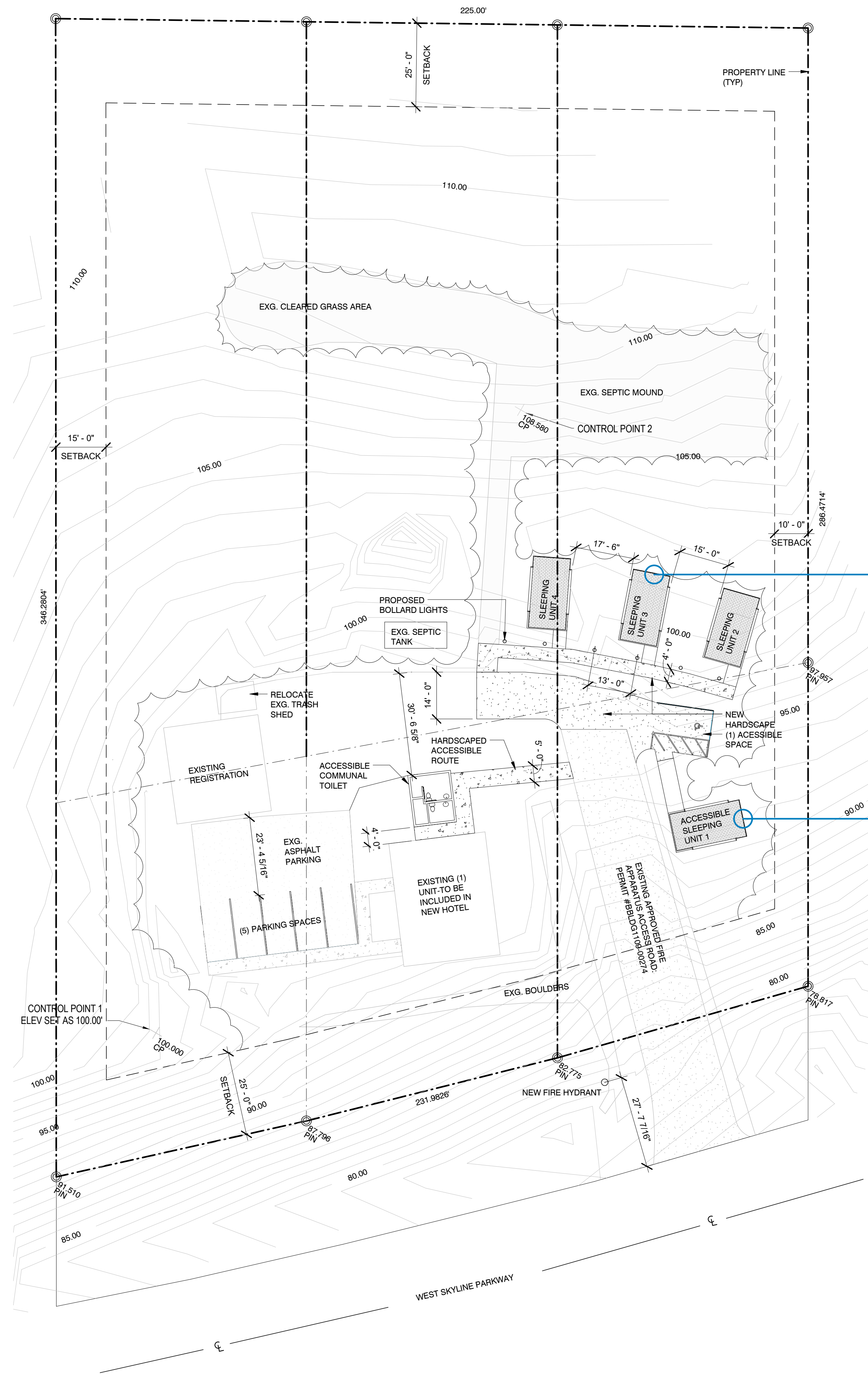




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**SKYLINE PARKWAY CABINS**  
 8721 WEST SKYLINE PARKWAY  
 DULUTH, MN 55810

**NEW SLEEPING & BATH**



**SITE DATA**

SITE AREA: 71,505 SF

NEW SQUARE FOOTAGE:  
 (4) NEW SLEEPING UNITS- 144 SF/UNIT  
 (1) COMMUNAL BATH- 187.50 SF

IMPERVIOUS SURFACE-  
 2,900 SF OF NEW IMPERVIOUS SURFACE PLANNED

SITE ZONED- MU-N- MIXED USE NEIGHBORHOOD

SETBACK REQUIREMENTS=  
 FRONT=25 FT  
 SIDE=15 FT & 10 FT  
 REAR= 25 FT

MAX. BUILDING HT= 35 FT

LEGAL DESCRIPTION  
 FAIRMOUNT GARDENS REARRANGEMENT  
 DULUTH, LOTS 5, 6, 7, 8, 9 AND 10, BLOCK 1,  
 EXCEPT HIGHWAY RIGHT OF WAY

PARCEL ID  
 010-1550-00060

REQ'D PARKING-  
 4 SPACES REQ'D-(1) ADA SPACE

ACTUAL PARKING-  
 (6) PARKING SPACES PROVIDED-(1) ADA SPACE

GENERAL NOTES:  
 1. REFER TO LEGAL PLAT OF SURVEY FOR ADDITIONAL INFORMATION

2. SLOPE ALL FINISHED GRADE AND CONCRETE WALKS AWAY FROM THE BUILDING

3. NO WALK SHALL HAVE MORE THAN A 2% CROSS SLOPE AND SHALL HAVE A LONGITUDINAL SLOPE BETWEEN 2%-5%, BUT SHALL BE AS SHALLOW AS FEASIBLE

4. MIN. FINISHED GRADE SHALL BE 5% SLOPE AWAY FROM THE BUILDING

1 SITE PLAN  
 1" = 20'-0"



#	REVISION	DATE
JTK		
(C) 2019		
09.30.2019		

**A1.00**







## Transmittal Letter

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Date: 09.30.2019

Project: Skyline Parkway Cabins  
8721 West Skyline Parkway  
Duluth, MN 55810

### Alternative Landscaping Plan

Skyline Parkway Properties requests approval of an alternative landscaping plan in lieu of meeting the requirements of UDC section 50-25 for the property at 8721 W Skyline Pkwy. The site has a very rural, wooded quality that the owners are working hard to preserve. Therefore, the site in question is separated (and will remain separated) from neighboring properties to the back yard and (2) side yards by dense forest replete with trees and ground cover of varying sizes. On the front yard side, the existing site improvements of an impervious parking area, registration building, and (1) unit residential structure are setback from the Skyline R.O.W by 75'-0" and are raised above the roadway by 18'-0". The space between Skyline Parkway and existing site improvements has infilled with native ground cover and tall grasses with trees naturally placed throughout. The number of existing trees along the front yard property line exceed the number of trees required by the UDC. Because of the grade change and amount of existing natural elements we believe that the current conditions satisfy the intention of the street frontage landscaping and parking lot landscaping sections. Because of the minimal amount of parking required, there is no interior landscaping required. The (4) new sleeping units are tucked back from the existing site improvements and are strategically placed to avoid disrupting any significant trees of 5" DBH or more. All significant trees will be kept, intact and we only propose to clear small underbrush and minimal small caliper trees. Because of the large amount of existing foliage and natural features of the site and our proposal to cause minimal impact we believe that we are fulfilling the intention of UDC 50-25.

## Transmittal Letter

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Date: 11.19.2018

Project: Skyline Parkway Cabins  
8721 West Skyline Parkway  
Duluth, MN 55810

### **Statement about how the requested use will not have a negative impact on the community, with supporting evidence (such as photos) as needed**

The site in question is located at 8721 West Skyline Parkway and is visible from I-35 near Spirit Mountain. Currently there is a 1 unit vacation rental and garage scaled as a single-family residence perched on the hill. The owners are requesting the approval of a special use in order to construct a “hotel” on the property in the MU-N district. The proposal, however, is not to construct another large multi-room hotel along the I-35 corridor that has dramatic impact on the visual experience as motorists enter Duluth. The proposal is to create (5) unique, separate, 12x12, private sleeping units that are set into the 2 acre landscape to privatize the visitor experience; each unit is invisible to another. The sleeping units float above the forest floor treading lightly on the land to honor and respect the wilderness quality of the property and weave the sleeping units into the forest. Not only are the additional units invisible from I-35 and Skyline Parkway, they are nearly imperceptible directly on site being clad in natural wood to fade into the trees. The new sleeping units are without any kitchen or toilet amenities. The toilet amenities are included in a small 12'-4"x15'-0" communal toilet building. The new building is tucked directly north of the existing vacation rental structure to eliminate any visual impact on neighboring properties. The communal building includes one fully accessible toilet room with shower and one non-accessible toilet room. Both toilet rooms have separate entrances and the building will tie-in to the existing septic system and water utilities. The proposed structures are strategically located to have minimal visual impact on the surrounding neighborhood. The small size of the private sleeping units will lead to minimal (if any) increase in vehicular traffic to the immediate neighborhood.

### **Statement about how the requested use is consistent with the comprehensive plan (12 guiding principles, future land use designation)**

1. Constructing additional sleeping units and a toilet building on an already developed piece of land. Overall, we are proposing to add less than 1,000 SF of built structures to the land. The sleeping units tread lightly on the property and float above the forest floor only impacting the earth with (4) small piers per structure. The owners intend to take advantage of an existing natural path that leads to each individual sleeping unit. The separate toilet building will utilize existing utility infrastructure.
2. The new structures are designed and located to provide minimal disruption to the natural qualities of the existing landscape. Keeping the existing wilderness of the site intact. This is the



type of development that would attract environmentally conscious and active/adventurous visitors.

3. Increasing tax base and providing much needed unique housing options for visitors.
4. Adding to Duluth's economic diversity and providing housing options for visitors interested in the natural landscapes and outdoor recreational opportunities of our community.
5. Neighborhood scaled project with unique visitor housing options.
6. A hotel project unique to Duluth and specific to its site through use of natural materials and a light touch on the land. Weaving small sleeping units into the existing wilderness where the structures and nature exist in unison.
7. Central connectivity to trails and recreation opportunities with easy access to "City" amenities.
8. Provide a unique housing solution with simplicity and economy in mind.
9. Being a good neighbor by constructing buildings that blend in to existing natural landscape and have minimal visual effect on the surroundings while bringing a new and exciting aesthetic to Duluth.
10. The structures are to be constructed on an already developed site and are designed to have minimal impact on the landscape with each being placed on (4) piers. The owners plan to utilize local natural products for building materials. We plan to reuse as much existing infrastructure as possible by letting the existing natural path lead to the new sleeping units and locating the new toilet building to take advantage of existing water and sewer facilities. The new sleeping units will have electricity, but no other utilities will be provided.
11. N/A
12. Utilizing a previously developed site with existing utilities. Conveniently locating new toilet building to utilize existing utilities.