



CITY OF DULUTH

DEPARTMENT OF PLANNING & CONSTRUCTION SERVICES
Community Planning Division
411 West First Street – Room 208 - Duluth, Minnesota 55802-1197
218-730-5580 – An Equal Opportunity Employer

ACTION OF THE CITY OF DULUTH PLANNING COMMISSION

Applicant:

Park Point Marina Inn & Suites LLC
1033 Minnesota Avenue
Duluth, MN 55802

Date: November 14, 2018**Location:** 1033 Minnesota Ave

SENT VIA MAIL, COURTESY COPIES VIA EMAIL TO: ebittery@gmail.com

Planning Commission File Number: PL 18-122

Proposal: The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the southeast side of the existing hotel.

The above matter came for hearing before the City of Duluth Planning Commission ("Commission") on Tuesday, October 9, 2018, notice of said hearing having been given to all interested parties in accordance with Section 50-37.11 of the Duluth Legislative Code. The applicant's representative appeared and presented their request to the Commission. The Commission also received a report from Planning Division Staff. All other parties interested in the matter were given an opportunity to be heard. The matter was tabled for further information and reconsidered at the regular Planning Commission meeting on Tuesday, November 13, 2018. The Commission now makes the findings and conclusions:

Findings of Fact:

- 1) The applicant is proposing a 3 story, 6,100 square foot, 15 room addition to the existing hotel. According to the St. Louis County Assessor, the existing structure is three stories, was built in 2014, and has a total area of approximately 48,000 square feet, with a main floor area of approximately 19,800 square feet. There are 68 existing guest rooms. With 15 additional rooms, this will be an 83 room hotel.
- 2) The MU-W district is intended to provide for waterfront-dependent commercial uses and medium to high density residential development. Intended nonresidential uses include visitor-related retail and services, lodging, recreational facilities and maritime uses, as well retail and service uses that take advantage of the waterfront setting. This project meets the intent of the MU-W district.
- 3) 50-15.6.E (Development Standards) – #2 The proposed expansion will meet the required minimum 50 foot setback from adjacent structures. #4 Applicant states the project will meet the minimum 40% transparency requirement along the waterfront. #5 The proposed expansion will add rooms and take away existing off-street parking spaces; see item 5 below.
- 4) 50-18.1 (Natural Resources Overlay District) - Site is within a floodplain and will need to meet elevation requirements. Structure meets the 50 foot shoreland setback requirements. The proposed plan eliminates some stormwater control features (landscape island SE corner of the site). According to City Engineering, this infiltration basin will need to be replaced somewhere else on the site, with plans for its replacement completed prior to issuance of a building permit.
- 5) 50-23 (Connectivity) – No new sidewalk or connection is being proposed. There is an existing connecting sidewalk from the hotel to the Minnesota Avenue right of way. The existing partial public sidewalk is in poor condition on the bay side of Minnesota Avenue (east of 11th Street South right of way). If the public sidewalk is to be used as a pedestrian connection to off-site parking, it must be replaced by Applicant.
- 6) 50-24 (Parking) - Off-street parking requirements for hotels are based on the number of rooms and accessory areas. 87 parking spaces are required. The applicant is proposing 74 off-street parking spaces. The 30% reduction is not applicable here because of the site's location related to adjacent R-1 properties. This site was previously developed with the 30% reduction for transit proximity; however, the proposed 15-room addition is located on previously required parking areas. The addition of hotel rooms will increase parking demand. Additional staff evaluation of transit use by hotel customers or employees indicates that such use is negligible based on the lack of regular, reliable transit service in this location. The application fails to demonstrate that nearby properties provide supplemental on-

street or off-street parking. The site plan indicates that the hotel will rely on the adjacent marina's drive aisle for parking access, and that an easement for this use has been recorded.

- 7) 50-25 (Landscaping and Tree Preservation) - Landscape Plans indicate that the proposed expansion project will provide the required tree canopy coverage and frontage landscaping requirements.
- 8) 50-26 (Screening, Walls and Fences) - Applicant is not proposing any ground-mounted or roof-top mechanicals. If any are added they will need to meet the UDC requirements for screening.
- 9) 50-27 (Signage) - Applicant is not proposing any additional signage; any signs will need to apply for and receive a permit prior to installation.
- 10) 50-29 (Sustainability Standards and Building Design Standards) – This addition has to comply with the standards that the original hotel (PL 12-028 and PL 12-078) had submitted.
- 11) 50-31 (Exterior Lighting) - Applicant is not adding any new lighting, and is removing two existing light poles.
- 12) No public or state agency comments have been received to date on this application.

Conclusions:

- A. The request is in harmony with the purposes and intent of the UDC.
- B. The request is consistent with the comprehensive plan.
- C. The request will allow reasonable use of the land.

Decision:

Resolved that application PL 18-122, MU-W Planning Review for a 3 story, 6,100 square foot, 15 room addition to the southeast side of the existing hotel, is approved (Planning Commission vote 4-3), subject to the following conditions:

1. Applicant must apply for a building permit within 180 days of Planning Commission approval. No administrative extensions shall be granted.
2. To protect the viability of the current Planning Review and its basis in establishing parameters to protect the health, safety, and welfare of the community, any further applications submitted within 180 days of Planning Commission approval by Applicant for further Planning Commission review related to Subject Property shall nullify the current action of the Planning Commission,
3. Prior to issuance of a building permit, Applicant shall submit professionally drawn elevations signed by a Licensed Architect that include measurements demonstrating that the façade facing the water meets the 40% transparency requirement of the UDC.
4. Prior to issuance of a building permit, Applicant shall provide an additional 13 parking spaces on or immediately adjacent to the site, or demonstrate that supplemental parking is available within 500 feet of the site with off-street pedestrian access using a trail or sidewalk connecting to the hotel's primary entrance.
5. Any alterations to the approved plans must be reviewed by the Planning Commission as part of a subsequent update to the Mixed-Use Waterfront Planning Review.

Decided at Duluth, Minnesota, on Tuesday, November 13, 2018.

BY ORDER OF THE CITY PLANNING COMMISSION



Keith Hamre, Director of Planning and Construction Services

Please note:

Planning reviews approved by the Planning Commission shall lapse if the project or activity authorized by the permit is not begun within 1 year of the permit date. The building official may extend this period one time for a period of up to 1 year if the property owner presents a written request showing the reasons for the delay was outside the owner's control (UDC Sec. 50-37.1.N).

NOTICE OF RIGHT TO APPEAL

Any person aggrieved by, or any department of the city affected by, any decision of the Commission may appeal the decision of the Commission to the Duluth City Council pursuant to Section 50-37.10(4) of the Duluth Legislative Code. The appeal must be filed with the city clerk within 10 days of the decision. The appeal should be addressed to the council and specify the grounds for the appeal. The fee for an appeal is \$350.00. The appeal fee must be tendered when the appeal is filed.