



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 22-143	Contact	Chris Lee, clee@duluthmn.gov	
Type	MU-C Planning Review	Planning Commission Date		September 13, 2022
Deadline for Action	Application Date	September 7, 2022	60 Days	September 19, 2022
	Date Extension Letter Mailed	September 7, 2022	120 Days	November 18, 2022
Location of Subject	Sundby Road and W Page Street			
Applicant	Kinseth Hotel Corporation	Contact	Aaron Mailey	
Agent	Northland Consulting Engineers	Contact	David Bolf	
Legal Description	Parcel ID Number 010-2710-04594			
Site Visit Date	September 1, 2022	Sign Notice Date	August 30, 2022	
Neighbor Letter Date	August 31, 2022	Number of Letters Sent	15	

Proposal

The applicant is proposing to construct a 4-story hotel with 112 parking stalls.

Staff Recommendation

Staff is recommending that planning commission approve the planning review.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Undeveloped	Central Business Secondary
North	MU-C	Undeveloped	Central Business Secondary
South	MU-C	Undeveloped	Central Business Secondary
East	MU-C	Undeveloped	Low Density Residential
West	RR-1	Commercial - Retail	Open Space

Summary of Code Requirements

50-15.3.E MU-C District – Planning review by the Planning Commission is required for most development and redevelopment. Development Standards:

1. The location, size and number of curb cuts shall be designed to minimize traffic congestion or hazard in the area. Any traffic control improvements required as a result of the proposal such as traffic signals, turning lanes, medians, signage and other types of improvements necessary to accommodate traffic flow to and from the proposed project shall be paid for by the property owner. Any additional right-of-way or easements needed shall be provided by the property owner at no cost to the city;
2. Any necessary public easements over the subject property shall be dedicated, and any necessary improvements within such easements or other easements adjacent to the subject property shall be made.

50-18.1 Shoreland, Flood Plains, Wetlands, Stormwater.

50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.

50-24 Parking and Loading – Addresses required parking spaces, loading docks, and snow storage.

50-25 Landscaping and Tree Preservation – Landscaping requirements and tree preservation

50-26 Screening, Walls, and Fences – Screening of equipment, loading areas, etc., plus fences & retaining walls.

50-29 Sustainability Standards – Sustainability point system for new development.

50-30 Design Standards – Building standards for multi-family, commercial, institutional, and industrial buildings.

50-31 Exterior Lighting – Directs the minimum and maximum illumination values and lighting fixtures for a site.

50-37.11 Planning Review – 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.

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

Governing Principles

Governing Principle #4 – Support economic growth sectors, including tourism.

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.

Review and Discussion Items

Staff finds:

- 1) The applicant is proposing to construct a 4 story, 51' tall hotel. The applicant will be required to verify the maximum height of the structure at the time of building permit application.
- 2) 50-15.3 (MU-C District) –Not Applicable: The applicant is not proposing any public easements.
- 3) 50-18.1.B (Wetlands) – Wetland delineation performed June 2022 show that wetlands are present on site, but will not be impacted.
- 4) 50-18.1.E (Stormwater Management) –Storm water will be routed to two basins that will discharge to adjacent wetlands.
- 5) 50-23 (Connectivity) – Not applicable as Sundby Road does not have sidewalks nor is it shown on any bikeways, trail, or pedestrian plan.
- 6) 50-24 (Parking) – The plan shows 112 parking stalls which is the maximum (2 spaces per 3 guest rooms): 53 in the front, 58 in the rear and side.
- 7) 50-25 (Landscaping) – The landscape plan shows 21 trees, exceeding the required 19 for parking lot coverage. The required frontage landscaping is met with 33 trees and 149 shrubs. The applicant will must provide details of interior parking lot landscaping that meets the UDC requirements in 50-25.4.B
- 8) 50-26 (Screening) – The applicant proposes UDC compliant trash enclosure in the north corner of the parking lot. Any ground mounted or roof mounted mechanicals are required to be screened.
- 9) 50-27 (Signs) – None shown, but can be obtained via a separate permit.
- 10) 50-29 (Sustainability) – This development will be required to obtain a minimum of 4 sustainability points.
- 11) 50-30 (Design Standards) – The proposed plans meet requirements.
- 12) 50-31 (Exterior Lighting) – The applicant has submitted a photometric plan that indicates UDC compliant lighting.
- 13) No comments have been received from City or other agencies or the general public.
- 14) Per UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized is not begun within one year, which may be extended for one additional year at the discretion of the Land Use Supervisor

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission the Planning Review with the following conditions:

- 1.) Applicant shall construct and maintain the project as identified in the attached exhibits.
- 2.) Applicant shall verify that the height meets the maximum allowed in the MU-C zone district.
- 3.) Applicant shall show on the landscaping plans that interior parking lot landscaping requirement is meet prior to staff approval of the building permit.
- 4.) Applicant shall submit details of any mechanical screening prior to approval of the building permit.
- 5.) Applicant shall submit plans that indicate a minimum of 4 sustainability points are achieved.
- 6.) 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL22-143
CUP, Plan Review
Sundby Road

Legend

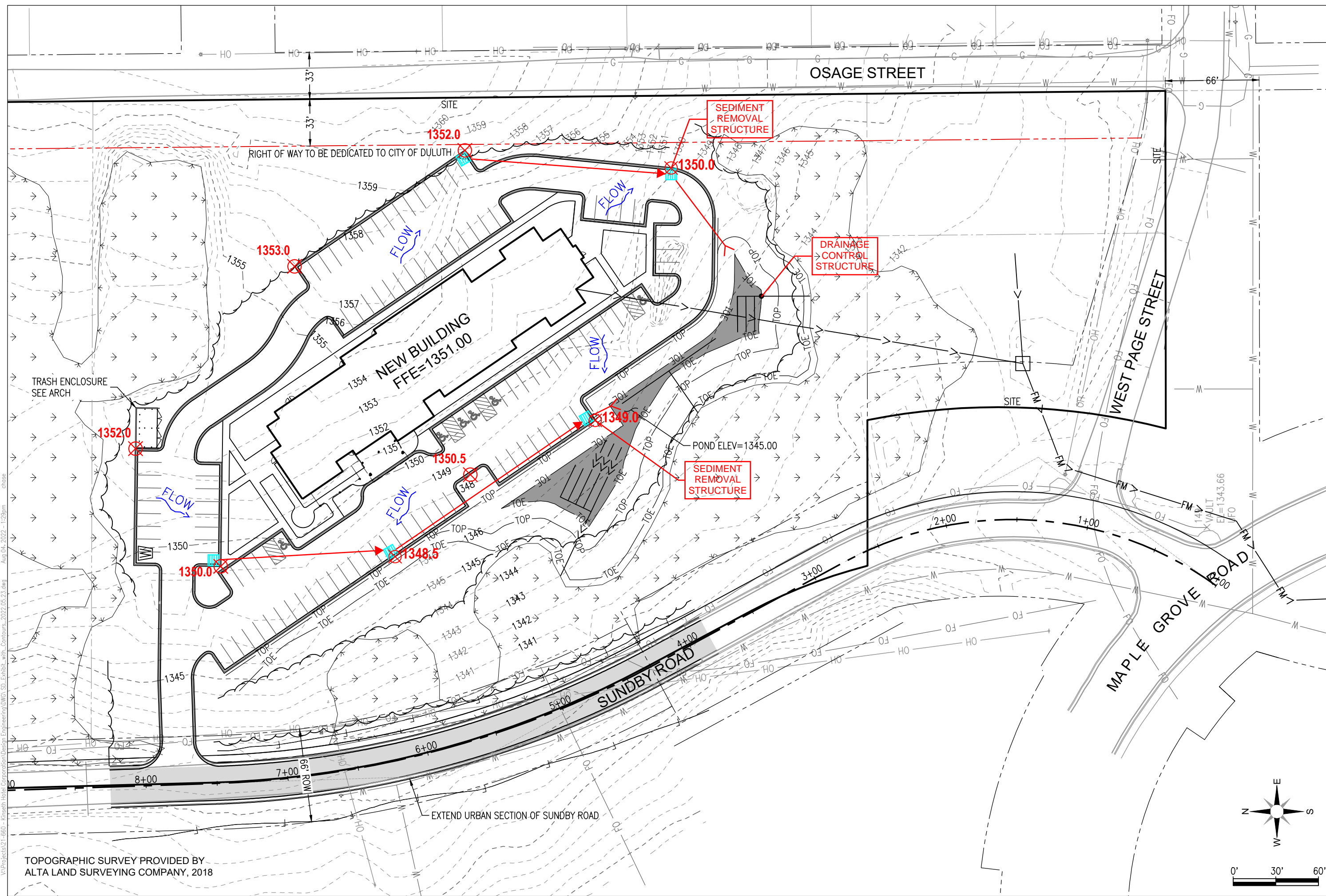
- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains
 - CITY OF DULUTH
 - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains
 - Storm Sewer Pipe
 - Storm Sewer Catch Basin
- Zoning Boundaries



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.

Aerial photography flown 2019

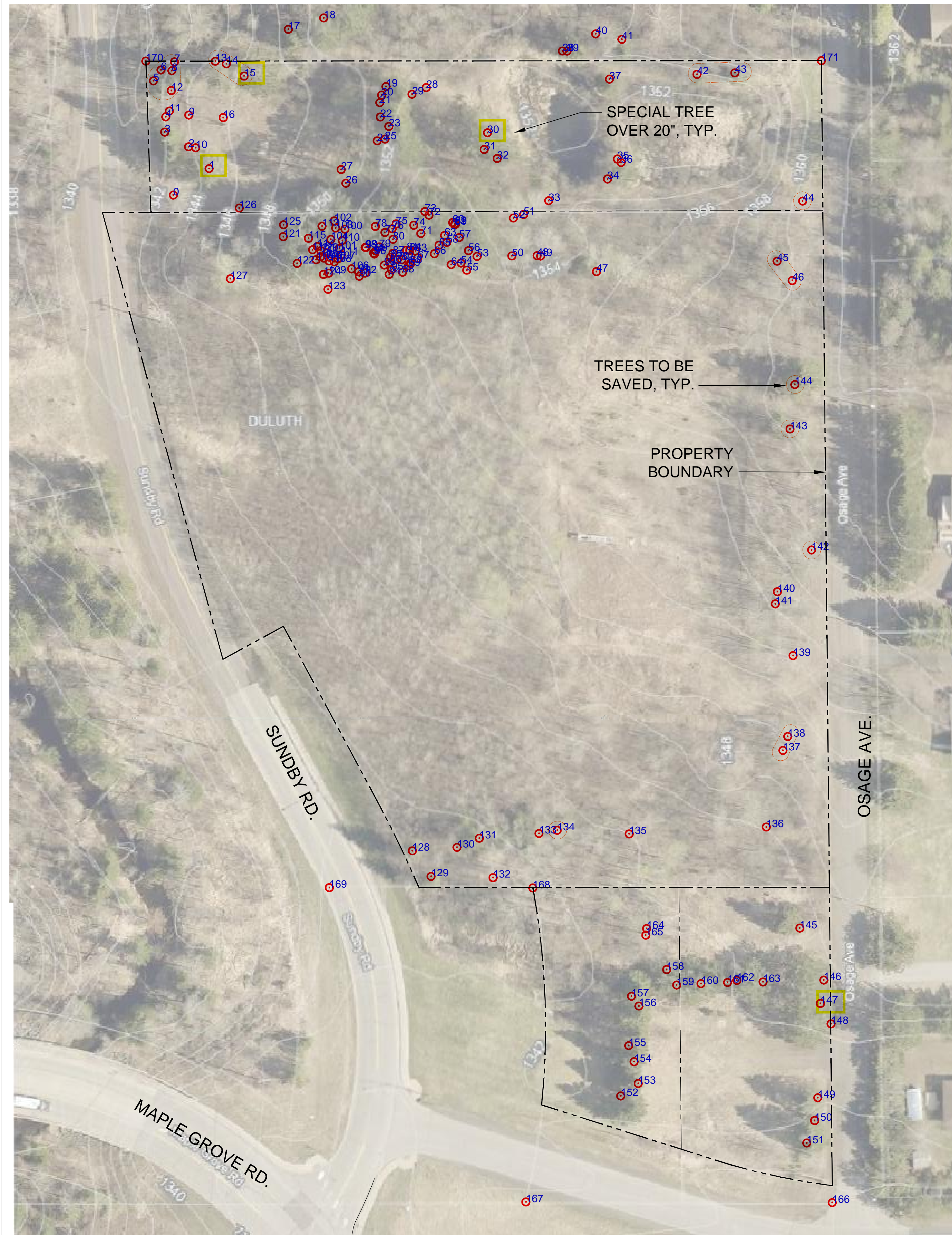
Prepared by: City of Duluth Planning & Economic Development, October 5, 2021, Source: City of Duluth



TOPOGRAPHIC SURVEY PROVIDED BY
ALTA LAND SURVEYING COMPANY, 2018

revision	
Proj: 21-660	
Date: 08/04/22	
Drawn: JDO	
Checked: DGB	
SD SITE PLAN	
Sheet Title	
Sheet Number	1 OF 1

V:\Projects\21-660 - Kinseth Hotel Corporation\Design\Engineering\DWG\SD_Exhibit_with_Contours_2022.05.23.dwg
 Aug 04, 2022 - 1:29pm chese



Pt ID	Species	Diameter	Comment	UDC Classification
0	White Birch	10.75	Removed	Tree of Interest
1	White Spruce	22.00	Removed	Special Tree
2	Balsam Fir	14.25	Removed	Tree of Interest
3	Balsam Fir	10.50	Removed	Tree of Interest
4	White Spruce	17.50	Removed	Special Tree
5	Balsam Fir	13.75	SAVED	Tree of Interest
6	White Spruce	13.50	SAVED	Special Tree
7	White Spruce	10.00	SAVED	Special Tree
8	White Spruce	12.50	SAVED	Special Tree
9	Silver Maple	16.25	Removed	Tree of Interest
10	Silver Maple	29.50	Removed	Tree of Interest
11	Silver Maple	11.25	Removed	Tree of Interest
12	Silver Maple	13.00	SAVED	Tree of Interest
13	White Spruce	15.25	SAVED	Special Tree
14	White Spruce	12.25	SAVED	Special Tree
15	Red Pine	23.25	SAVED	Special Tree
16	White Birch	14.00	Removed	Tree of Interest
17	Balsam Fir	13.50	Off Property	Tree of Interest
18	Red Pine	17.50	Off Property	Special Tree
19	White Spruce	16.25	Removed	Special Tree
20	White Spruce	12.75	Removed	Special Tree
21	White Spruce	12.50	Removed	Special Tree
22	White Spruce	15.75	Removed	Special Tree
23	Red Pine	15.75	Removed	Special Tree
24	Red Pine	15.50	Removed	Special Tree
25	Red Pine	18.25	Removed	Special Tree
26	Red Pine	19.00	Removed	Special Tree
27	Red Pine	17.50	Removed	Special Tree
28	Sugar Maple	15.25	Removed	Special Tree
29	Red Oak	7.00	Removed	Tree of Interest
30	Red Pine	22.50	Removed	Special Tree
31	Red Pine	19.75	Removed	Special Tree
32	Jack Pine	18.50	Removed	Tree of Interest
33	White Spruce	7.75	Removed	Tree of Interest
34	Red Pine	12.75	Wetland Tree	Special Tree
35	Tamarack	7.00	Wetland Tree	Tree of Interest
36	Jack Pine	8.50	Wetland Tree	Tree of Interest
37	White Spruce	8.50	Wetland Tree	Special Tree
38	White Spruce	13.00	Off Property	Special Tree
39	White Spruce	9.75	Off Property	Special Tree
40	White Birch	12.00	Off Property	Tree of Interest
41	White Spruce	12.75	Off Property	Special Tree
42	White Spruce	7.75	SAVED	Tree of Interest
43	White Spruce	7.50	SAVED	Tree of Interest
44	Tamarack	9.25	SAVED	Tree of Interest
45	White Birch	10.50	SAVED	Tree of Interest
46	Green Ash	11.25	SAVED	Tree of Interest
47	Quaking Aspen	16.00	Removed	Tree of Interest
48	Paper Birch	11.25	Removed	Tree of Interest
49	Quaking Aspen	17.00	Removed	Tree of Interest
50	Quaking Aspen	13.50	Removed	Tree of Interest
51	Quaking Aspen	10.25	Removed	Tree of Interest
52	Quaking Aspen	11.50	Removed	Tree of Interest
53	Red Pine	14.50	Removed	Special Tree
54	Red Pine	12.50	Removed	Special Tree
55	Red Pine	10.50	Removed	Special Tree
56	Red Pine	14.00	Removed	Special Tree
57	Red Pine	10.50	Removed	Special Tree
58	Red Pine	10.00	Removed	Special Tree
59	Red Pine	11.50	Removed	Special Tree
60	Red Pine	13.75	Removed	Special Tree
61	Red Pine	11.75	Removed	Special Tree
62	Red Pine	10.50	Removed	Special Tree
63	Red Pine	8.25	Removed	Special Tree
64	Red Pine	14.00	Removed	Special Tree
65	Red Pine	11.75	Removed	Special Tree
66	Red Pine	6.50	Removed	Tree of Interest
67	Red Pine	10.25	Removed	Special Tree
68	Red Pine	15.00	Removed	Special Tree
69	Red Pine	13.75	Removed	Special Tree
70	Red Pine	10.00	Removed	Special Tree
71	Red Pine	12.00	Removed	Special Tree
72	Red Pine	13.00	Removed	Special Tree
73	Red Pine	12.75	Removed	Special Tree
74	Red Pine	9.25	Removed	Special Tree
75	White Birch	13.00	Removed	Tree of Interest
76	Red Pine	12.25	Removed	Special Tree
77	Red Pine	10.50	Removed	Special Tree
78	Red Pine	13.25	Removed	Special Tree
79	Red Pine	9.50	Removed	Special Tree
80	Red Pine	7.25	Removed	Tree of Interest
81	Red Pine	7.75	Removed	Tree of Interest
82	Red Pine	8.00	Removed	Special Tree
83	Red Pine	8.00	Removed	Special Tree
84	Red Pine	8.75	Removed	Special Tree
85	Red Pine	9.25	Removed	Special Tree

Pt ID	Species	Diameter	Removed	UDC Classification
86	Red Pine	10.75	Removed	Special Tree
87	Red Pine	10.25	Removed	Special Tree
88	Red Pine	14.25	Removed	Special Tree
89	Red Pine	8.25	Removed	Special Tree
90	Red Pine	15.00	Removed	Special Tree
91	Red Pine	6.75	Removed	Special Tree
92	Red Pine	14.00	Removed	Special Tree
93	Red Pine	8.00	Removed	Special Tree
94	Red Pine	6.50	Removed	Tree of Interest
95	Red Pine	9.50	Removed	Special Tree
96	Red Pine	8.00	Removed	Special Tree
97	Red Pine	10.50	Removed	Special Tree
98	Red Pine	10.50	Removed	Special Tree
99	Red Pine	8.75	Removed	Special Tree
100	Red Pine	8.25	Removed	Special Tree
101	Red Pine	10.50	Removed	Special Tree
102	Red Pine	11.00	Removed	Special Tree
103	Red Pine	11.50	Removed	Special Tree
104	Red Pine	10.00	Removed	Special Tree
105	Red Pine	8.75	Removed	Special Tree
106	Red Pine	7.50	Removed	Tree of Interest
107	Red Pine	8.50	Removed	Special Tree
108	Red Pine	10.50	Removed	Special Tree
109	Red Pine	6.25	Removed	Tree of Interest
110	Red Pine	14.20	Removed	Special Tree
111	Red Pine	7.50	Removed	Tree of Interest
112	Red Pine	10.00	Removed	Special Tree
113	Red Pine	14.00	Removed	Special Tree
114	Red Pine	11.75	Removed	Special Tree
115	Red Pine	14.50	Removed	Special Tree
116	Red Pine	9.75	Removed	Special Tree
117	Red Pine	8.50	Removed	Special Tree
118	Red Pine	6.50	Removed	Tree of Interest
119	Red Pine	8.75	Removed	Special Tree
120	Red Pine	6.00	Removed	Tree of Interest
121	Red Pine	14.00	Removed	Special Tree
122	Red Pine	16.00	Removed	Special Tree
123	Red Pine	16.00	Removed	Special Tree
124	Red Pine	14.75	Removed	Special Tree
125	Balsam Fir	10.50	Removed	Tree of Interest
126	White Spruce	9.25	Removed	Special Tree
127	Quaking Aspen	14.75	Removed	Tree of Interest
128	White Spruce	12.50	Wetland Tree	Special Tree
129	White Spruce	9.50	Wetland Tree	Special Tree
130	White Spruce	8.25	Wetland Tree	Special Tree
131	White Spruce	11.50	Wetland Tree	Special Tree
132	Quaking Aspen	10.25	Wetland Tree	Tree of Interest
133	Quaking Aspen	10.25	Wetland Tree	Tree of Interest
134	Quaking Aspen	11.00	SAVED	Tree of Interest
135	Quaking Aspen	11.50	Wetland Tree	Tree of Interest
136	Quaking Aspen	12.25	Wetland Tree	Tree of Interest
137	Quaking Aspen	11.25	SAVED	Tree of Interest
138	Quaking Aspen	10.75	SAVED	Tree of Interest
139	Quaking Aspen	10.00	Removed	Tree of Interest
140	Quaking Aspen	10.75	Removed	Tree of Interest
141	Quaking Aspen	11.00	Removed	Tree of Interest
142	Quaking Aspen	11.75	SAVED	Tree of Interest
143	White Spruce	9.50	SAVED	Special Tree
144	White Spruce	17.75	SAVED	Special Tree
145	White Spruce	16.25	Out of Development Area	Special Tree
146	Red Pine	18.50	Out of Development Area	Special Tree
147	Red Pine	20.00	Out of Development Area	Special Tree
148	Red Pine	19.50	Out of Development Area	Special Tree
149	White Spruce	19.50	Out of Development Area	Special Tree
150	White Spruce	15.25	Out of Development Area	Special Tree
151	Balsam Fir	12.50	Out of Development Area	Tree of Interest
152	White Spruce	17.50	Out of Development Area	Special Tree
153	White Spruce	18.00	Out of Development Area	Special Tree
154	White Spruce	16.00	Out of Development Area	Special Tree
155	White Spruce	14.25	Out of Development Area	Special Tree
156	White Spruce	19.50	Out of Development Area	Special Tree
157	White Spruce	16.75	Out of Development Area	Special Tree
158	Red Pine	13.25	Out of Development Area	Special Tree
159	Red Pine	17.75	Out of Development Area	Special Tree
160	White Spruce	10.50	Out of Development Area	Special Tree
161	White Spruce	9.50	Out of Development Area	Special Tree
162	White Spruce	10.50	Out of Development Area	Special Tree
163	Red Pine	17.00	Out of Development Area	Special Tree
164	Balsam Poplar	11.50	Out of Development Area	Tree of Interest
165	Balsam Poplar	14.50	Out of Development Area	Tree of Interest
166		0.00	Property Corner	
167		0.00	Property Corner	
168		0.00	Property Corner	
169		0.00	Property Corner	
170		0.00	Property Corner	
171		0.00	Property Corner	



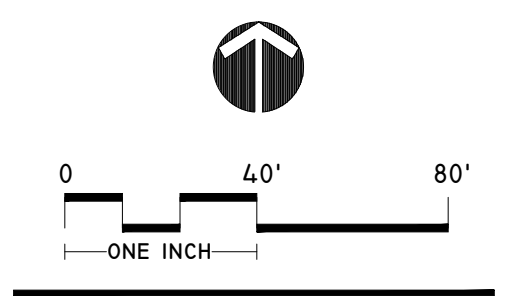
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 MAIL@SASLANDARCH.COM

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ISSUE RECORD/REVISION

PURPOSE	DATE

KINSETH HOTEL CORPORATION
 SUNDBY RD.
 DULUTH, MINNESOTA



SHEET TITLE
TREE INVENTORY

DATE: 8/5/2022
 DRAWN BY: AMA
 CHECKED BY: LWS

PROJECT NUMBER
 22100

SHEET NUMBER
 L-1.0

Aug 05, 2022 - 10:26am
 P:2210 - Sundby Road Utility Street - 2210 - Sundby Rd Interchange



LANDSCAPE ARCHITECTURE

+ ASSOCIATES

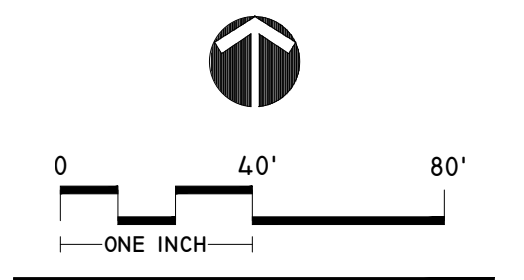
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ISSUE RECORD/REVISION	
PURPOSE	DATE

KINSETH HOTEL CORPORATION
 SUNDBY RD.
 DULUTH, MINNESOTA



SHEET KEY

SHEET TITLE
UDC LANDSCAPE PLAN

DATE: 8/5/2022

DRAWN BY: AMA

CHECKED BY: LWS

PROJECT NUMBER
22100

SHEET NUMBER
L-1.1

UDC CALCULATIONS	
PARKING LOT SIZE:	45,545 SF (112 SPACES)
INTERIOR LANDSCAPING:	45,545 SF PARKING AREA INTERNAL ISLANDS REQUIRED: 6,832 SF PROVIDED: 3,705 SF (8.1%) 1 TREE/300 SF INTERNAL LANDSCAPE AREA REQUIRED: 19 TREES PROVIDED: 21 TREES MINIMUM 30% TREE CANOPY REQUIRED REQUIRED: 13,664 SF PROVIDED: 14,014 SF
STREET FRONTAGE #1 LINEAR STREET FOOTAGE:	SUNDBY RD. 600 LF
TREES:	1 TREE/35 FT. LINEAR FRONTAGE REQUIRED: 17 TREES PROVIDED: 17 TREES
SHRUBS:	3 LARGE SHRUBS/25 FT. LINEAR FRONTAGE REQUIRED: 72 LARGE SHRUBS/GRASSES PROVIDED: 82 LARGE SHRUBS/GRASSES
STREET FRONTAGE #2 LINEAR STREET FOOTAGE:	OSAGE AVE. 550 LF
TREES:	1 TREE/35 FT. LINEAR FRONTAGE REQUIRED: 16 TREES PROVIDED: 16 TREES
SHRUBS:	3 LARGE SHRUBS/25 FT. LINEAR FRONTAGE REQUIRED: 66 LARGE SHRUBS/GRASSES PROVIDED: 67 LARGE SHRUBS/GRASSES
ALL PLANT SELECTIONS WILL MEET UDC REQUIREMENTS ALL SHRUB PLANTING BEDS TO INCLUDE 3-4" SHREDDED HARDWOOD MULCH WITH LANDSCAPE FABRIC ALL DISTURBED AREAS NOT PLANTED WITH SHRUBS/TREES ARE TO BE SODDED OR PLANTED WITH NATIVE GRASSES; SEE PLANS FOR DETAIL.	

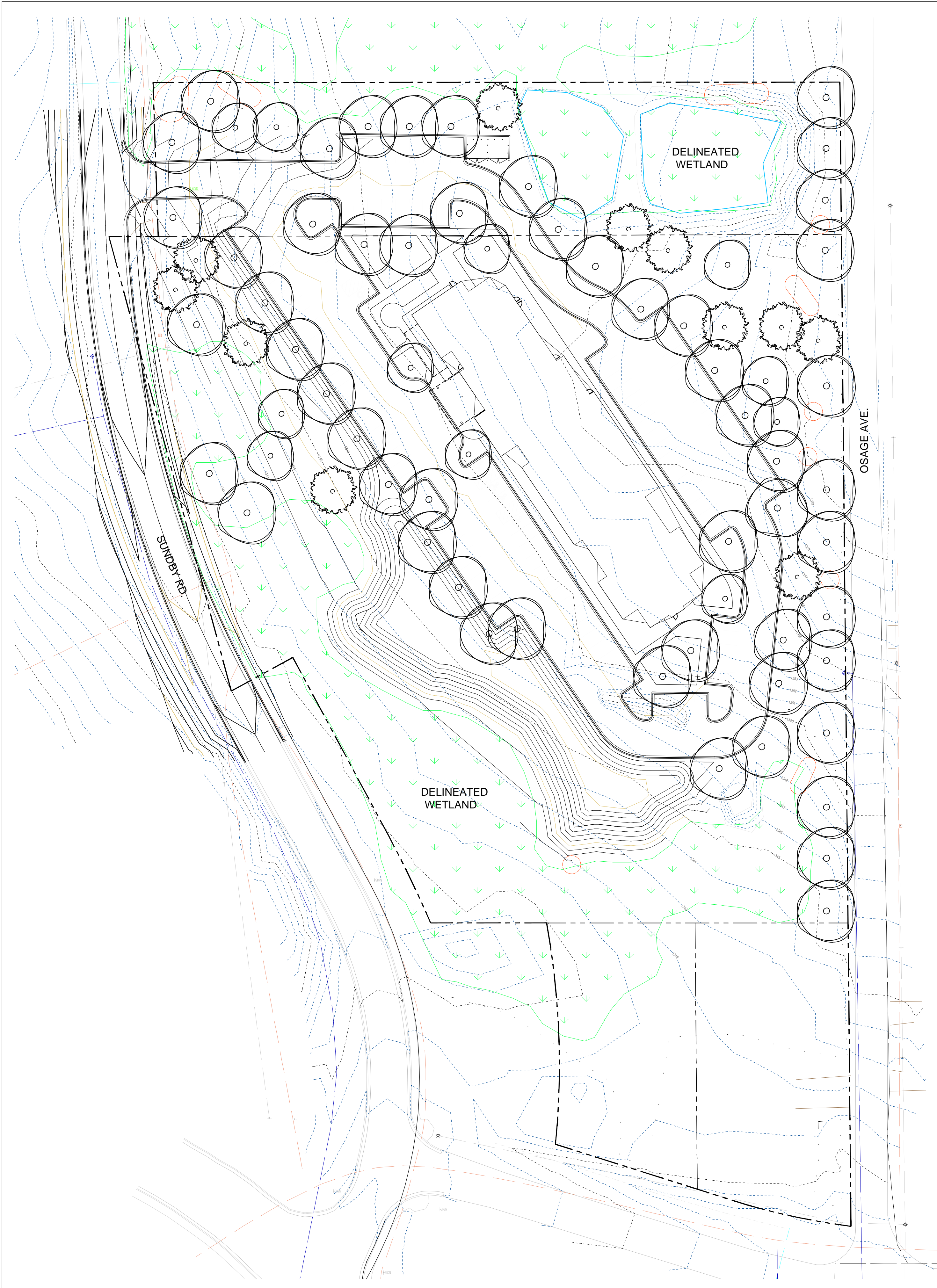
LANDSCAPE KEY

	Common Name	Scientific Name	Size	Type	Quantity	Height	Width
TREES							
AM	Apollo Maple	Acer saccharum 'Barrett Cole'	2.5"	B&B		25'	10-15'
BL	Boulevard Linden	Tilia americana 'Boulevard'	2.5"	B&B		50-60'	25-30'
FFM	Fall Fiesta Maple	Acer saccharum 'Bailsta'	2.5"	B&B		50-75'	50'
JE	Jefferson Elm	Ulmus americana 'Jefferson'	2.5"	B&B		70'	50'
MSO	Majestic Skies Oak	Quercus ellipsoidalis 'Bailskies'	2.5"	B&B		60'	45'
NFM	Northern Flare Maple	Acer saccharum 'Sisseton'	2.5"	B&B		40-50'	30-40'
NP	Norway Pine	Pinus resinosa	6"	B&B		50-80'	30-40'
PE	Princeton Elm	Ulmus americana 'Princeton'	2.5"	B&B		60'	40'
SL	Sentry Linden	Tilia americana 'McKSentry'	2.5"	B&B		40-45'	25-30'
SWO	Swamp White Oak	Quercus bicolor	2.5"	B&B		50-60'	40-50'
WRS	White Spruce	Picea glauca	6"	B&B		40-60'	15-20'
SHRUBS							
APS	Acrocona Pusch Spruce	Picea abies 'Acrocona Pusch'	#3	Container		2-3'	3-4'
BBH	Butterfly Bush Honeysuckle	Diervilla sessilifolia 'Butterfly'	#2	Container		3-5'	3-4'
DPB	Double Play Big Bang Spirea	Spiraea japonica 'Tracy'	#2	Container		2-3'	2-3'
LGI	Lime Glow Juniper	Juniperus horizontalis 'Lime Glow'	#3	Container		18"	3-5'
ORNAMENTAL GRASSES							
ORG	Overdam Feather Reed Grass	Calamagrostis x acutiflora 'Overdam'	#1	Container		24-36"	18"
SSG	Shenandoah Red Switch Grass	Panicum virgatum 'Shenandoah'	#1	Container		36"	24"
TPD	Tara Prairie Dropseed	Sporobolus heterolepis 'Tara'	#1	Container		18-24"	12"

LEGEND

- PARKING LOT AREA
- PARKING LOT TREE CANOPY COVERAGE
- INTERNAL PARKING LOT ISLANDS
- PARKING LOT TREE
- LANDSCAPE EDGER

Aug 05, 2022 - 10:52am
 P:\2210 - Sundby Road Hotel\SiteB - 2210 - Sundby Rd\Reed.dwg



TREE PRESERVATION AND REPLACEMENT PLAN			
TREE PRESERVATION CREDITS (50-25.6)			
DBH of Preserved Tree	Quantity	# of Trees Credited	Total
Over 12 in.	8	3	24
8 in. to 11.9 in.	9	2	18
5 in. to 7.9 in.	2	1	2
TOTAL TREE CREDITS		44	

TREES TO BE REMOVED			
SPECIAL TREES			
ID NO.	Species	DBH	UDC Designation
1	White Spruce	22.00	Special Tree
4	White Spruce	17.50	Special Tree
19	White Spruce	16.25	Special Tree
20	White Spruce	12.75	Special Tree
21	White Spruce	12.50	Special Tree
22	White Spruce	15.75	Special Tree
23	Red Pine	15.75	Special Tree
24	Red Pine	15.50	Special Tree
25	Red Pine	18.25	Special Tree
26	Red Pine	19.00	Special Tree
27	Red Pine	17.50	Special Tree
28	Sugar Maple	15.25	Special Tree
30	Red Pine	22.50	Special Tree
31	Red Pine	19.75	Special Tree
53	Red Pine	14.50	Special Tree
54	Red Pine	12.50	Special Tree
55	Red Pine	10.50	Special Tree
56	Red Pine	14.00	Special Tree
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93	Red Pine	8.00	Special Tree
95	Red Pine	9.50	Special Tree
96	Red Pine	8.00	Special Tree
97	Red Pine	10.50	Special Tree
98	Red Pine	10.50	Special Tree
99	Red Pine	8.75	Special Tree
100	Red Pine	8.25	Special Tree
101	Red Pine	10.50	Special Tree
102	Red Pine	11.00	Special Tree
103	Red Pine	11.50	Special Tree
104	Red Pine	10.00	Special Tree
105	Red Pine	8.75	Special Tree
107	Red Pine	8.50	Special Tree
108	Red Pine	10.50	Special Tree
110	Red Pine	14.20	Special Tree
112	Red Pine	10.00	Special Tree
113	Red Pine	14.00	Special Tree
114	Red Pine	11.75	Special Tree
115	Red Pine	14.50	Special Tree
116	Red Pine	9.75	Special Tree
117	Red Pine	8.50	Special Tree
119	Red Pine	8.75	Special Tree
121	Red Pine	14.00	Special Tree
122	Red Pine	16.00	Special Tree
123	Red Pine	16.00	Special Tree
124	Red Pine	14.75	Special Tree
126	White Spruce	9.25	Special Tree
Total DBH Removed		944.2	

TREES TO BE REMOVED			
TREES OF INTEREST			
ID NO.	Species	DBH	UDC Designation
0	White Birch	10.75	Tree of Interest
2	Balsam Fir	14.25	Tree of Interest
3	Balsam Fir	10.50	Tree of Interest
9	Silver Maple	16.25	Tree of Interest
10	Silver Maple	29.50	Tree of Interest
11	Silver Maple	11.25	Tree of Interest
16	White Birch	14.00	Tree of Interest
29	Red Oak	7.00	Tree of Interest
32	Jack Pine	18.50	Tree of Interest
33	White Spruce	7.75	Tree of Interest
47	Quaking Aspen	16.00	Tree of Interest
48	Paper Birch	11.25	Tree of Interest
49	Quaking Aspen	17.00	Tree of Interest
50	Quaking Aspen	13.50	Tree of Interest
51	Quaking Aspen	10.25	Tree of Interest
52	Quaking Aspen	11.50	Tree of Interest
66	Red Pine	6.50	Tree of Interest
75	White Birch	13.00	Tree of Interest
80	Red Pine	7.25	Tree of Interest
81	Red Pine	7.75	Tree of Interest
94	Red Pine	6.50	Tree of Interest
106	Red Pine	7.50	Tree of Interest
109	Red Pine	6.25	Tree of Interest
111	Red Pine	7.50	Tree of Interest
118	Red Pine	6.50	Tree of Interest
120	Red Pine	6.00	Tree of Interest
125	Balsam Fir	10.50	Tree of Interest
127	Quaking Aspen	14.75	Tree of Interest
139	Quaking Aspen	10.00	Tree of Interest
140	Quaking Aspen	10.75	Tree of Interest
141	Quaking Aspen	11.00	Tree of Interest
Removed		351.0	

DBH REPLACEMENT REQUIREMENTS (50-25.9)				
Tree Type	# to be Removed	DBH to be Removed	% DBH to be Replaced	Replacement Requirement (in.)
Trees of Interest	31	351.0	20%	70.2
Special Trees	77	944.2	40%	377.7
TOTAL	108	1295.2	n/a	447.9

TREE REPLACEMENT CALCULATIONS: Trees to be Planted

IF REPLACING WITH:	Trees of Interest (1 in/ 1 in required)
Number of Trees	180
Caliper of Trees	2.5
TOTAL INCHES REPLACED	450
TOTAL INCHES REQUIRED	447.9

IF REPLACING WITH:	Special Trees (1 in/ 1.5 in required)
Number of Trees	120
Caliper of Trees	2.5
TOTAL INCHES REPLACED	450
TOTAL INCHES REQUIRED	447.9

TREE REPLACEMENT w/ TREE PRESERVATION CREDITS:

TOTAL TREE CREDITS=	44
SPECIAL TREES REQ'D=	120
TREES OF INTEREST REQ'D=	180

Per UDC Section 50-25.6, trees to be preserved will count towards the total number needed for replacement, up to 50%. With those factored in, the following are the final replacement numbers for both Special Trees and Trees of Interest:

SPECIAL TREES REQUIRED=	76
TREES OF INTEREST REQUIRED=	136

TREE REPLACEMENT NOTE:

REPLACEMENT TREE QUANTITY CAN BE REDUCED BY CONTRIBUTING CASH IN LIEU TO THE CITY TREE FUND. TREE QUANTITIES SHOWN ARE USING SPECIAL TREE SPECIES (USING OTHER SPECIES WOULD REQUIRE ADDITIONAL TREE PLANTINGS; SEE CHART 50-25.6).

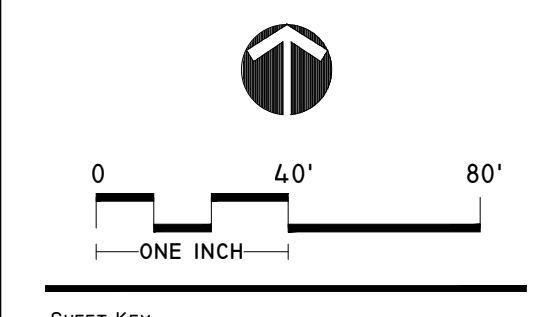


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MAIL@SASLANDARCH.COM

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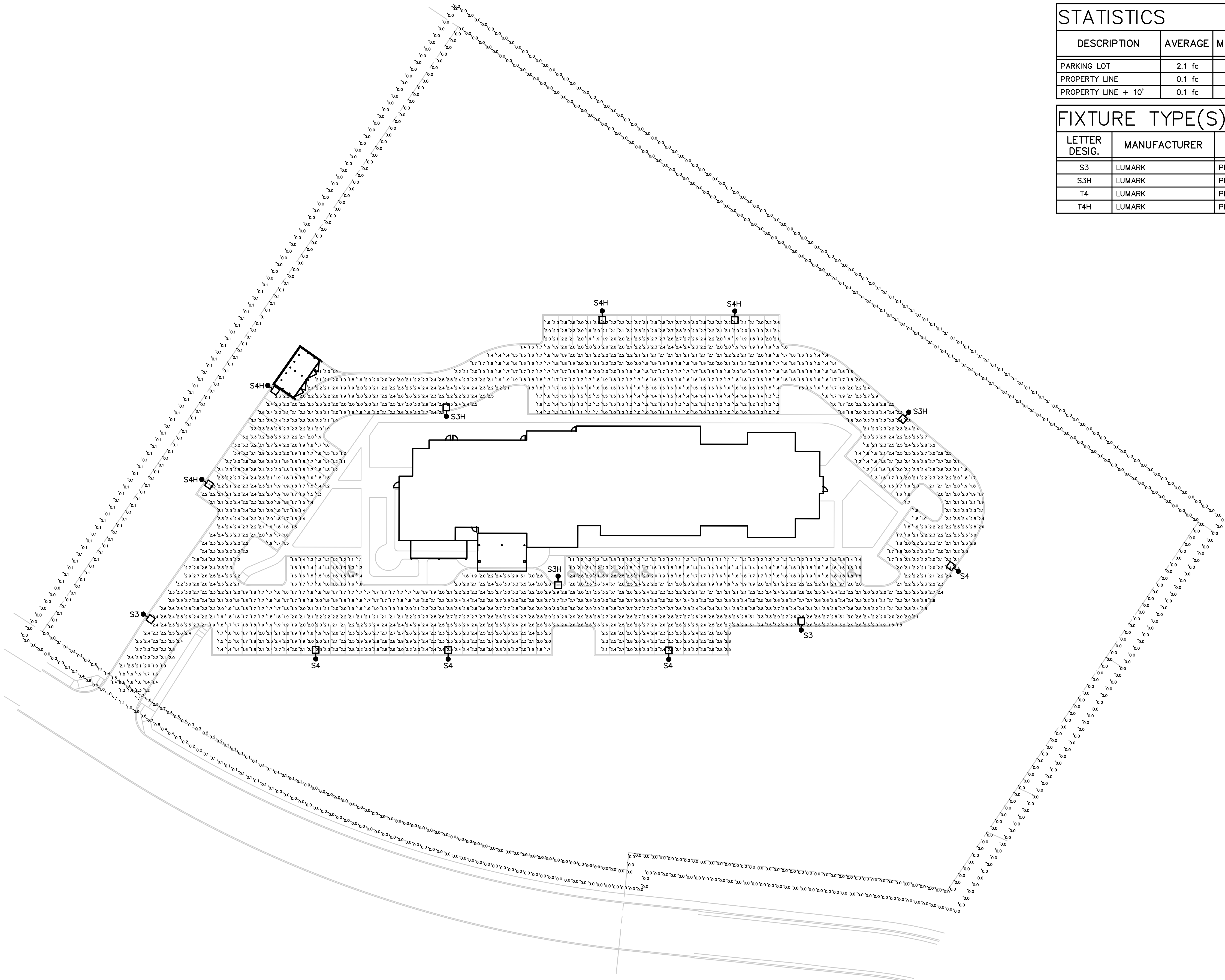
ISSUE RECORD/REVISION	
PURPOSE	DATE

KINSETH HOTEL CORPORATION
SUNDBY RD.
DULUTH, MINNESOTA



SHEET TITLE
TREE REPLACEMENT PLAN
DATE: 8/5/2022
DRAWN BY: AMA
CHECKED BY: LWS
PROJECT NUMBER: 22100
SHEET NUMBER: L-1.2

Aug 05, 2022 - 10:30am
P:2210 - Sundby Road Hotel Site - 2210 - Sundby Rd Redwing



STATISTICS

DESCRIPTION	AVERAGE	MAXIMUM	MINIMUM	MAX/MIN	AVG/MIN
PARKING LOT	2.1 fc	3.6 fc	1.0 fc	3.6:1	2.1:1
PROPERTY LINE	0.1 fc	1.5 fc	0.0 fc	N/A	N/A
PROPERTY LINE + 10'	0.1 fc	1.1 fc	0.0 fc	N/A	N/A

FIXTURE TYPE(S)

LETTER DESIG.	MANUFACTURER	CATALOG NUMBER	LAMPS		LUMENS	MOUNTING HEIGHT
			NO.	TYPE		
S3	LUMARK	PRV-C40-D-UNV-T3-SA-BZ	-	LED W/ UNITS	17,100	25'-0" POLE ON 3' BASE
S3H	LUMARK	PRV-C40-D-UNV-T3-SA-BZ-HSS	-	LED W/ UNITS	17,100	25'-0" POLE ON 3' BASE
T4	LUMARK	PRV-C40-D-UNV-T4-SA-BZ	-	LED W/ UNITS	17,100	25'-0" POLE ON 3' BASE
T4H	LUMARK	PRV-C40-D-UNV-T4-SA-BZ-HSS	-	LED W/ UNITS	17,100	25'-0" POLE ON 3' BASE

Project	Catalog #	Type
Prepared by	Notes	Date



Lumark
Prevail LED
 Area / Site Luminaire
Product Features

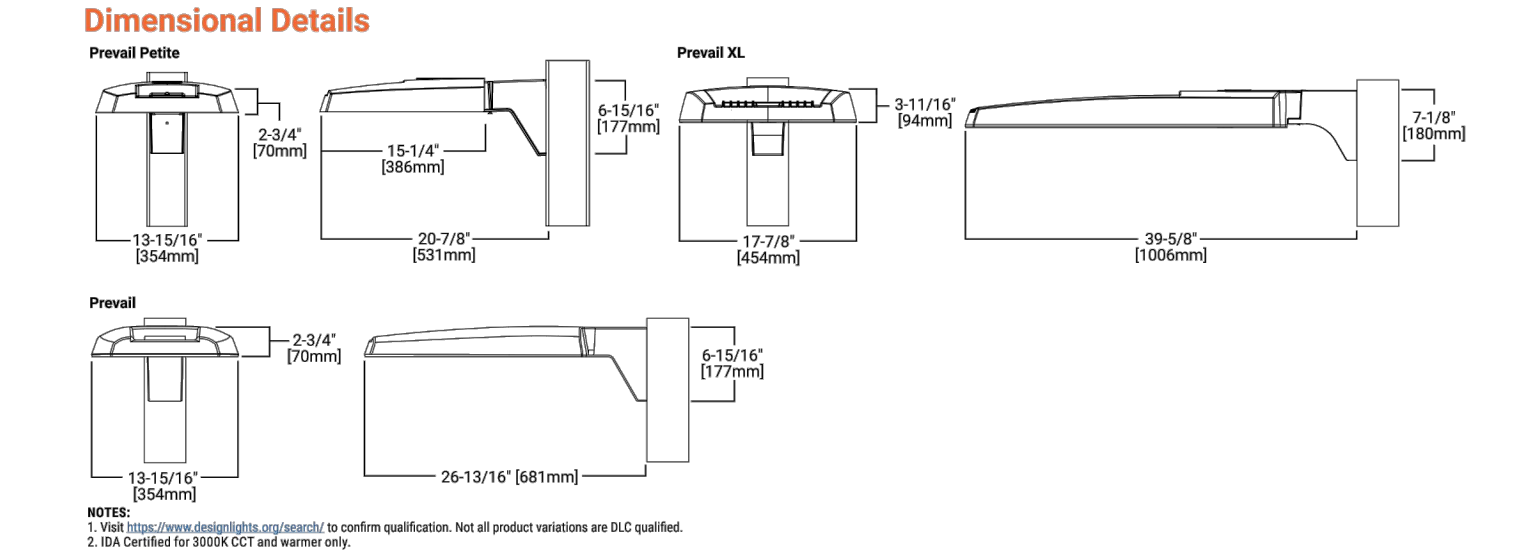
- Interactive Menu**
- Ordering Information page 2
 - Mounting Details page 3
 - Optical Configurations page 4
 - Product Specifications page 4
 - Energy and Performance Data page 5
 - Control Options page 6



- Quick Facts**
- Lumen packages range from 4,800 - 52,300 lumens (35W - 350W)
 - Replaces 70W up to 1,000W HID equivalents
 - Efficacies up to 160 lumens per watt
 - Energy and maintenance savings up to 85% versus HID solutions
 - Standard universal quick mount arm with universal drill pattern

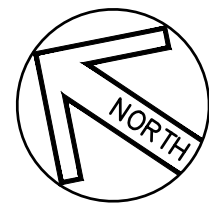
Connected Systems

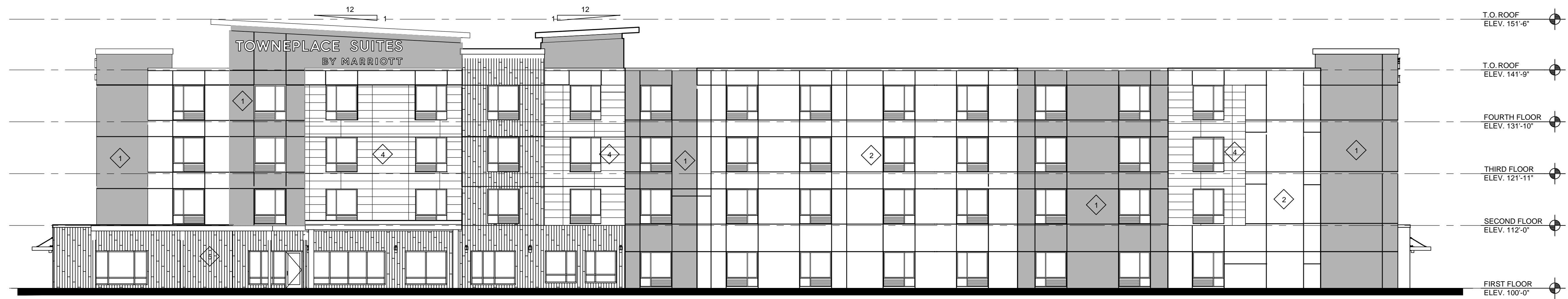
- WaveLinx



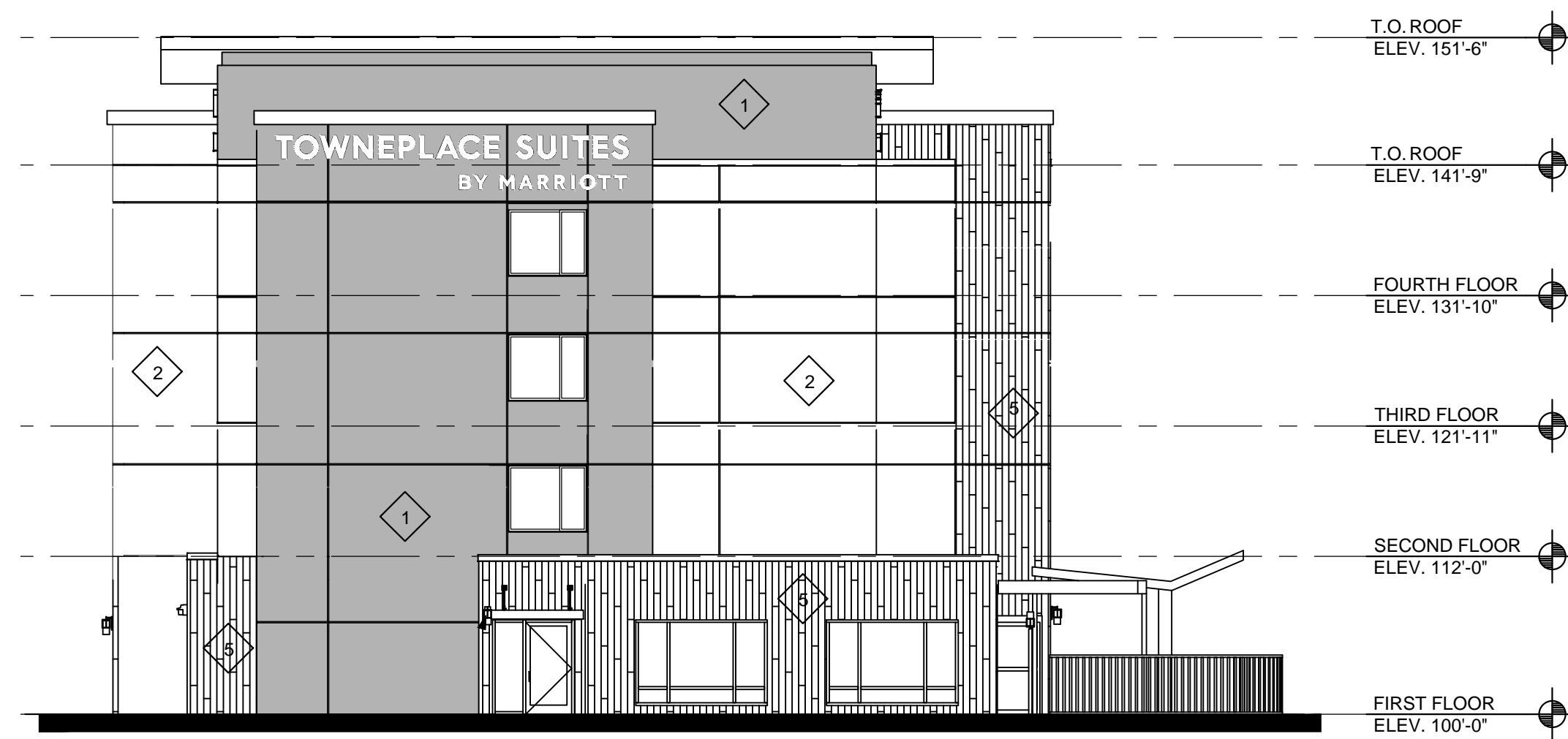
COOPER Lighting Solutions
 PS50001EN page 1
 February 14, 2022 11:55 AM

A SITE PHOTOMETRICS
 1/32" = 1'-0"

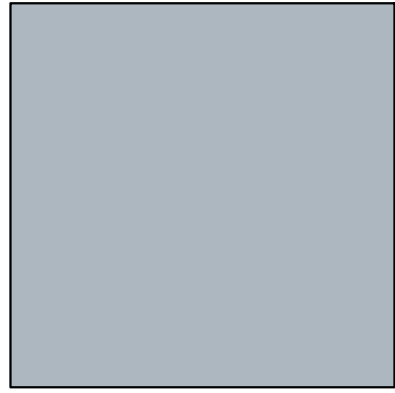
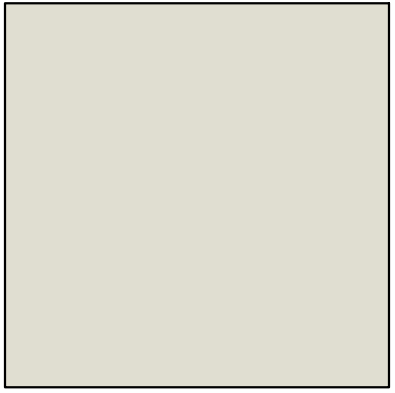

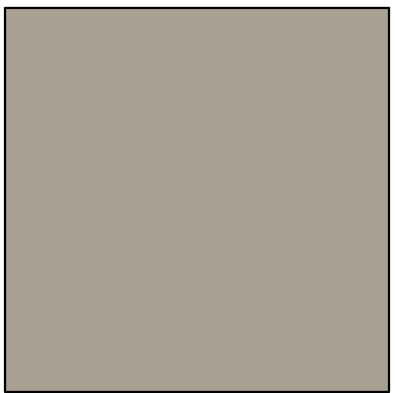


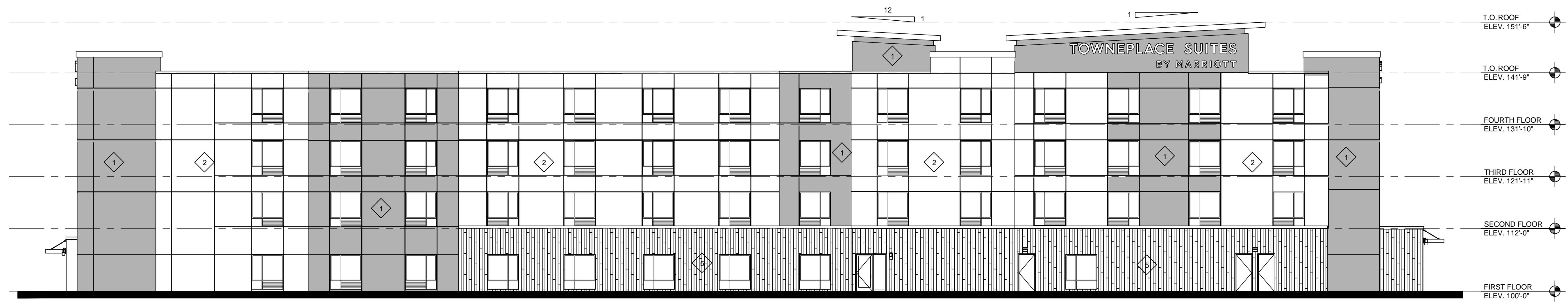


B SOUTHWEST ELEVATION
 3/32" = 1'-0"
 0' 5' 10' 20'

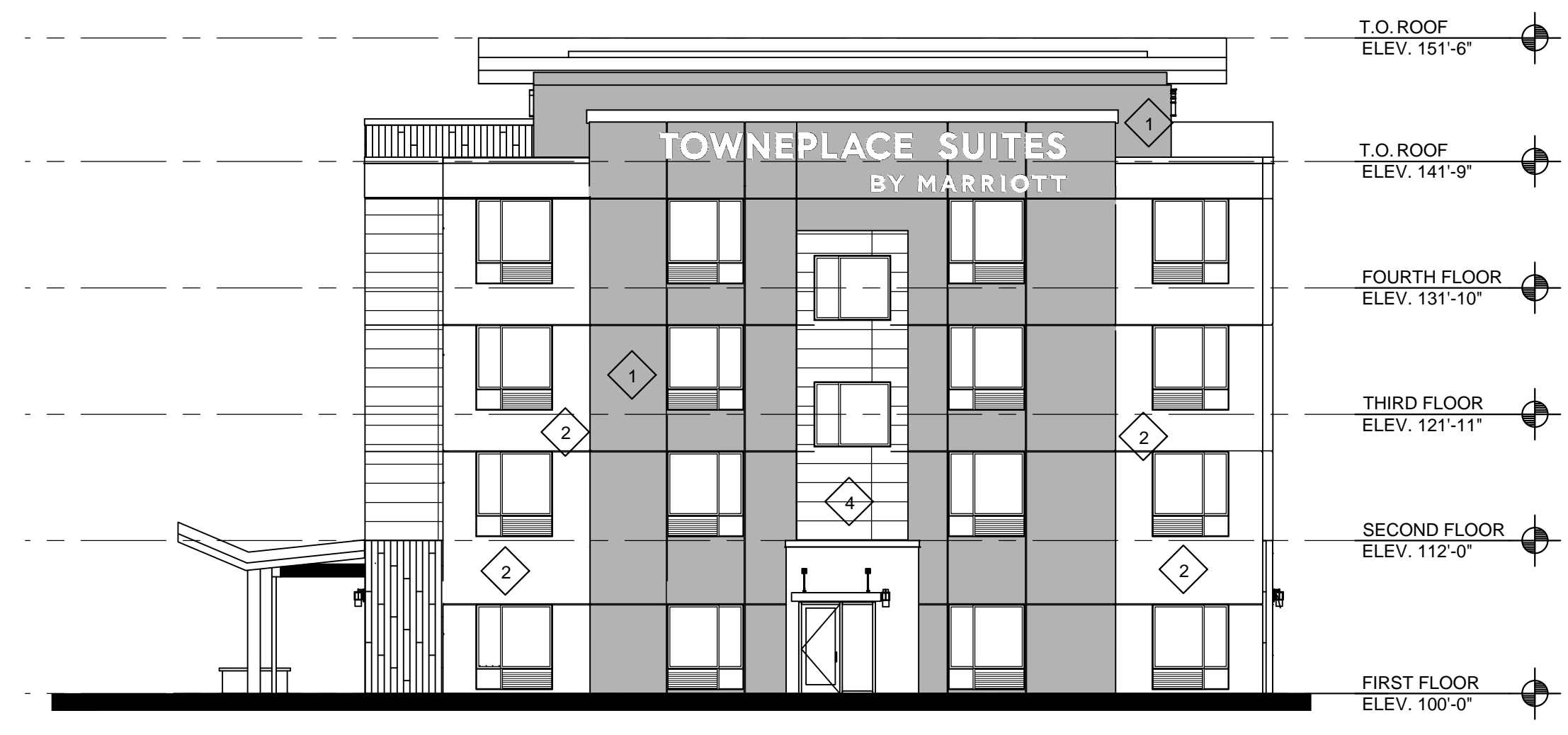


A NORTHWEST ELEVATION
 3/32" = 1'-0"
 0' 5' 10' 20'

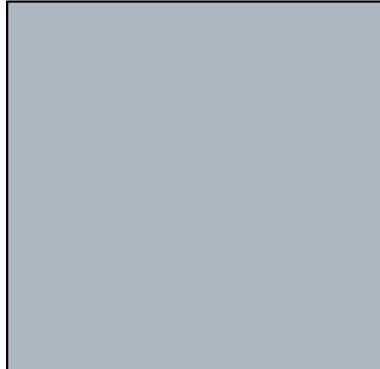
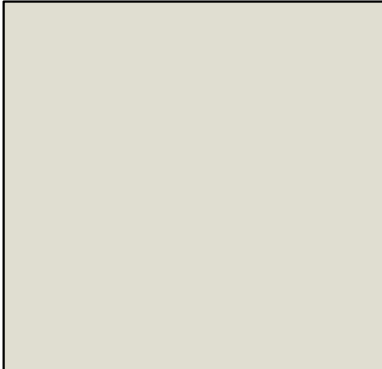
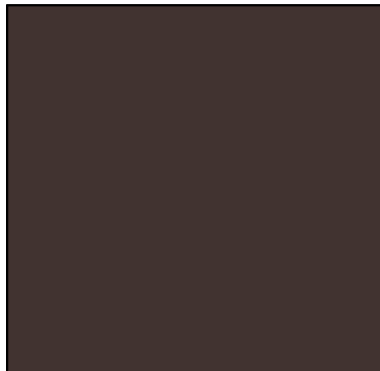
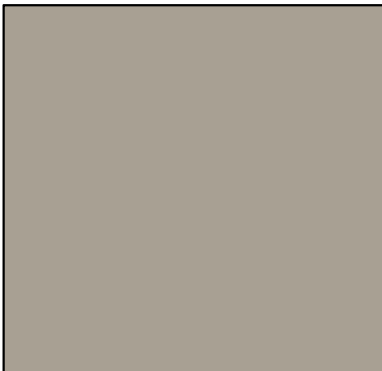
- | | |
|---|---|
|  |  |
| 1 EIFS, COLOR : BENJAMIN MOORE
"MANOR BLUE" No. 1627 (CLR13414) | 2 EIFS, COLOR : BENJAMIN MOORE
"NOVEMBER RAIN" No. 2142-60 (CLR13415) |
|  |  |
| 4 EIFS, COLOR : MATCH CONTROL
COLOR SW 6006 "BLACK BEAN" | 5 EIFS, COLOR : MATCH CONTROL
COLOR SW 7045 "INTELLECTUAL GREY" |



B NORTHEAST ELEVATION
 3/32" = 1'-0"
 0' 5' 10' 20'



A SOUTHEAST ELEVATION
 3/32" = 1'-0"
 0' 5' 10' 20'

- | | |
|---|---|
|  |  |
| 1 EIFS, COLOR : BENJAMIN MOORE
"MANOR BLUE" No. 1627 (CLR13414) | 2 EIFS, COLOR : BENJAMIN MOORE
"NOVEMBER RAIN" No. 2142-60 (CLR13415) |
|  |  |
| 4 EIFS, COLOR : MATCH CONTROL
COLOR SW 6006 "BLACK BEAN" | 5 EIFS, COLOR : MATCH CONTROL
COLOR SW 7045 "INTELLECTUAL GREY" |



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802

218-730-5580
planning@duluthmn.gov

MEMORANDUM

DATE: October 4, 2022

TO: Planning Commission

FROM: Chris Lee, Planner II

SUBJECT: Tabled agenda item – PL 22-143 – MU-C Planning Review.

At the September 13, 2022 Planning Commission meeting you voted to table the proposed MU-C Planning Review for a new extended stay hotel on Sundby Road. It was understood that the Commission wished to speak to the applicant and have the applicant address the concerns brought up by the neighbors including: screening to residential neighbors, lighting, and other impacts.

As a Planning Review in the MU-C district, the criteria for approval is stated in Section 50-37.11 of the UDC: “The land use supervisor or 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.” That is, the proposal shall meet all zoning regulations.

Since this meeting, staff has reviewed the plans again, and would like to note the following:

Buffering Between Land Uses

- For buffering between commercial and residential uses, the UDC requires either
 - Option A: A landscape buffer at least 15 feet wide shall be provided by the commercial or institutional project on the shared border. The buffer area shall consist of natural landscape materials such as lawn, ground cover, shrubs, and trees, and shall not contain impervious materials. One tree shall be provided for every 35 feet of boundary lot line and three large shrubs per 25 feet of shared lot line, with spacing designed to minimize sound, light, and noise impacts on the residential use; or
 - Option B: An opaque wall, berm, fence or dense (at least 75 percent opacity) vegetative screen at least six feet shall be provided. If a fence or wall is provided, the side facing away from the commercial or institutional use shall be at least as finished in appearance as the side facing the commercial or institutional use, and



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three small shrubs per 25 feet of boundary lot line shall be provided. If a vegetative screen is proposed, it shall be at least six feet in height at the time of planting.

- This project uses Option A. Under zoning regulation, a total of 15 trees and 22 shrubs are required. This application provides 15 trees and no shrubs in the 40 foot buffer.

Lighting

- The UDC requires that any lighting be a full cut-off fixture so that light does not trespass into the sky; specifies maximum illuminations on the site; and maximum pole heights at 25 feet.
- The photometric plan submitted with the plan shows that proposed lighting will not exceed any maximum illumination values at the property line or right-of way. All fixtures are full cut-off as shown in Drawing SE1 (page 9) and the pole height is 25 feet. The lighting will meet UDC requirements.

Traffic Impacts

- A traffic impact study is required whenever a proposed will exceed 100 vehicles per hour at peak hour or 1,000 vehicles per day. A 100-room extended stay hotel is expected to generate no more than 250 trips per day; a traffic impact study is not required.

Staff has confirmed that the applicant will be present at the Planning Commission meeting on October 11, 2022, for any further questions.

Staff recommends the Planning Commission approve the MU-C Planning Review with the findings in the staff report (attached) including adding 22 shrubs to the buffer.

Becca & Terry Mulenburg
1649 W Page St.
Duluth, MN 55811

September 29, 2022

Planning Commission
C/O Adam Fulton
411 West First Street, Room 160
Duluth, MN 55802

Dear Adam Fulton,

My name is Becca Mulenburg. My husband and I live at 1649 W Page St., Duluth, MN 55811. My husband works for Cirrus Aircraft and I am an artist. We both care deeply about our neighborhood, the environment, and the natural areas within the city of Duluth, our home.

As you may know, Kinseth Hospitality Companies wants to build a 4-story, 51-foot high hotel east of Sundby Road at the corner of Sundby Road and Osage Ave. within 31 acres alongside a rural residential area (my neighborhood). This area comprises of a wooded, natural area that also contains wetlands. Just feet away lies Miller Creek. Going forward with this development puts this decision on the wrong side of history. Let me explain.

First off, I would strongly encourage you to look at a satellite map of this proposed area of development before reading much further. By looking at the attached satellite view, you'll be able to see the forested, natural area that's being proposed for development. You'll see how the development diverts off of the main commercial roads (Burning Tree Rd/Maple Grove Rd) and settles *against* a rural residential neighborhood. By examining this exact placement on the map, you'll have a more thorough understanding. Secondly, if you've never driven down this road or through this area, please do so. You may be enlightened as to why our neighborhood strongly opposes this development. Okay, assuming you've peeked at the satellite view, please continue on.

I understand the city gravitating towards a development such as this. It would undoubtedly add to the city's tax revenue. But as a tax revenue *win* for the city of Duluth, would it be a *win* for the residents impacted by this? Is it a *win* for our environment when 31 acres of natural area that parallels Miller Creek could eventually be destroyed? I think the city of Duluth could do better.

This hotel would sit directly across the street from families living on Osage - zoned rural residential. No doubt, they would be affected the most. Noise pollution, light pollution, traffic and privacy concerns all are major issues.... and not only for those living on Osage but to families further east and north of this project as well. Our neighborhood will lose more dark skies, have more traffic down our residential streets, experience more noise pollution, and will lose beloved natural areas that hundreds, if not thousands, of species call home. Sadly, this natural buffer that has kept our neighborhood separated from the businesses west of Sundby Road will be gone. Many of us are desperately reaching out to you to act.

I'm aware that this area was slated for commercial use many years ago, but since then, times have changed. A lot! ImagineDuluth2035, which is the City of Duluth's current comprehensive land use plan adopted by our City Council says "We need to understand the nature and value of our existing resources in order to achieve a balance between development and open space preservation." Those words have great meaning today more than ever before. To help understand that, simply look at the headlines from the Star Tribune 9/22/22 and 9/27/22. (attached)

TownePlace Suites by Marriott is the projected hotel slated to be built. It has seven other locations in our state: Bloomington, St. Louis Park, Eagan, Eden Prairie, Minneapolis, and two in Rochester. Did you know that not one of these hotels is located adjacent to a rural residential neighborhood such as ours? Not one. Why is Duluth any different? No other city leaders in our state allowed it to happen in *their* cities? What's going on here in Duluth?

This property has been for sale a long time, and a lot has happened in the last 10-20 years. From 9/11 to the housing bubble/crash, the pandemic and more, but there is one thing that will outlast singular, memorable events and affect us all the rest of our lives and beyond..... and that is climate change. We are living in a different era now, one in which the planet is warming, sea levels are rising, and fossil fuels are being phased out. We all need to pay attention *to* and make decisions *based* on how land is developed, or remains undeveloped. It really matters. It shouldn't go without saying that climate change has become humankind's biggest existential threat.

Commercial buildings in this area will, on their *face*, contribute to climate change. Adding this hotel will contribute towards hotter summers in this area, no doubt. Urban areas are simply hotter than their outlying areas. The natural area will be gone, replaced with concrete and asphalt. Are these the decisions we're willing to accept from our city leaders? And for what? Another hotel, and quite possibly *even more hotels* in this area? Any development within our city **must** include methods to **combat climate change**, not to support it. I'm asking our city leaders take bold action and embrace the future.

Tree planting initiatives have begun worldwide to help reverse some of the damage that's already been done and if this area is destroyed, with all of its wetlands, birds, insects, and wildlife, there's no going back. It's gone forever.

How many more natural areas of Duluth are going to be plowed under? Just in my neck of the woods, looking at Arrowhead/Arlington, the Kenwood shopping center, Costco, where does it end? And now, the city wants to encroach into our residential neighborhood? Far, far more should be demanded from developers who want to build in our city. They should be required to only build on previously developed land. Period. We have got to save our green spaces, for they add to the quality of life here in Duluth.

An example of a development success story I'd like to commend the city for is the conversion of the old Shopko into Ashley Furniture on Central Avenue. I was thrilled the building was repurposed. Congratulations! That was a win-win scenario for everyone in my view; but the hotel development proposed to go up in my neighborhood just isn't right.

I'm asking the City of Duluth back out of this deal and buy this land back from the developer. Why? Because it's the right thing to do. This is America where deals are made every day. Some go forward and some fall through. Let this one fall through. Find another location in a commercial district that doesn't impact family homes or an existing natural area.

Secondly, I would support and encourage a thorough review by the EPA to take a look at this land. What impacts would a development of this magnitude have on its ecosystem should it go through? Again, I hope it does not.

I'd also ask the City of Duluth to consider that the University of Minnesota Duluth might be interested in this land for ecological research and preservation. In addition to their Environmental and Outdoor Education major, they've just added a Childhood Nature Studies program, paving the way for future conservationists. As a nation, we simply have to keep these natural areas wild, and tackle every hurdle that threatens green spaces with creativity and ingenuity. There *has* to be another way, a better location.

I'm a nature lover and care deeply about our environment and the role each of us can play to preserve it. I've documented 111 species of birds in my yard since 2014, and this year, for the first time ever, on May 20th and June 9th, my husband and I received visits from a very special animal, one that is considered an indicator species. An indicator species is an animal or plant species that can be used to infer conditions in a particular habitat. Seeing this animal was a positive sign, a sign of hope, and in *our* case, improved watershed conditions. And that species was a river otter. I thought to myself, wow. Something is going so right here in this neighborhood's ecosystem. If this development goes through, will watershed conditions decline? No doubt there will be less biodiversity in our neighborhood, fewer areas for wildlife to call home, including coyotes, bears, fox, deer, raccoons, skunks, ermines, woodchucks, gray, red, and flying squirrels, rabbits, and birds galore. This development already has so many strikes against it from the start. Please take another look at this.

If the City of Duluth and its residents *really* wants, and sees the need for, another hotel, and Marriott *really* wants to have their hotel in our city, all things are possible. But this natural area is not the right fit for this, or any commercial development. This is **our** city. **Our** neighborhood. Not the tourists' city, or anybody else's. We live in this neighborhood, I live and speak for the wildlife, and our voices matter. Please keep this area wild, for it's already a fantastic commercial buffer for our neighborhood, providing much needed distance from Kohl's and La Quinta.

On a side note, the wooded area behind La Quinta should be left alone as well, another great buffer – but it's another wooded space that's sadly also for sale. Before La Quinta was built, it was home to a family of Green Herons.

For nature's sake and our planet's sake, we all have to do more to fight development that wants to plow down more and more green spaces within our city, including those next to rural residential neighborhoods.

Please do the right thing. Keep the area east of Sundby Road commercial-free.

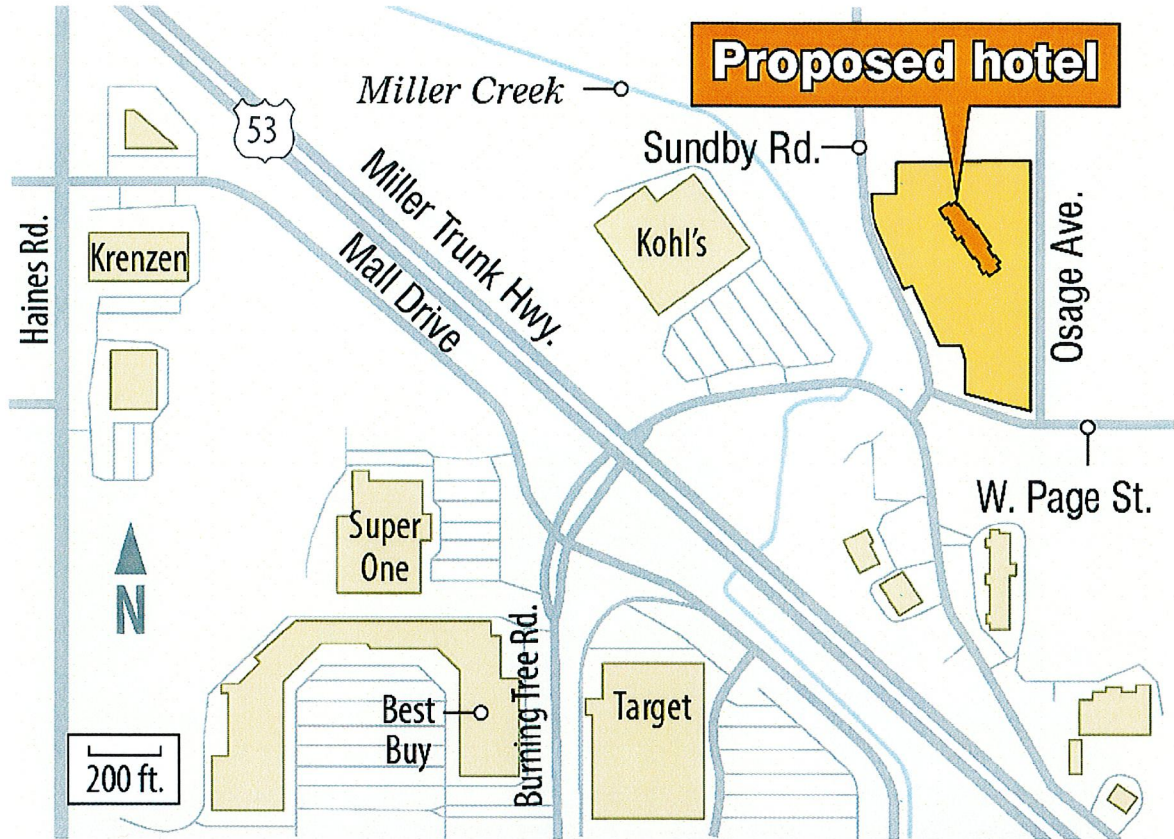
Sincerely,

beccan burg

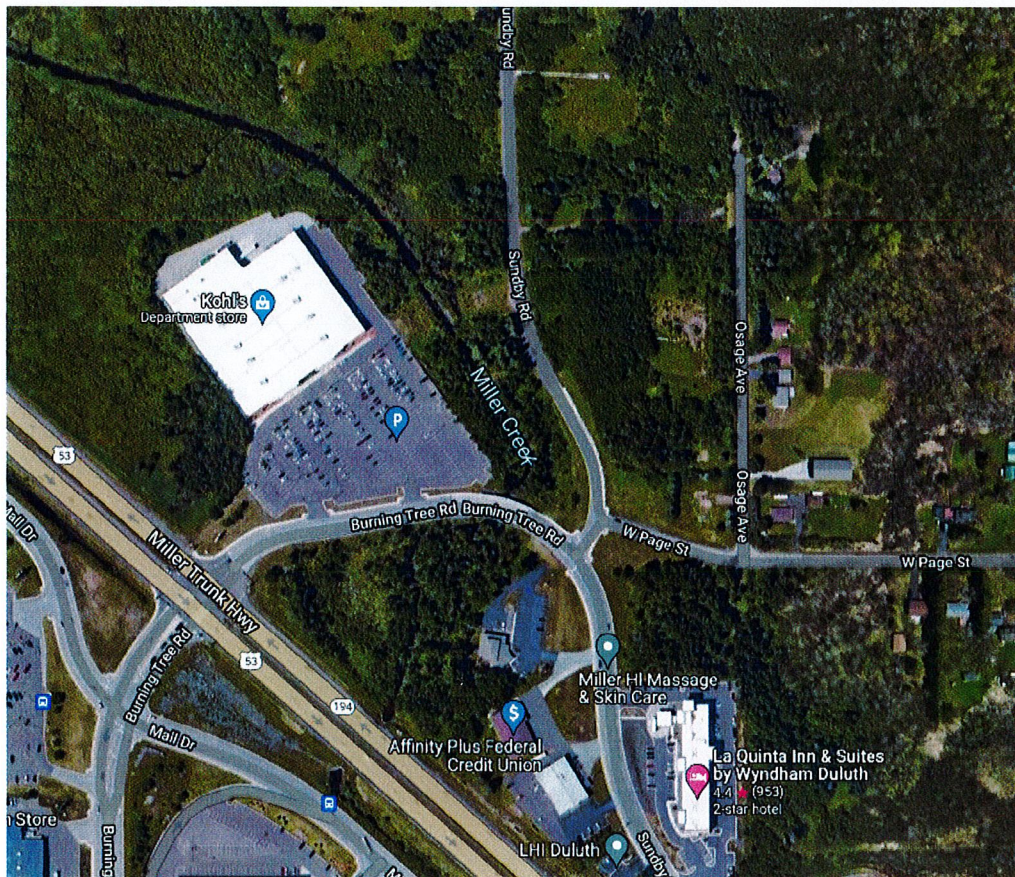
Becca Mulenburg

Cc: Emily Larson, Mayor
Hannah Alstead
Gary Anderson
Azrin Awal
Arik Forsman
Noah Hobbs
Janet Kennedy
Mike Mayou
Roz Randorf
Terese Tomanek
Andrea M Wedul
Michael Schraepfer
Jason R Holliday
Margie Nelson
Danielle C Rhodes
Samuel Y Lobby
Gary Eckenberg
Jason E Crawford

Rural neighbors voice new hotel reservations



NEWS TRIBUNE GRAPHICS



THURSDAY
September 22, 2022

StarTribune

2021 PULITZER PRIZE



FOR BREAKING NEWS

Restoring our tree canopy: Neighborhoods with less natural shade face hotter summers, higher utility bills and more health troubles. Work is underway to repair this gap.



TUESDAY
September 27, 2022

StarTribune

2021 PULITZER PRIZE



FOR BREAKING NEWS

Cities' hot streak sets record

It was 70 degrees or hotter for 118 days in a row in metro; this summer could be the 4th driest on record.

By CHLOE JOHNSON
chloe.johnson@startribune.com

The Twin Cities area saw its longest recorded streak of days that reached 70 degrees or hotter this summer.

The 118-day stretch, from May 27 to Sept. 21, beat out the previous length of 107

days set in 2018, according to the National Weather Service office in Chanhassen.

The heat, along with dry conditions through the summer, could also dull autumn colors. The temperature streak may be less noticeable than scorching days in the summer, but it's part of a

larger pattern.

"We're extending the summer into September longer than we used to," said Pete Boulay, a climatologist with the Minnesota Department of Natural Resources.

Climate change is pushing temperatures higher across the globe. So far, that has shown up in Minnesota in warmer, shorter winters.

That won't always be the

case. According to the Fourth National Climate Assessment, "Warm-season temperatures are projected to increase more in the Midwest than any other region of the United States."

In the Twin Cities, most of these long stretches of highs above 70 have happened in the past 20 years, said Weather Service meteorologist Jacob Beitlich.

Along with the unusually

persistent warmth, this year also stands out for drought conditions that have lingered around the Twin Cities. The area is still in the severe drought category, according to the U.S. Drought Monitor.

This year is on track to be the fourth-driest summer, based on rainfall between June 1 and Sept. 30. It's unlikely that any significant rain will come

See **HEAT** on A3 ►



An indicator species of improved watershed conditions, a River Otter at my home. What will happen to the watershed if this natural area is destroyed?

Photo ©Becca Mulenburg, June 9, 2022

There is a blanket solution: Actively support conservation efforts for grasslands, forests, wetlands, jungles — for any and all natural land and efforts to restore natural to our animal vocabulary.

Forever.

Lifelong birder Jim Williams can be reached at woodduck38@gmail.com.

-by Jim Williams, "Habitat shift favors some birds", *Special to the Star Tribune*, E3, Wednesday, September 28, 2022.

To whom it may concern,

Thank you for the opportunity to speak at the planning and zoning meeting this evening. I want to take a few moments to highlight some key points I made last night regarding the construction of the hotel on Sundby Rd.

I live at 1504 Osage Ave in Duluth. An address that my family calls home. I am sad to hear about the proposed hotel plans on Sundby Rd. To my family, Duluth is a place we call home, a place that is unique by nature with charming neighborhoods.

The proposed plan literally has a 51ft tall 4 story hotel looming over my front living room picture window. Our privacy will be lost, our home value will be destroyed, our safety will be compromised. It is not an exaggeration when I say the hotel will literally be right across the street from my front yard. We are zoned RURAL RESIDENTIAL, and we will now have hotel windows looking down on our property.

I am sad that I only learned about the proposed hotel by seeing a sign laying down on the ground at the proposed site. The City of Duluth noted they sent letters out to area residences reference the proposed building with no feedback. Like all my neighbors (if we did receive letters) it was a week after the initial planning meeting that the letter was advising us of.

I am not naïve to the fact that big money talks and this hotel will likely be built. I am proposing that the three houses on Osage and the address of 1745 W Page St be granted short term rental licenses for their residences if the owners are so inclined to obtain one. A long-term rental license will not suffice as just like myself, the pool will be nonexistent for quality long term renters that are willing to endure the burdens of a hotel directly across the street. This would allow the homeowners flexibility regarding figuring out what their next move is. My family will be pushed out of our home in order to maintain the quality of life we are accustomed to.

I am begging you to please entertain my proposition with allowing short term rental licenses for the four mentioned properties. Please, try to put yourself in my position and do the right thing, grant the licenses if this hotel moves forward.

Thank you for your time on this matter and I would like to remind everyone that my property is zoned RURAL RESIDENTIAL.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Fye", with a long horizontal line extending to the right.

Ben Fye
1504 Osage Ave
Duluth, MN 55811
218-428-7723

From: john xxxxxxxx
Sent: Tuesday, October 11, 2022 12:07 PM
To: Jennifer Moses <jmoses@DuluthMN.gov>
Cc: Hannah Alstead
Subject: RE: Hotel at Sunby Rd (PL22-143)

Jennifer,

I am out of town and unable to attend the meeting tonight. But I want the Commission to know that I agree 100% with my fellow neighbors that this project will forever alter this single family neighborhood in Duluth Heights.

1. No green space buffer.....350'?
2. Property safety and privacy
3. Property values

I also wanted to say I am not opposed to development, but I don't know how a project like this at that location is part of the city's long-range comprehensive plan?

John Michalski
1602 Osage St
Duluth, MN 55811

From: john xxxxxx
Sent: Friday, October 07, 2022 3:34 PM
To: planning@duluthmn.gov
Subject: Hotel at Sunby Rd (PL22-143)

Dear Planning Commission,

I received your letter showing that area as MU-C mixed use commercial. I have some questions:

1. Does this zoning allow for the four-story hotel within 350' feet of single family dwellings? In particular, the four single family dwellings on Osage Ave.?
2. Would the four homes on Osage Ave be able to change the zoning RR-1 now to the MU-C to help mitigate the potential negative impacts on those property values?
3. If there will be utility upgrades on Osage Ave will we be required to connect to those utilities?

John Michalski
1602 Osage Ave
Duluth, MN 55811

From: tig219@XXXXXXXXX
Sent: Sunday, October 9, 2022 10:27 AM
To: planning <planning@DuluthMN.gov>
Cc: xxxxxxxxxxxxxxx
Subject: RE: Hotel at Sunby Rd (PL22-143)

Dear Planning Commission,

I fully agree with John Michalski and have these same questions as well as a question about the La Quinta hotel, located at 1805 Maple Grove Road, when it was built in 2015. During the construction of La Quinta the project manager was very good about keeping us informed about the project. He told us that if the hotel was built 50' further north they would have had to offer to buy us out at 1745 W Page St. What changed since then with zoning and why were none of us informed nor consulted about any changes that directly affect us?

Troy Fralich
1745 W Page St
Duluth, Mn 55811

From: ROBERT NICHOLS

Sent: Monday, October 10, 2022 5:05 PM

To: planning <planning@DuluthMN.gov>

Cc: Bob and Sharon Nichols; smittysarc@; John Dravland; John and Simi Dravland

Subject: PL22-143 Proposed Kinseth Hotel

I am responding to the letter dated August 31, 2022, "Notice of Public Hearing for a Planning Review for a hotel at Sundby Road" regarding the subject property. The letter arrived a week after the scheduled meeting of September 13, 2022.

I have two concerns:

1. Was the hotel approved as submitted.
2. Can "the property" Parcel Code 010-2240-00760 be rezoned to MU-C? Such designation would make it possible to tie into the corner property, PL Code 271004653, should a developer want more space. Much of the easterly portion of the lot could be used as open and planted area as a transition to the adjacent single family home on W. Page Street.

As the heirs of the estate of Mary E. Dravland, we (my sister and brother and I) have been unsuccessful in being allowed to do anything with "the property" as it is deemed to be in a flood zone, and yet we are paying exhorbitant taxes on this land. If it is deemed useless, we should not be paying any taxes.

"The property" has been in our family for close to 100 years and was once the site of my grandparents' home, John and Amanda Kivisto. With my mother Mary E. Dravland's permission, the home was burned down in a "fire training" by the City of Duluth many years ago after the death of her mother.

We find it interesting that we are designated a flood plain, while the property where the Miller Hill Mall sits was once our swimming hole and in 2012 flooded to the roofs of some of the structures. What was done to mitigate that problem? In the 100 years of family ownership of the property, no water has ever flooded it or the neighboring properties.

As we are in California, it is difficult to discuss this in person. We would appreciate a detailed explanation of the zoning, flood plain designation and possible resolutuon to our use of the property.

Sharon Dravland Nichols
2607 Lakewest Drive
Chico, CA 95928

(h) xxx-xxx-xxxx
(c) xxx-xxx-xxxx

Chris Lee

From: Adam Fulton
Sent: Monday, October 17, 2022 11:13 AM
To: Jennifer Moses; Steven Robertson; Chris Lee; Cindy Voigt; James Gittemeier
Subject: FW: Proposed Hotel - Duluth Heights

All:

Please retain for project file for the Sundby hotel proposal. I would also appreciate if James and Cindy could look at this person's request related to the surrounding transportation system. It is not clear to me whether this item will be appealed to Council or not, but if it is, I would anticipate that this issue will come up with Councilors.

Thanks,

Adam

Adam Fulton | Deputy Director, Planning & Economic Development | he/him/his | **City of Duluth** | 411 West First Street, Duluth, MN 55802 | 218-730-5325 | afulton@duluthmn.gov

From: yaz888yaz@aol.com <yaz888yaz@aol.com>
Sent: Thursday, October 13, 2022 11:58 AM
To: Adam Fulton <afulton@DuluthMN.gov>
Cc: yaz888yaz@aol.com
Subject: Proposed Hotel - Duluth Heights

Dear Adam,

My name is Andy Brunette and I live at 1018 West Morgan Street west of Swan Lake Road and prior to the turn on Yosemite Ave. While I am remiss for not being able to come to the meeting regarding the proposed Marriott hotel franchise being built on Sundby Road, I did read the DNT's account of the meeting which I am sure did not cover all of the discussion detail.

I of course share the concern for those that live more closely to the five story building, my perspective is what does the neighborhood gain from this new lodging location.

As you know, development of retail, lodging, restaurants and the like is really a positive force for the city economy as a whole. Certainly the aspect of who it effects is always a point that has to be discussed as it was in this meeting. But moreover, what can be done to help, is most cases of those that believe that they will impacted, so the construction, completion and business activity of this location be made more amenable.

I did not see anything indicating that traffic calming measures were discussed and please correct me if I am wrong.

While this proposed location fits the business activity of the area with the more recent construction of Kohl's, La Quinta, Miller Hill Dental and Affinity Plus Federal Credit Union it also provides access to several other locations on either side of Highway 53 such as Target, Burning Tree Mall, Super One, Miller Hill Mall and the like, it also has access to Haines Road businesses further up from this proposed location.

To me, herein lies the rub. My portion of West Morgan and those on Yosemite and West Page feel the brunt of all the cut through traffic to these locations. Needless to say it certainly adds to aspect of public safety since there are no sidewalks in this area but it basically serves as a fast lane to get to these businesses! There have been all too many occasions when vehicles have sped down my street as if it was some new highway rushing to get to the next retail sale!

In order to at least make this new hotel a softer blow to the neighborhood may I suggest that the intersection of Osage and West Page be now designated as a Dead End! This change would keep cut through traffic out of the side streets of this neighborhood, redirect the flow to four lane Arrowhead, or off Highway 53 to Burning Tree/Sundby Roads and serve as a type of olive branch for this community with regard to minimizing traffic (which I believe the larger portion of this area is concerned). Duluth Fire Department Station 7, which is located on Maple Grove Road would not be impacted to any emergency calls in the area as this can be redirected to Joshua then onto West Page, for any need on Osage or Yosemite. Likewise, their access to the new hotel will not be impacted as it can be entered upon Sundby which is the current proposed entry point to the hotel.

Curious as to your thoughts and appreciate, in advance your consideration and response.

Best Regards,
Andy Brunette

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Curious as to your thoughts and appreciate, in advance your consideration and response.

Best Regards,
Andy Brunette

City of Duluth Planning Commission

October 11, 2022 – City Hall Council Chambers
Meeting Minutes

Call to Order

President Margie Nelson called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, October 11th, 2022 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Jason Holliday, Samuel Lobby, Margie Nelson, Danielle Rhodes, Michael Schraepfer, and Andrea Wedul

Members Absent: N/A

Staff Present: Adam Fulton, Robert Asleson, Chris Lee, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – September 13, 2022

MOTION/Second: Rhodes/Crawford approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

None

(Commissioner Danielle Rhodes recused herself from the consent agenda items due to a conflict of interest on Item PL 22-154. Her client is purchasing the property.)

Consent Agenda

PL 22-153 Interim Use Permit for a Vacation Dwelling Unit at 325 Lake Ave S #1313 by Tiegen Brickson

PL 22-154 Minor Subdivision at 405 Elk St by Devin and Ebony Nelson

PL 22-157 Interim Use Permit for a Vacation Dwelling Unit at 1035 Berwick Ct by Don Washington

PL 22-164 Interim Use Permit Renewal for a Vacation Dwelling Unit at 241 W Arrowhead Rd by Susan Yunis

MOTION/Second: Lobby/Schraepfer approved as per staff recommendations

VOTE: (7-0, Rhodes Abstained)

Old Business

MU-C Planning Review for a Hotel on Sundby Road north of Maple Grove rd by Kinseth Hotel Group

Staff: Chris Lee gave an overview. At the September planning commission meeting the commission voted to table the proposed MU-C Planning Review for a new extended stay hotel on Sundby Road. The commission wanted to speak to the applicant to have him address the concerns brought up by the neighbors including: screening to residential neighbors, lighting, and other impacts. The planning commission is tasked with approving the planning review or approve it with modifications if it is determined that the application complies with all applicable provisions. Staff recommends the planning commission approve the MU-C planning review with the findings in the staff report including adding 22 shrubs to the buffer.

Applicant: Ben Kinseth of Iowa addressed the commission, and gave an overview of the proposed project. They have seven additional extended stay hotels in Minnesota. He stated it is common to have residential areas butting up against commercial areas. He understands emotions are involved, and welcomed questions.

Public: Jo Haubrich, 1513 W. Morgan, addressed the commission. She represents 100 people who all voice their opposition to this hotel development. The hotel will cut into the green space, and invade people's privacy. There are no sidewalks in the area. She feels the negative impact will be enormous. Brenda Rose, 1609 W. Morgan, addressed the commission. She is a two-year resident of the area, and lives on the corner of Yosemite and Morgan. Traffic will increase and be dangerous. She is opposed. Joe Poppernickels addressed the commission. He is concerned that the replacement trees will not be of the same caliper as the trees they will be removing. He feels this change is radical and would be setting a massive precedent by telling big corporations they can shoe-horn their development in a residential neighborhood. This Project requires more thought. Devin Eng, 1516 Osage St., addressed the commission. She lives across the street from the proposed new hotel. She bought this family home from her father, and would like to some day pass it on to her daughter. Her daughter walks to the bus stop, and Eng is concerned about the safety due to increased traffic. Ben Fye, 1504 Osage Ave., addressed the commission. He noted there has been increased traffic in the area ever since the opening of the LaQuinta hotel. The new hotel will look directly into his window. The trees they are proposing are too sparse. His property will lose value. He asked if the four properties on Osage be granted a short-term rental license. Diana Mullberg addressed the commission. Looking from a satellite view, a hotel here doesn't make sense. It will disrupt wetlands and wildlife. There are lots of other properties for sale. Humans need nature. Once wildlife areas are gone, they aren't coming back. A hotel here just isn't right.

Commissioners: Andrea Wedul asked how does this proposal align with the Imagine Duluth 2035 Comprehensive Plan. Per Lee, the staff report lays out the alignment in more detail, but noted economic factors including tourism. The mall area is good for redevelopment and goes back to the 1970's. The land of the proposed hotel is deemed commercial. Commissioner Michael Schraepfer asked about the hotel height. David Bohl of Northland Consulting Engineering addressed the commission. He noted the elevation is 51'6". There is a ten-foot façade on top of the building for branding, but mostly to screen mechanical equipment. Commissioner Gary Eckenberg asked if the planning commission vote will be the final decision. Deputy Director Adam Fulton affirmed, but noted it could be appealed to the city council with ten-days of tonight's decision. Commissioner Schraepfer noted both sides of this development have a valid argument. The current property owners have rights, but so does the new property owner. He sees this as a zoning issue where it was zoned commercial back in 2009. He would like to see a compromise and suggests adding more trees as a buffer. Commissioner Rhodes asked if the homes surrounding the hotel should be zoned commercial. Deputy Director Fulton noted they have no application before them, and have not evaluated the future land use for those properties. Eckenberg reiterates that the public could file an appeal to the city council. Commissioner Wedul asked how typical is this for neighboring zoning differences. Fulton noted a study was done in the 1990's, which identified sites for expansion of activity in the mall area.

He noted Sundry Road functions as a commercial road. This site has lots of MU-C areas surrounding the RR-1 area due to no utilities. This is not a-typical and compared it to Spirit Valley and Lincoln Park.

Applicant: Bohlif addressed Commissioner Schraepfer's comment to increase the buffer. Engineering required the 33' of right of way to the east of the property. This means the applicant will have a 33' buffer over the 33' buffer in place. He noted the stormwater needs to be cooled before it goes into a holding pond. He welcomed additional questions. Commissioner Eckenberg asked about the 22 additional shrubs. Per Lee, the shrubs need to be placed on the applicant's property. Bohlif noted minor adjustments could be done and noted the re-allocation of parking towards Sundry Road.

Commissioners: Commissioner Rhodes noted the commission is not deciding on if they like hotels, only if the hotel meets the criteria. Wedul noted this is a hard topic, and appreciates the applicant's willingness to increase the buffer if possible. Bohlif noted their intent is to build a 4' berm to black automobile headlights from the neighbors. Crawford asked if they could increase the height of the buffer. Per Bohlif more area would need to be cleared to increase the berm height.

MOTION/Second: Wedul/Eckenberg approved as per staff recommendations

VOTE: (7-1, Lobby Opposed)

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview.
Golden Bulldog, 318 N 18th Ave E – Chris Lee stated their hours of operation appear to be outside of the agrees upon 9 p.m. close. An enforcement letter was sent, and they have 14 days to comply. Lee noted that a bar falls into the definition of a bar even if food is not the main focus. Eckenberg thanked staff for following-up.

Discuss Brown Bag Date

Heritage Preservation Commission – Gary Eckenberg noted there was no meeting this month.
Joint Airport Zoning Board – No update.

Duluth Midway Joint Powers Zoning Board – No update.

Adjournment

Meeting adjourned at 6:24 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development