



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 21-117		Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit – Unit 1		Planning Commission Date	August 10, 2021	
Deadline for Action	Application Date	July 7, 2021	60 Days	September 5, 2021	
	Date Extension Letter Mailed	July 27, 2021	120 Days	November 4, 2021	
Location of Subject	5723 Grand Avenue				
Applicant	Steve Becks		Contact	On file	
Agent			Contact		
Legal Description	PID # 010-4510-03580				
Site Visit Date	August 4, 2021		Sign Notice Date	July 27, 2021	
Neighbor Letter Date	July 30, 2021		Number of Letters Sent	50	

Proposal

Applicant proposes use of an approximately 580 square foot studio apartment on the second floor of an existing 3,800 square foot building as a vacation dwelling unit. The permit is good for a studio apartment with 2 occupants.

Vacation dwelling units located in the F-3 Form District are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

Recommended Action: Staff recommends that Planning Commission recommend approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-3	Office	Central Business Secondary
North	MU-N	Single Family Dwelling	Central Business Secondary
South	MU-C	Single Family Dwelling	Central Business Secondary
East	F-3	Commercial	Central Business Secondary
West	MU-N	Single Family Dwelling	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-3 zone district.

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

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location;
2. The applicant agrees to sign a development agreement with the city.
3. No more than



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60 permits may be issued for either vacation dwelling units or accessory vacation dwelling units. Permits issued for vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts,

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

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

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

Applicant is proposing to provide another type of lodging product for visitors to the City of Duluth and surrounding area.

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.

History: Building is 3,800 square feet in size and constructed in 1947. Most recent use is for office of Nylund Electric. The proposed use will occupy a portion of the second floor of the building.

Review and Discussion Items:

- 1) Applicant's property is located at 5723 Grand Avenue. The proposed vacation dwelling is a 580 square foot studio apartment, Unit 1, on the second floor of an office building. The studio apartment would allow for a maximum of 2 guests.
- 3) Vacation dwelling units located in Form districts are exempt from number of interim use permits issued, minimum night stays and parking requirements.
- 4) The applicant has noted on their site plan that there will be on street parking.
- 4) There will not be any campers or trailers parked on the property.
- 5) The site does not have any outdoor amenities.
- 6) Permit holders must designate a managing agent or local contact who resides within 25 miles of the city and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the city. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed themselves to serve as the managing agent, and meet the criteria.



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7) 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.

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

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

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

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission recommend approval subject to the following:

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.



MU-N (Mixed Use Neighborhood)

Legend

- Parks
- Road or Alley ROW
- Vacated ROW

Easement Type

- Utility Easement
- Other Easement
- Zoning Boundaries
- Trout Stream (GPS)
- Other Stream (GPS)



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MU-C (Mixed Use Commercial)



North Star Credit Union

NPLUND Electric

Bailey Builds

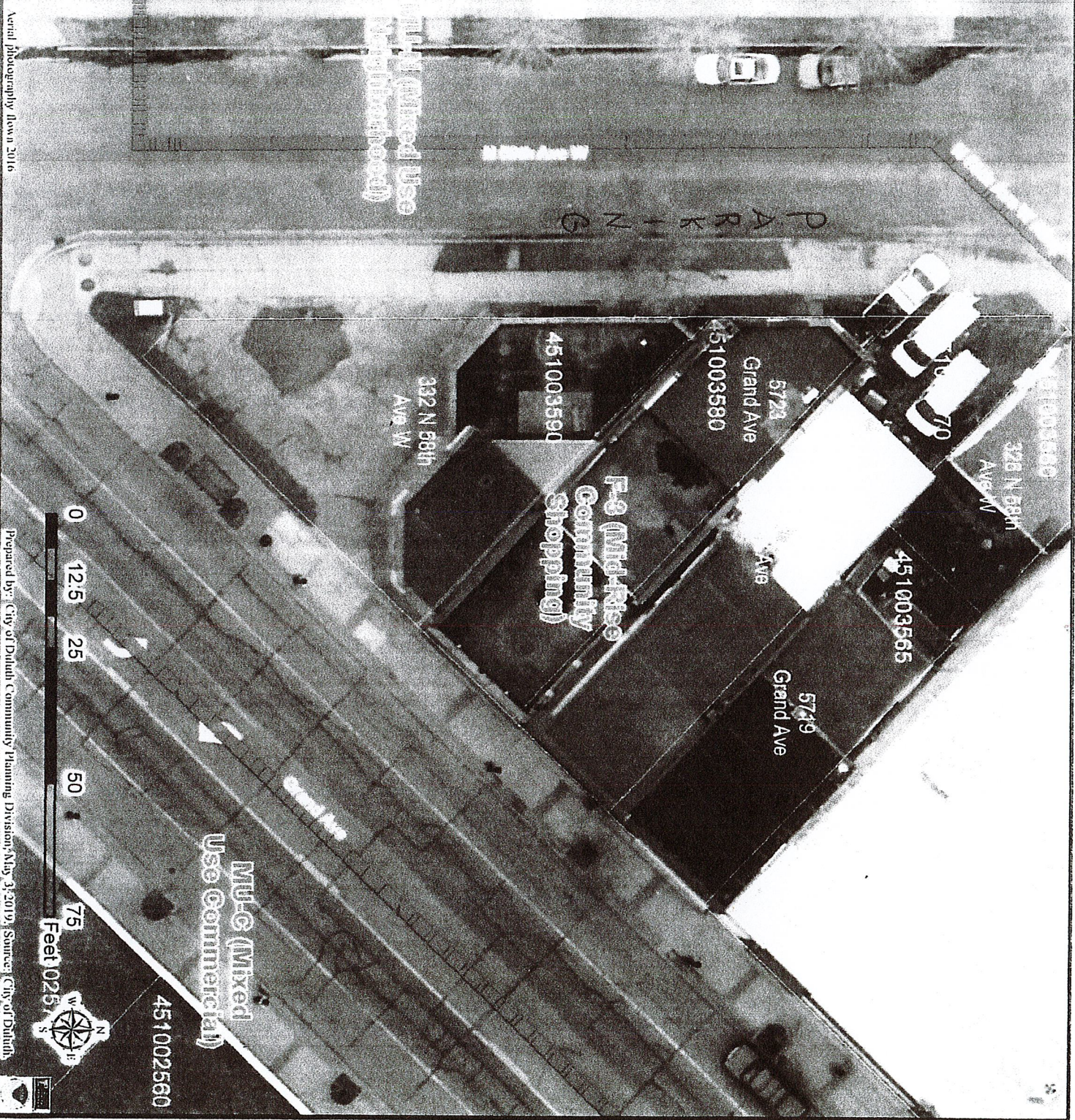
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Legend
Zoning Boundaries

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Aerial photography from 2016

Prepared by: City of Duluth Community Planning Division, May 3, 2012, Source: City of Duluth

