



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

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

218-730-5580

[planning@duluthmn.gov](mailto:planning@duluthmn.gov)

<b>File Number</b>	PL 22-122	<b>Contact</b>	Chris Lee, <a href="mailto:clee@duluthmn.gov">clee@duluthmn.gov</a>	
<b>Type</b>	MU-I Planning Review: Accessory Parking Lot	<b>Planning Commission Date</b>		August 9, 2022
<b>Deadline for Action</b>	<b>Application Date</b>	July 6, 2022	<b>60 Days</b>	September 4, 2022
	<b>Date Extension Letter Mailed</b>	July 15, 2022	<b>120 Days</b>	November 2, 2022
<b>Location of Subject</b>	916 East 3 <sup>rd</sup> Street			
<b>Applicant</b>	Jefferson School, LLC	<b>Contact</b>	Christian Murphy	
<b>Agent</b>	Northland Consulting Engineers	<b>Contact</b>		
<b>Legal Description</b>	See attached, PIN: 010-3830-07680, 010-3830-07692			
<b>Site Visit Date</b>	July 25, 2022	<b>Sign Notice Date</b>		July 26, 2022
<b>Neighbor Letter Date</b>	July 26, 2022	<b>Number of Letters Sent</b>		63

**Proposal**

The applicant is proposing to construct a new accessory parking lot to accommodate tenants in the building and their customers. This accessory parking lot will include a stormwater retention pond.

**Recommendation**

Staff recommends approval, subject to conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	MU-I	Mixed Use Structure	Institutional
<b>North</b>	MU-N	Commercial/Vacant Lot	Neighborhood Mixed Use
<b>South</b>	MU-I	St. Luke's Parking	Institutional
<b>East</b>	MU-I	Parking Lot	Institutional
<b>West</b>	R-2	Commercial	Urban residential

### **Summary of Code Requirements**

50-15.3 MU-I District – Planning review by the Planning Commission is required

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 Principle #1 – Reuse previously developed lands.

Economic Development Policy #3: Priority will be given to investment that reuses previously developed lands and limits increase in utility operation or maintenance costs.

Future Land Use – Institutional: Applicable to medical, university/college, public school, religious, or governmental campuses. Can include adjacent areas that support them, with related commercial and/or office uses, and residential uses in the fringe areas of the district.

Site history: The site is currently used as a multi-family dwelling and a daycare. The parking lots are used for residential tenants, daycare parking, and off-site parking for St. Luke's. A parking lot was previously approved by Planning Commission in 2020 (PL20-022), but the applicant did not act at the time.

### **Review and Discussion Items**

Staff finds that:

- 1) 50-15.3 (MU-I District) – Site plan shows that the parking lot is designed consistent with MU-I requirements. The parking lot is proposed to add 29 stalls and stormwater controls. The applicant will be reconstructing the existing parking lot on the site as part of this parking expansion. The new parking will serve the needs of the daycare facility in the building.
- 2) 50-18.1 (Stormwater Management) – The applicant will be required to submit a stormwater plan for review by the City's Engineering Department prior building permits approved. The applicant has proposed a swale for catching and filtering stormwater runoff for the new lots. This swale is located on the south corner of the property.
- 3) 50-23 (Connectivity) –The site will have internal connectivity from the building entrance to the parking lots. Existing sidewalks will remain in the adjacent rights-of-way.
- 4) 50-24 (Parking) – The site plan currently shows 8 parking stalls. The applicant is proposing an addition of 21 stalls for a total of 29 spaces. Access to the parking lots will be off 9<sup>th</sup> Avenue East. The number of stalls will be at the maximum allowed on the site and for this use.
- 5) 50-25 (Landscaping) – The landscape plan indicates 4 new maples trees for the required parking lot coverage, along with 16 new shrubs that comply with UDC requirements. The applicant will be removing 3 trees as part of the construction.
- 6) 50-26 (Screening) Not Applicable.
- 7) 50-27 (Signs) – Applicant will apply for sign permits separately from this application. Two signs are being removed as part of this development.
- 8) 50-29 (Sustainability) – Not Applicable.
- 9) 50-30 (Design Standards) – Not Applicable.

10) 50-31 (Exterior Lighting) – Not Applicable. Applicant is not proposing new lighting.

11) No public comments have been received on this project to date.

12) 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 approve the Planning Review, subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to the construction and building plans drawn for this zoning application and included with this staff report on July 6, 2022.
- 2) 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; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.



**F-6 (Mid-Rise  
 Neighborhood  
 Shopping)**

**MU-N (Mixed Use  
 Neighborhood)**

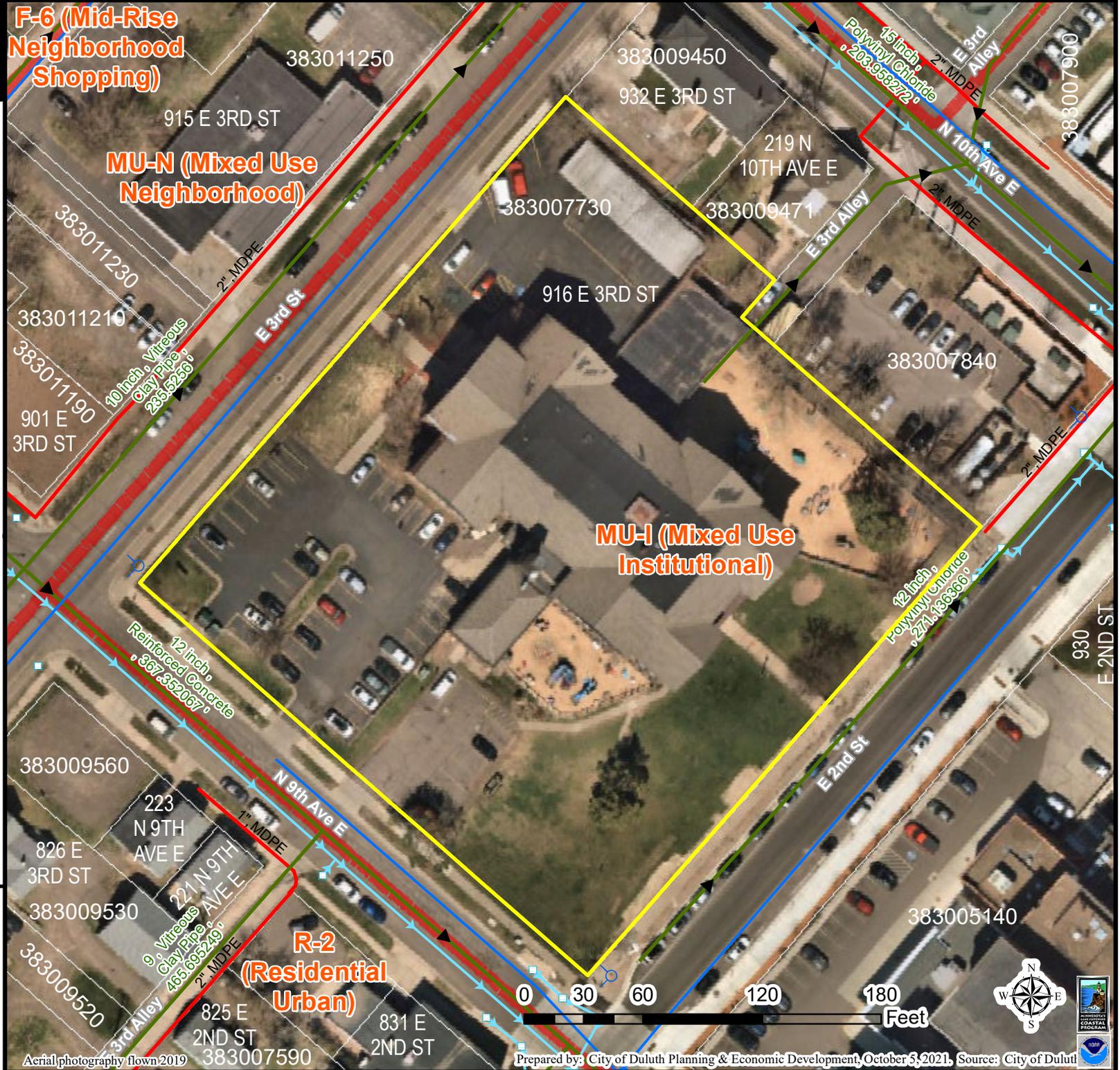
**MU-I (Mixed Use  
 Institutional)**

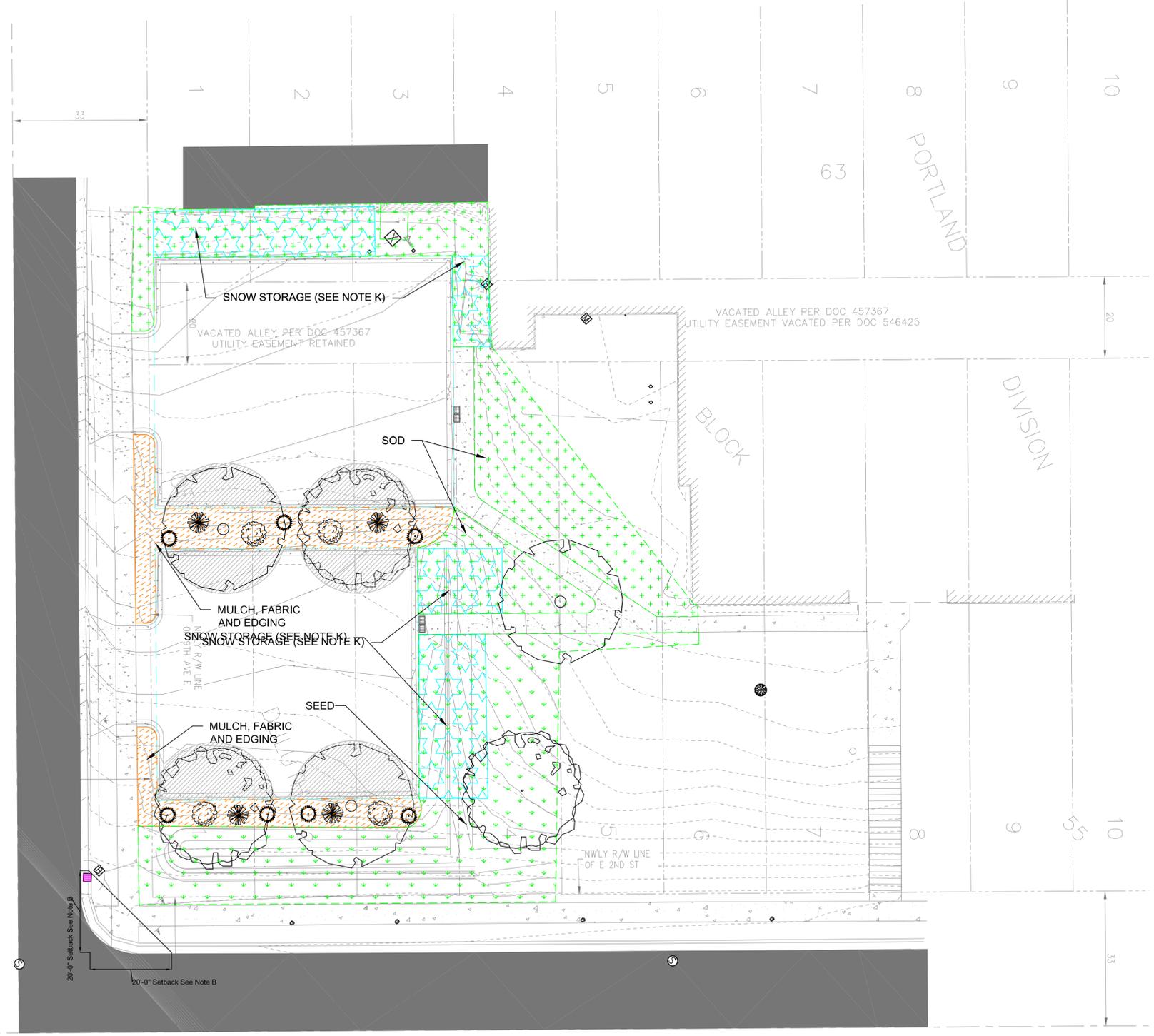
**R-2  
 (Residential  
 Urban)**

**Legend**

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
  - CITY OF DULUTH
  - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- PS 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.





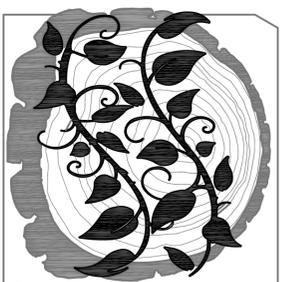
- SITE LANDSCAPE NOTES:**
1. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. GOPHER STATE ONE CALL 811 CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE WHICH MIGHT BE CAUSED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.
  2. NO PLANTING SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED
  3. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE OWNERS WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIALS SHALL ALSO HAVE A ONE YEAR GUARANTEE. ALL SUBSTATIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY LANDSCAPE CONTRACTOR.
  4. ALL PLANTS TO BE MINNESOTA NORTHERN-GROWN AND HARDY. GRADE SHALL ADHERE TO, BUT NOT BE LIMITED BY THE FOLLOWING STANDARDS:
    - FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.
    - FREE FROM NOTICEABLE GAPS, HOLES OR DEFORMITIES
    - FREE FROM BROKEN OR DEAD BRANCHES AND SHALL HAVE HEAVY, HEALTH BRANCHES
    - CONIFERS SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3
  6. PLANTS TO BE INSTALLED AS PER STANDARD AAN PLANTING PRACTICES.
  7. PLANTS SHALL BE INSTALLED IMMEDIATELY UPON ARRIVAL TO THE SITE OR PROPERLY AND TEMPORALITY HEELED-IN.
  8. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO THE PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
  9. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL ESTABLISHMENT. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
  10. RESTORE ALL LAWN AREAS DISTURBED BY CONSTRUCTION ACTIVITIES WITH TOPSOIL AND SOD AS SPECIFIED.
  11. PLANT MATERIALS SHALL BE FROM THE CITY OF DULUTH'S APPROVED LANDSCAPING PLANT LIST AS SHOWN IN THE UDC APPLICATION MANUAL. ALL PLANT MATERIAL SHALL BE HARDY TO NORTHEAST MINNESOTA, SUITABLE FOR THE SITE, FREE OF DISEASE AND INSECTS AND CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK OF THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION. (50.25.2.B)
  12. ALL REQUIRED LANDSCAPING SHALL BE PLANTED IN UNCOMPACTED SOIL WITH A MINIMUM DEPTH OF 2 FT. (50.25.2.F)
  13. IF INSTALLATION OF REQUIRED LANDSCAPING IS NOT POSSIBLE BY THE TIME CONSTRUCTION ON THE PARKING LOT HAS BEEN COMPLETED, THE CITY MAY AUTHORIZE A DELAY IN INSTALLATION UNTIL NO LATER THAN JUNE 30, 2020. AS A CONDITION OF AUTHORIZING A DELAY IN INSTALLATION, THE CITY OF DULUTH MAY REQUIRE THAT A SURETY OR OTHER GUARANTEE, IN A FORM ACCEPTABLE TO THE CITY OF DULUTH, IN THE ESTIMATED AMOUNT OF SUCH INSTALLATION BE PROVIDED, OR THE CITY OF DULUTH MAY ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY, WITH THE PERMANENT CERTIFICATE OF OCCUPANCY TO BE ISSUED FOLLOWING INSTALLATION OF ALL REQUIRED LANDSCAPING. (50.25.2.N)
  14. CONTRACTOR SHALL SPECIES SPACING REQUIREMENTS ACCORDING TO AMERICAN STANDARD FOR NURSERY STOCK OF THE AMERICAN NURSERY & LANDSCAPE ASSOC. TWO TREES CANNOT BE CLOSER THAN 25'. (50.25.2.B)
  15. SEE ARCHITECTURAL PLANS BUILDING LAYOUT AND DETAILS.
  16. SEE CIVIL PLANS FOR SITE LAYOUT AND GRADING.

- SITE LANDSCAPE REQUIREMENTS:**
- A. ZONED RESIDENTIAL MIXED-USE INSTITUTIONAL (MUI)
  - B. DISTURBED AREA IS 8610SF
  - C. MINIMUM LIVING MATERIAL IS 43%
  - D. 0FT. IN FRONT STREET YARD
  - E. 0 FT. IN SIDE STREET YARD
  - F. 0 FT. ON REAR LOT LINES
  - G. 20FT SITE LINE TRIANGLE
  - H. LOT SIZE IS 97,260 SQFT. = 5FT LANDSCAPE REAR AND 10FT SIDE STREET MIN
  - I. 1 TREE PER 35 FT. OF LINEAR FRONTAGE  
4 TREES REQUIRED, 4 PROVIDED
  - J. 3 LARGE SHRUBS PER 25 FT. OF LINEAR FRONTAGE 136LF.  
15 REQUIRED, 15 PROVIDED.
  - K. DESIGNATED SNOW STORAGE AREA 1825 =22% OF IMPERVIOUS SURFACE
  - L. 5 FT. MINIMUM PERIMETER SCREENING FROM PUBLIC STREET
  - M. TOTAL PARKING LOT AREA 8436 SQFT. x 15%= 1265 SQFT. /300 SQFT= 4 TREES.  
4 TREES PROVIDED (1594SF) =18% PARKING LOT COVERAGE

**3 LANDSCAPE PLAN**  
SCALE: 1" = 10'-0"

- LEGEND**
- SNOW STORAGE (SEE NOTE K)
  - PARKING TREE SHADE AREA (SEE NOTE L)
  - SOD
  - 3"- 4" BARK MULCH
  - MN DOT 35-221 (Dry Prairie General Seed Mix)
  - PROTECTIVE FENCE (SEE NOTE 12)
- NOTE: All seed shall be broadcast at 200lbs per acre within hydra mulch

PLANTING PLAN LIST					
SYMBOL	SCIENTIFIC NAME	COMMON NAME	QNTY	SIZE	NOTES
	ACER RUBRUM	NORHRTN RED OAK	3	2" CAL	5 GAL
	BETULA PAPPYRIFERA	PAPER BIRCH	3	2" CAL	5 GAL
	CORNUS SERICEA	RED OSIER DOGWOOD	4	3 GAL	6' O.C.
	SPIRAEA X BULMALDA 'GOLDFLAME'	GOLD FLAME SPIREA	4	3 GAL	5' O.C.
	JUNIPERUS SCOPULORUM 'BLUE ARROW'	BLUE ARROW JUNIPER	7	3 GAL	4' O.C.



**STINNETT  
SITE DESIGNS**  
6000 Highway 53, Culver, MN  
218-310-0121

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.

*Patricia Jean S. Crego*  
Patricia Jean S. Crego  
Landscape Architect  
Date reg # 48524

**Jefferson Square Apartments**  
916 East 3rd Street  
Duluth, Minnesota

project # 02001  
date 06-26-2022  
drawn by Patricia Jean S. Crego

mark revision/issue date

sheet title **L1.0**  
sheet # SITE LANDSCAPE PLAN

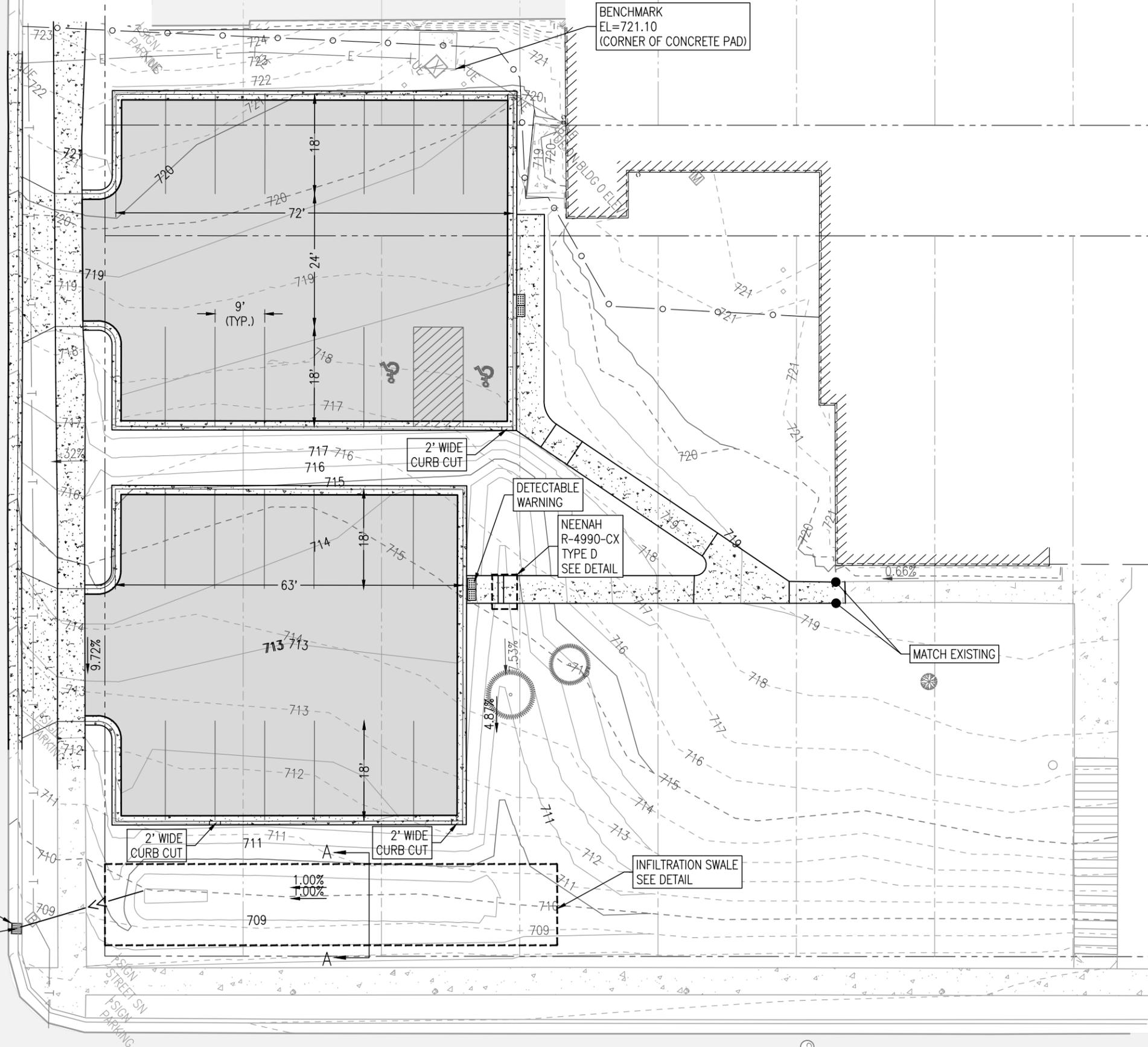


N. NINTH AVE. E

E. SECOND STREET

EXISTING CATCH BASIN  
RIM EL=708.13  
INVERT EL=705.23

CORE AND BOOT  
MANHOLE



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.  
 PRELIMINARY  
 NOT FOR CONSTRUCTION  
 Engineer: David G. Bolf  
 Lic. No: 40926  
 XX/XX/XX

revision	
Proj: 18-221	Date: XX/XX/XX
Drawn: PMR	Checked: TPD
SITE GRADING AND UTILITIES	
Sheet Title	
Sheet Number	
<b>C5.0</b>	