



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

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

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<b>File Number</b>	PL 19-178	<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Interim Use Permit– Vacation Dwelling Unit	<b>Planning Commission Date</b>		January 14, 2020
<b>Deadline for Action</b>	<b>Application Date</b>	December 4, 2019	<b>60 Days</b>	February 2, 2020
	<b>Date Extension Letter Mailed</b>	December 14, 2019	<b>120 Days</b>	April, 2, 2020
<b>Location of Subject</b>	20 North 12 <sup>th</sup> Avenue East			
<b>Applicant</b>	North Shore Land Company, LLC	<b>Contact</b>	Rollie Schraepfer	
<b>Agent</b>	Heirloom Property Management	<b>Contact</b>	Mike Schraepfer	
<b>Legal Description</b>	PID # 010-0190-01120			
<b>Site Visit Date</b>	December 31, 2019	<b>Sign Notice Date</b>	January 1, 2020	
<b>Neighbor Letter Date</b>	January 4, 2020	<b>Number of Letters Sent</b>	21	

**Proposal**

Applicant proposes to use the one bedroom unit as a short-term rental. Up to 3 people will be allowed to stay in the unit. A vacation dwelling unit allows for periods of occupancy of 2 to 29 days, with a minimum stay of 2 nights. This unit is in the Higher Education Overlay District and must adhere to the standards for a standard vacation rental (no form district exemptions); this includes a minimum 2-night stay and 1 off-street parking space per unit.

This is 1 of 4 identical applications for the same building.

Staff is recommending Planning Commission recommend approval.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	F-4	Multi-Family Dwelling	Central Business Secondary
<b>North</b>	F-4	Multi-Family Dwelling	Central Business Secondary
<b>South</b>	MU-I	Commercial Business	Institutional
<b>East</b>	F-4	Parking Lot	Central Business Secondary
<b>West</b>	F-4	Commercial Business	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-4 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



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requested use in that location ....; 2. The applicant agrees to sign a development agreement with the city . UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-4 Zone District.

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

Governing Principle #5 - Strengthen neighborhoods

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

**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.

**Current History:** Structure is currently a duplex with 6 bedrooms spread across the 2<sup>nd</sup> and 3<sup>rd</sup> floors. There was previously a real estate office on the main floor. A long-term rental is on the 3<sup>rd</sup> floor. The structure was built in 1900 and contains 3,936 square feet.

**Review and Discussion Items:**

1) Applicant's property is located at 20 North 12<sup>th</sup> Avenue East. The proposed vacation dwelling unit contains 1 bedroom, which would allow for a maximum of 3 guests. The property currently consists of 6 bedrooms on the 2<sup>nd</sup> and 3<sup>rd</sup> floors with a real estate office on the main floor. The applicant is proposing the convert the main floor and 2<sup>nd</sup> floor into 2 1-bedroom units for each floor. A long rental will remain on the 3<sup>rd</sup> floor.

2) 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 Heirloom Property management at 202 East 1<sup>st</sup> Street to serve as the managing agent.

3) The site has room for the required vehicle parking with 9 total parking stalls. There will not be any campers or trailers parked on the property.

4) The site does not have any outdoor amenities.



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5) 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.

6) 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.

7) 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").

8) 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 must provide a written disclosure to all guests stating that quiet hours shall be observed between the hours of 10 p.m. and 8 a.m.
- 3) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit document and provide evidence of compliance, which will be included in the resolution.





19-176 to 179

1211 E 1st St  
**MU-N (Mixed Use Neighborhood)**

1203 E 1st St

1210 E 1st St

1202 E 1st St

20 N 12th Ave E

1131 E Superior St

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

**F-4 (Mid-Rise Community Mix)**

**Legend**

- Gas Main
- Water Main
- Hydrant

**Sanitary Sewer Mains**

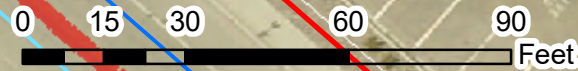
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station

**Storm Sewer Mains**

- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Zoning Boundaries

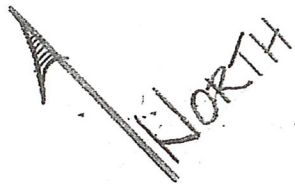
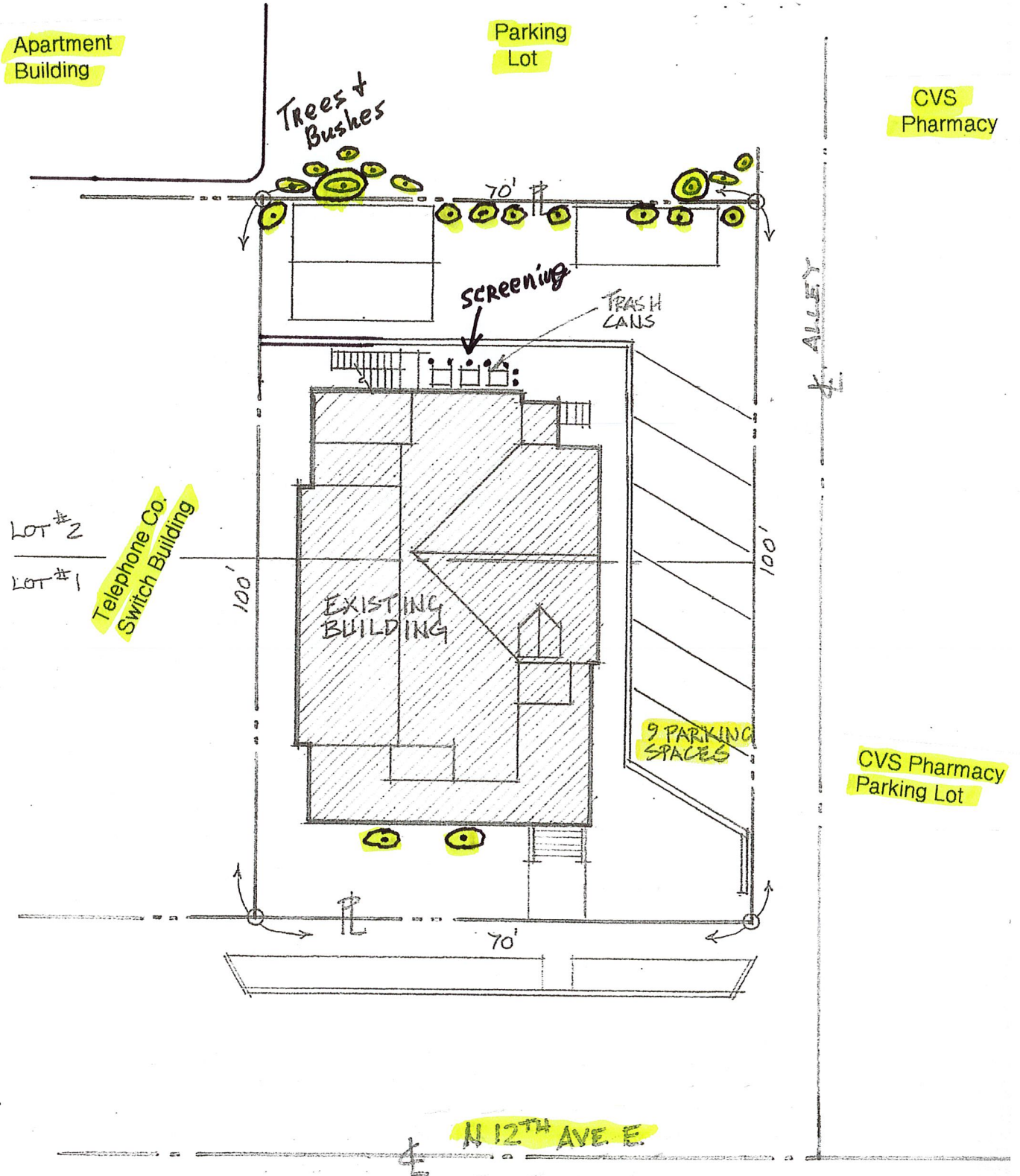
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Aerial photography flown 2019





# Site Plan for 20 N 12th Ave E



SITE PLAN

1" = 20'-0"

Walgreens Pharmacy

