

City of Duluth  
Planning Commission  
February 12, 2019 Meeting Minutes  
Council Chambers - Duluth City Hall

Call to Order

President Michael Schraepfer called to order the meeting of the city planning commission at 5:00 p.m. on Tuesday, February 12, 2019, in city hall council chambers.

Roll Call

Attending: Jason Crawford, Janet Kennedy, Margie Nelson, Michael Schraepfer, Luke Sydow, Sarah Wisdorf, and Zandra Zwiebel

Absent: Gary Eckenberg and Tim Meyer

Staff Present: Adam Fulton, Robert Asleson, Steven Robertson, Kyle Deming, Chris Lee, and Cindy Stafford

Approval of Planning Commission Minutes - January 8, 2019

**MOTION/Second:** Nelson/Wisdorf approve the minutes

**VOTE: (7-0)**

Consent Agenda

1. PL 18-160 Renewal of Existing Vacation Rental Dwelling Permit at 1003 and 1005 South Lake Avenue by Island Twin Homes LLC
2. PL 19-004 Concurrent Use Permit to Allow Existing Garage to Encroach into Public Right of Way by Four Feet in the Platted Right of Way of 48<sup>th</sup> Avenue East at 4831 London Road by Tom Kolar
3. PL 19-005 Vacation of 216 Feet of the Platted Right of Way of Gladstone Street, West of 49<sup>th</sup> Avenue East, by Tom Kolar

**Staff:** Luke Sydow asks if there were any violations for PL 18-160. Chris Lee states there were none.

**Public:** No speakers.

**MOTION/Second:** Zwiebel/Sydow motion to approve all items consistent with staff's recommendation for consent agenda items.

**VOTE: (7-0)**

Public Hearings

4. ~~PL 19-002 Special Use Permit for a Residential Care Facility (More than 7 Individuals) at 4425 Norwood Street by American Indian Community Housing Organization~~ POSTPONED
5. PL 19-001 Variance from Form District Standards for a New Commercial Structure at 1801 London Rd. by William Scalzo, Scalzo Architects, Ltd.

**Staff:** Kyle Deming introduces the applicant's proposal to construct a 4,092 square feet Main Street I Building (Sherwin Williams paint store) with 13 parking stalls and driveways onto London Rd. and 18<sup>th</sup> Ave. E. The applicant is seeking a variance from two form district standards: 1. Reduce Front "Build-To-Zone" coverage from 65%

required to 40% proposed (Sec. 50-22.8.A.1), and 2. Increase Ground Story Elevation from no more than one foot above the sidewalk to four feet above the sidewalk (Sec. 50-22.3.B.2). The practical difficulty is site constraints, including topography, bedrock, and the elevation of existing roads around the site, discussed in detail in the staff report. Manager Adam Fulton notes this is a tricky site due to bedrock conditions. He states that the proposal meets the intent of the UDC for building form, and the principles of the comprehensive plan. Staff recommends approval with the conditions listed in the staff report.

**Applicant:** Bill Scalzo, of Scalzo Architects, Ltd. addresses the commission, and encourages approval. He asks if there are any questions. There were none.

**Public:** No speakers.

**Commissioners:** N/A

**MOTION/Second:** Wisdorf/Nelson to approve as per the findings of the staff report and consistent with the staff recommendation.

**VOTE: (7-0)**

6. PL 19-006 UDC Text Amendment Allowing Preschools and Daycare Facilities in the MU-B (Mixed Use Business) Zone District

**Staff:** Steven Robertson introduces the city's proposed Text Amendment, which would allow preschools and daycare facilities (with a Special Use Permit) in the MU-B zone District. Staff recommends approval. Sarah Wisdorf questions the rationale of needing consent of the owners of the neighboring properties. Robertson states that a daycare can change the character of a neighborhood, so it is appropriate to have the neighbors' input. There is an alternative method, which would be a letter of support from the original developer. The 350 feet area would be from the edge of the property. Janet Kennedy questions the environmental impact of being by the airport. Manager Fulton describes the general location of the airpark business park. He states that the site is located in airport safety zone C. The regulations for zone C relate to building height and not occupancy. Chair Schraepfer asks about the parking requirements. Robertson notes there is need for parking, especially during pick-up and drop-off times. Chair Shraepfer asks if there could be leniency to this provision. Manager Fulton suggests the commissioners and staff could adjust the language to allow for some administrative review of parking demand. Sydow appreciates this provision, but thinks there should be some teeth to it. Sydow thinks there should be a number assigned to parking. He questions the 2/3 clause and notes there aren't always a lot of neighbors. Zandra Zwiebel has concerns in relation to pick-up, drop-off areas. She thinks it applies mostly in neighborhoods, but as a parent she would like a larger space for pick-up/drop-off areas. Manager Fulton states it is not a one-size fits all provision. The planning commission can add conditions. Chair Schraepfer notes the need for additional daycare. Kennedy asks if there is room for a variance on a case-by-case basis. Manager Fulton doesn't agree that application for a variance would be the right option due to the expense to the applicant. He recommends language to provide for latitude for land use supervisor adjustments. Wisdorf asks about fencing for outdoor exercise areas. She asks if a survey is required. Robertson states that if it is further than 3 feet from the lot line, a survey would not be required.

**Applicant:** N/A

**Public:** No Speakers.

**MOTION/Second:** Kennedy/Zwiebel recommend approval as per staff's recommendations.

**Commissioners:** Wisdorf would like to add a provision allowing latitude for land use supervisor adjustments for parking. Margie Nelson would like to remove the wording of expanded in size or density, but is okay leaving it in if the land use supervisor has determination flexibility.

**MOTION/Second:** Wisdorf/Zwiebel amend the wording in regards to off-street parking subject to the determination of the land use supervisor.

**VOTE: (7-0)**

**MOTION/Second:** Wisdorf/Zwiebel recommend approval as per staff's recommendation to include the amended wording in regards to off-street parking be subject to the determination of the land use supervisor.

**VOTE: (7-0)**

### Communications

- Special planning commission for the essential Health EAW – Scheduled for March 26<sup>th</sup> at 5:00 p.m. Kennedy has concerns that the voice of the community is not being heard.

Manager's Report – The 2019 Annual Meeting, date is set for March 19<sup>th</sup> at 6:00 p.m. There will be a neighborhood meeting for upper 6<sup>th</sup> Ave. East – Land Use Evaluation. The meeting will be on Wed. March 20<sup>th</sup>. City council approved the creation of a natural resource commission, which will encompass the tree commission and create a broader view.

- Pastoret Terrace Building Potential Demolition. SHPO letter will be shared with the commissioners. Manager Fulton notes the LSMRR super meeting with the Parks Commission, HPC, and DEDA, will be pushed back to the end of April or beginning of May.

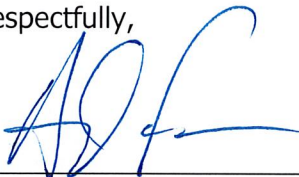
### Reports of Officers and Committees

- Heritage Preservation Commission – Zwiebel notes there was no quorum, but Manager Fulton spoke to the members about 333 building, which now includes the demo of the Hacienda building.

### Adjournment

Meeting adjourned at 6:04 p.m.

Respectfully,



---

Adam Fulton - Manager  
Community Planning